

TWO DECADES IN THE LIFE OF A CITY:

GRAHAMSTOWN 1862-1882

Thesis

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ABBREVIATIONS USED IN FOOTNOTES

Apart from the usual abbreviations like Vol. and Ibid., the following abbreviations have been used. For greater detail with regard to City Council sources, consult the Bibliography.

- A.A. The Anglo-African
- A.Y.B. Archives Year-Book for South African History
- B.W. & L. Board of Works and Lands - Minute Books
- C.B.B. Cape of Good Hope Statistical Blue Books
- C.C. & R.M. Civil Commissioner and Resident Magistrate
- C.L. Cory Library for Historical Research, Rhodes University,
Grahamstown
- C.M.B. Council Minute Books
- D.S.A.B. Dictionary of South African Biography
- E.S. The Eastern Star
- F.C.B. Finance Committee Minute Books
- G.P.M. Grocott's Penny Mail
- G.T.J. Graham's Town Journal
- P.C.M.B. Police Committee Minute Book. This abbreviation is
used variously for the Police and Market Committee,
the Sanitary and Police Committee and the Police,
Market and Pound Committee, which performed similar
functions under different titles.
- S.A.L. South African Public Library, Queen Victoria Street,
Cape Town.
- S.C.M.B. Special Committee Minute Books

PREFACE

In 1862 Grahamstown acquired the dignity, pride and responsibility of full municipal status by its own Act of Incorporation. This Act marked the consolidation of Grahamstown's era of local government by its vigorous and far-sighted Municipal Board of Commissioners, which was established in 1837 and has been examined in depth in K.S. Hunt's thesis on Grahamstown municipal government up to 1862. Clearly, the year 1862 is the logical beginning for a further study of Grahamstown's changing position in the Eastern Cape and its development in the practice of local government during the crucial decades of the 1860's and 1870's. But the choice of 1882 to mark the end of this thesis is in some ways arbitrary.

1882 does not appear to be a turning point, a year of major significance in either the history of Grahamstown or of the Colony as a whole. Besides the convenient time-span of twenty years, there are various factors which, taken together, explain why 1882 is a useful date of demarcation from which to take stock and review Grahamstown's economic, political, social and municipal position after two vital decades in its history. In the civic sphere, the opening of Grahamstown's Town Hall made tangible, in solid Victorian design, a long held ambition of the City Councillors. Buildings, in Victorian attitudes, throughout the British Empire, were regarded as very important civic symbols. One can learn much of Grahamstown Victorian attitudes from the lengthy process of attaining a Town Hall. A much more elaborate ceremony surrounded the opening of the Jubilee Tower, an occasion for assessing the influence of Grahamstown's Settler heritage on the development of the town. Municipal problems concerning finance, water and "native" locations remained thorny questions as they had throughout the period 1862-82.

Generally 1882 was a year of transition for Grahamstown and

the Colony as a whole. Economically it appeared to start prosperously but 1882 actually marked the beginning of a severe depression which lasted until 1886. It is important to consider how Grahamstown's economic development relates to the overall economic picture of the Cape Colony at this juncture. Though ostrich feather prices remained high in 1882, the ensuing depression was caused partly by the rapid over-expansion of the industry but most important of all, by a reaction to an inflated era of confidence during the diamond boom years of the 1870's and their consequent easy Bank credit plus intense speculation.¹ Politically 1882 also appeared a year of transition. How to maintain the uneasy peace after the Basuto war remained a constant challenge to Scanlen's ministry. The beginnings of active party conflict in the workings of responsible government were evident only in embryo. The rapid growth of the Afrikaner Bond was to change this. Specifically in relation to the practice of local government in the Cape Colony, the General Municipal Act No. 45 was passed during the Parliamentary session of 1882, enabling any town to seek incorporation. The query is raised as to how far the modus vivendi of the Grahamstown municipality helped frame the clauses of this general Municipal enabling Act. For these various reasons, as well as the additional one that twenty years was found to offer a manageable research unit, 1882 has been decided on as the limit of this thesis.

This thesis aims, through a careful examination of Grahamstown's economic, political but particularly civic development, to determine and trace the nature of the Grahamstown community's response to the challenge of the gradual isolation of the 1860's and 1870's. Grahamstown's civic history provides fascinating insights into the structure of the entire community and its attitudes and values. Study has been made of the following major primary sources for the history of Grahamstown 1862-1882: the Grahamstown Municipality records, complete

¹ C.G.W. Schumann, Structural Changes and Business Cycles in South Africa 1806-1936, p.84.

except for incoming letters and housed in the Cape Archives, and the Grahamstown newspapers for the period. The most prolific as well as the most valuable newspaper source of the period is The Grahamstown Journal, a newspaper with a tradition firmly bound up with the formulation of frontier as well as Grahamstown thought, kingpin of the network built up by the successors of Robert Godlonton, the "architect of frontier opinion".² It has to be treated with caution as a source because of this very bias. The Council Minutes themselves, meticulously recorded in the Town Clerk's copperplate Victorian script, are scrupulously objective, recording blandly proposers, seconders and fates of motions. What might appear the bare bones of a detailed study of the municipal records yet reflects the economic climate of the town, political opinions, class and race attitudes, civic pride, concepts of public health and charity. The newspapers are a vital addition to the Municipal records themselves. The weekly meetings received faithful, accurate and very copious coverage from press-representatives present at every ordinary meeting. Indeed these reports give a vivid immediacy to the meetings and reveal opinions, pressure groups and lines of conflict within the Council, on issues important and trivial. These, at times lively and enlivening, sometimes stormy meetings, are reported with an authenticity which makes one suspect that often words of speeches were given verbatim - personalities of the Councillors certainly emerge distinctly. Full newspaper coverage is also given to the meetings of the Albany Divisional Council. The annual reports of the Civil Commissioners and Resident Magistrates, which appear in the Parliamentary Blue Books of the period, provide some valuable economic comment on the vicissitudes of life in the eastern frontier districts from 1862-1882. Such information builds useful background for a study of Grahamstown's economic and social development.

²B.A. le Cordeur, Robert Godlonton as architect of frontier opinion, 1850-57, A.Y.B. 1959 II.

Efforts have been made to locate probable sources of family papers of one of the most influential Grahamstown families of the period, the Wood family, but to no avail. If any exist they would without doubt have given interesting insight into the business connections of leading Grahamstown men and possibly given an indication of how far civic and political connections linked with religious and family influences in Victorian Grahamstown. Jim's Journal, manuscript in Cory Library, is a record of letters sent home to England by James Butler, while on a visit to the Cape, 1876-79 for his health. He provides illuminating glimpses into the day to day life of Grahamstown from a Quaker viewpoint. Taken together, these sources provide considerable insights into the life and times of Grahamstown in the second half of the nineteenth Century.

A municipal study examines an area in its totality: it encompasses a study of minutiae within the context of general trends. This fact alone suggests that there are many sources on the history of Grahamstown which have not yet been discovered, but this assessment is submitted on the basis of a thorough study of those which are currently available.

CHAPTER ONE

**GRAHAMSTOWN:
AN INTRODUCTION**

CHAPTER 1

In Great Britain local history has long been acknowledged as an academic discipline in its own right, after the pioneering work by the school of history at Leicester University. It is a specialised field, which requires skill with both microscope and telescope; the ability to relate the history of the local community to that of a wider area. It is an exciting field where often the significant details of reactions, events and personalities within the local unit add an extra dimension to central or national events. These local details can reveal, in practice, important divergences or shifts in emphasis of policy and attitude. The sum of the parts is greater than the whole. The value of local history is not relegated to the passive and episodic. A study of communities at grass roots level suggests the complexity, diversity and texture of life styles within the circumference of national life. At times, through local initiative and individuality one can trace the origins of much larger movements; through local practice central policies need to be adapted and re-shaped. Local history is a rich field where often a synthesis of new understanding can emerge from the comparisons and contrasts of the unique local as against the wider national existence.

Alan Rogers in his book Approaches to Local History attempts a definition of the subject. It is, he says, "the study of the past of some significant local unit, developing as a community, in its context and compared with other such units." This general definition he qualifies by advocating "the approach to local history would seem to be soundest when one thinks of the subject chosen for study as a community of people, and asks a series of questions about it".¹ The area of local history to be studied is necessarily for the historian clearly to delineate

¹A. Rogers, Approaches to Local History, p.4.

and, by the nature of the questions he asks, to frame the lines of his research. Rogers sounds a valid warning note in pointing out the dangers inherent in questions too narrowly cast and motivated by a need to discover in the past answers to "preconceived problems" of the present. The approach of the social scientist can at times fall within this category. The historical approach should be open-ended, themes should be formulated, hypotheses made and conclusions deduced. These general historical research methods must be bluntly stated, for, in local history, one has the compounded problem of reconciling the sifting of a plethora of minutiae while yet relating the particular area to others and the larger scene. The editors of Studies in Local History, Essays in honour of Professor Winifred Maxwell, prescribe that whatever the size of the area of local history to be studied, it must have "an identity of its own, worth studying in its own right". They emphasize too that "the locality studied can provide a microscopic counter-weight to the self-governing state of which it forms part: it will often emphasize and illuminate the issues that arise at national level".² Some valuable research has been undertaken in this field of South African historiography. One can mention the following theses in this regard: P.M.H. Calitz, Die Stigting en Vroeë Geskiedenis van die Distrik Uitenhage 1804-1814 and F.J. Lombard, Die Stigting en Vroeë Geskiedenis van Queenstown 1853-1859 and J. Maud's pioneer work on Johannesburg. More recently, Kenneth Wyndham Smith's study: From Frontier to Midlands. A History of the Graaff-Reinet District 1786-1910 illuminates local history as an academic discipline at its best. Meticulously researched, it presents a comprehensive picture of the life of the Graaff-Reinet district in its various aspects - rural, urban, race relations, economic, political - while tracing with a sure hand the overall shift in Graaff-Reinet's changing role in the development of the Cape Colony. Periodicals such as Contree have recently published important articles in the field of local history. K.S. Hunt's articles in Contree have

²J.A. Benyon and others, eds., Studies in Local History. Essays in honour of Professor Winifred Maxwell, p.12.

particular reference to the history of Grahamstown.³ There remain though, vast and challenging opportunities for research for the student of local history.

Of particular import for the history of local government in the Cape and of vital importance for the scope of this thesis, is K.S Hunt's pioneer study, The Development of Municipal Government in the Eastern Province of the Cape of Good Hope, with Special Reference to Grahamstown 1827-1862. The study of local government in the context of 19th Century Imperial and Colonial history offers considerable opportunity for an examination of the implementation and experimentation of democratic and self-help principles at the local level. In K.S. Hunt's study, the growth of Grahamstown's municipal government served as an index for the vigorous growth of an enterprising frontier community drawing vitality from its Settler origins. He clearly points out that experience gained in local government was a valuable training for the arenas of first representative, then responsible government in the Cape Colony. This link between local and responsible government and the importance of such a progression in certain colonial circumstances, was noted, and recommended, in the Earl of Durham's Report on Canada in 1839.⁴

The history of Grahamstown 1862-1882 with particular reference to its practice of local government needs to be seen against the background of the experiences of local government in the British Empire to set it firmly within its context as part of a Victorian process. The pattern of local government in England in comparison to those patterns evolving in her colonies during the 19th Century, was highly complex and highlights the overwhelming problems generated by her transformation into an industrial society. English local government was by the 1830's, a hotch potch of old institutions of local government such as

³ K.S. Hunt, When the railway came to Grahamstown. Contree No. 6 July 1979, pp. 24-29.

K.S. Hunt, The Grahamstown City Hall - The Tale of Two Foundation Stones. Contree No. 10 July 1981, pp. 27-32.

⁴ K.S. Hunt, The Development of Municipal Government in the Eastern Province of the Cape of Good Hope with Special Reference to Grahamstown 1827-1862. A.Y.B 1961, pp. 146-147.

the parish, the borough and the county, whose limits of jurisdiction had been defined in the pre-industrial age. The pressures of rapid industrialisation and the growth of huge cities with their attendant horrific problems of public health, housing, destitution, placed great strain on these existing local government structures and made impossible their effective functioning. The need for parliamentary reform had as its concomitant the urgent necessity for local government reform. In colonies such as Australia and the Cape Colony the situation was far simpler; with local government practice being followed by the granting of responsible government. In England with her ancient parliamentary tradition the process was of necessity from reform of central authority to reform of local authorities. The great Parliamentary Reform Acts of 1832⁵, 1867⁶ and 1884⁷ were followed by legislation implementing such local reform. The 1835 Municipal Corporations Act⁸ established a uniform system of local government by elected councils in 178 Corporations. Not until the 1888 Local Government Act⁹, however, were the areas of counties and boroughs defined, provision made for the establishment of elected County Councils for mixed rural and urban areas and for the creation of County Boroughs for the larger urban centres. But overlap of authorities remained legion during the 19th Century, particularly in the spheres of Poor Law and that of Public Health. Ad hoc authorities were created to deal with crises of destitution and public health. Between such ad hoc bodies and the existing local government institutions there was considerable overlap of authority and confusion of function. Small wonder then, that English local government in the 19th Century has often been stigmatised as "a chaos of areas, chaos of authorities and a chaos of rates"¹⁰. Asa Briggs in Victorian Cities emphasizes the financial overlap:

⁵ 2 William IV, c. 45. 1832.

⁶ 30 + 31 Victoria, c. 102. 1867.

⁷ 48 Victoria, c. 3. 1884.

⁸ 5 + 6 William IV, c. 76. 1835.

⁹ 51 + 52 Victoria, c. 41. 1888.

¹⁰ B. & S. Webb, English Poor Law Policy, p. 227.

"it is difficult to compare local rates in the pound because of the extraordinarily varied pattern of specific rates which different authorities levied under different headings and often at different times - improvement, highways, water, drainage, watch, poor law and so on. In most cities the town council was merely one of the authorities levying rates for a large part of the Victorian period."¹¹

The Victorian age was indisputably an age of great cities. The Victorian achievement in many cities in the re-shaping of local government transcends the general impression of administrative overlap and fumbling towards efficiency. Within the existing 19th Century framework much might be, and was, achieved. Birmingham, in the 1870's and early 1880's was regarded internationally as "the best governed city in the world".¹² It owed this reputation to its development of what became known as "the civic gospel". Incorporated in 1838, the high hopes of the Liberals and Radicals who had fought for incorporation were not realised during the 1850's when the Town Council was dominated by men who preached civic economy even at the cost of public health. In the late 1860's and early 1870's the community and civic climate changed. The importance for the entire community of adopting a civic gospel was literally preached from Nonconformist pulpits. The wide-reaching influence of such Nonconformist preaching - Birmingham had a long history as a centre for Nonconformity - cannot be over-emphasized. George Dawson, Baptist minister, on the occasion of the opening of the Central Reference Library in 1866, pronounced this theme: "A great town exists to discharge towards the people of that town the duties that a great nation exists to discharge towards the people of that nation."¹³

¹¹ A. Briggs, Victorian Cities, p. 39-40.

¹² Ibid., p. 184.

¹³ Ibid., p. 196.

Robert William Dale of the Congregational Church urged active participation in local government as a Christian duty.¹⁴ Dale's belief that "municipalities can do more for the people than Parliament"¹⁵ spread among the Liberal leaders of the community among whom was the energetic Joseph Chamberlain, a Unitarian. Dale's description of Birmingham as a "great village"¹⁶ suggests how personal and small Birmingham's group of social and civic leaders was, linked by marriage and Nonconformity. In a very different context, in the much smaller town of Grahamstown there is a parallel influence in the effect of the "Wesleyan conscience" within the leading social, business and civic families. In Birmingham, if social and religious factors were conducive to laying the foundations of the "civic gospel", so too were financial factors. Between 1866 and 1873, the crucial period, Birmingham was experiencing a period of prosperity and there were more funds available for civic concerns.

These factors explain the revolution in civic policies which followed the hard fought battles for control of the 64 member Council, won by Chamberlain and others of his ilk through the powerful agency of the party caucus. The use of political machinery in local government elections certainly tightened up efficiency and organisation and earned a great deal of criticism. Chamberlain himself defended the aim of the caucus as thoroughly democratic: "to provide for the full and efficient representation of the will of the majority and for its definite expression in the government of the people".¹⁷ Municipal

¹⁴ Ibid., p.199-200. He urged his congregation "to give their time as well as their money to whatever improvements are intended to develop the intelligence of the community. They ought to be reformers of local abuses..... to see to it that the towns and parishes in which they live are well drained, well lighted, and well paved; that there are good schools for every class of the population; that there are harmless public amusements; that all parochial and municipal affairs are conducted honourably and equitably".

¹⁵ Ibid., p.200.

¹⁶ Ibid., p.204.

¹⁷ Ibid., p.209.

government in theory and practice was the subject of genuine concern by citizens throughout the Empire as suggested by editorials The Graham's Town Journal devoted to the subject and notably one which commented freely on Birmingham's example. Credit for the efficiency of caucus methods was freely afforded and the apathy of Grahamstown ratepayers during election time deplored. But the editorial did not view what it regarded as Birmingham's "rule" by the Radical party caucus with approbation; it condemned the lack of freedom open to the ordinary ratepayer under such an apparently "democratic" system.¹⁸

Chamberlain's election as mayor of Birmingham in 1873 ushered in a decade of "rapid improvement policies" which were declared for the benefit of all the people. The civic finances were thoroughly re-organised and extended. Chamberlain's proposal to take over two of Birmingham's gas companies led to initial raising of the Borough debt but in the future, added considerably to increasing Municipal revenue. His bold statement "a Corporation that is afraid to borrow is afraid to do its duty"¹⁹ swept all before him and proved expedient and profitable. Next he turned to water and succeeded in what some termed a "compulsory purchase" of the Water Works Company in 1876.²⁰ Health problems were vigorously tackled: ambitious sewage schemes were concluded and in 1875 Birmingham's first Health Committee was set up. Birmingham had lagged behind other English cities in this regard until this period of the "civic gospel". Birmingham's death rate dropped dramatically. But Chamberlain's great Improvement Scheme to purchase, demolish and rebuild a centrally situated insanitary area, overreached itself. This improvement scheme was originally envisaged as a slum clearance operation, motivated by the Council's new public health ideals. Chamberlain, with his drive and enthusiasm converted it into more than a public health operation. His plans for the "New Street Scheme" were primarily to improve the amenities of Birmingham.

¹⁸G.T.J. 7-7-1882.

¹⁹Briggs, Victorian Cities, p. 219.

²⁰Ibid., p. 225.

Chamberlain's vision for Birmingham was that it ought to be the "metropolis" of the Midland Counties. Though the "New Street Scheme" resulted in slum clearance, and an impressive new Corporation Street, there were no more funds for the working class housing schemes as originally intended.²¹

As Hennock points out, in his study of Birmingham, the originating thought behind the gas and water schemes, as well as the "New Street Scheme," did not belong to Chamberlain. Yet he provided the initiative and the force of personality which achieved such spectacular success in the local government field.²² Chamberlain's implementation of the "civic gospel" achieved so spectacularly that wherever local government was considered in the latter part of the 19th Century, the example of Birmingham had to be cited. Chamberlain himself in his later parliamentary and ministerial career never lost sight of his considered belief in the importance of good local government. His position of 1876, "Local government is increasing in importance while Imperial is diminishing" changed radically with the changing concepts of Empire and Imperial responsibility in the last decades of the Century. But his belief in "constructive local government" remained to shape his attitude to "Home Rule for the Rand" at the end of the Victorian period.²³ Chamberlain's ideas on local government gained an Imperial hearing.

The problems facing civic communities and Councils in the industrialised cities of England were radically different to those experienced in other parts of the Empire. Nowhere was this more so than in the Empire's greatest possession, India. There, the challenge for the Victorians was the attempt to create cities of the British Raj within cities of ancient Indian

²¹ E.P. Hennock, Fit and Proper Persons. Ideal and Reality in Nineteenth-Century Urban Government, p.127.

²² Ibid., pp.125-130.

²³ Briggs, Victorian Cities, p.239.

culture. In some instances the influences of Victorian values and customs was complete. Asa Briggs lists the example of Bombay in "social texture" and architecture as an unmistakably Victorian city. The Parsees, an influential Indian group in Bombay were practitioners of many of the Victorian virtues and contributed greatly to its creation as a Victorian City. Bombay was the third most populous city of the Empire after London and Calcutta with a population of over seven hundred thousand in the 1880's.²⁴ The cities of the British Raj could not fail to reflect, especially in architectural appearance and town layout, the paradoxical nature of their existence. They attempted to be civic units which united multifaceted and deeply stratified Indian society under small numbers of British troops and Victorian administrators. Anthony D. King in Colonial Urban Development, a sociological study of urban development in India, affords an interesting study of the effect of Victorian town building and society on the appearance and development of Delhi in the 19th Century.

During the early years of British settlement at Delhi before the conflict of 1857, the Moghul Emperor regarded as titular head of a declining power, remained in his Palace within the walled city surrounded by houses of court members. The British troops became stationed at a cantonment outside the walled city when relations with the Moghul had been secured. Many of the more important British officials and officers' families moved without the city and a British suburb began to develop near the army cantonment.²⁵ There remained within the walled city a section inhabited by British citizens living separately but as neighbours with the Indian population which itself had highly stratified living areas. After the Indian Mutiny of 1857 the picture changed. The Emperor was expelled, the troops took over the Palace which became Fort Delhi, the indigenous population remained confined largely within the walls except for expansion to the west, while the British suburb without

²⁴ Ibid., p. 278.

²⁵ A.D. King, Colonial Urban Development, p. 208.

continued to grow. The majority of the cantonment returned outside the walled city in 1861, but Indian and British troops were by this time firmly separated. The coming of the railways, increasing diversity of industries, Indian and western, meant the development of a further British settlement within the walled city and a re-organisation of local government.

Between 1862-64 the "Delhi Institute" was built, which housed the municipal offices, Durbar Hall, Station Library ("reserved for European residents")²⁶ and Museum. The new municipality was created in 1863, a year after Grahamstown's incorporation. The Delhi Institute "one of the largest buildings in the European style in India"²⁷ and the Victoria Clock Tower erected in 1873 were typically Victorian buildings, thrown into heightened relief by the close proximity of the Indian buildings. The Queen's Gardens, established behind the Institute, were noted in 1873 as "very tastefully laid out in the English style".²⁸ As European visitors increased in number so English hotels appeared for travellers' comfort within the city. The eight railways cutting across the city became the demarcation lines between the British and Indian sections of the walled city. This separation became increasingly fixed. As a logical aftermath to the Mutiny, the British had emphasized and consolidated their position as the metropolitan power. This was reflected in Delhi in several important symbols, notably the Mutiny Memorial built 1½ feet higher than the highest Indian memorial in the area, the Ashoka Pillar. The solemn pageantry of the first Durbar - which had been a traditional Indian ritual to acknowledge power relationships - was held in Delhi in 1877 to celebrate and acclaim the existence of Britain's Indian Empire.

Though the two sections of Delhi were so clearly separated in the city layout, there was interaction at all levels of the

²⁶ Ibid., p. 219.

²⁷ Ibid., p. 219.

²⁸ Ibid., p. 220.

societies within Delhi. Post 1857 the number of missionaries living in the Indian section of the walled city increased. Gradually the extension of western educational and medical facilities within the Indian population improved. There was also interaction in the areas of trade and industry. With municipal government gradually came the benefits of an increased concern over public health. Between 1890-1910 a new water distribution centre was erected which served the British area outside the city wall. A new sanitation system was completed by 1910 to serve the city itself. But electric light which arrived before the end of the Century served the British suburb outside the city while merely confined to lighting public thoroughfares within the city. Ultimately Delhi developed through the 19th Century into two separate cities: one spacious with a small British population and distinctive lifestyle, the other crowded and colourful, maintaining its distinctive Indian culture. By 1881 the population figures were 173 000 of whom 1 800 were Christians and of these about 1 500 were British. The achievement of less than 1 500 in creating a Victorian city within Delhi is quite remarkable. With its civic growth, public amenity benefits such as water and lights were beginning to be felt through the entire city, British and Indian, by the end of the Century.

Melbourne, as a colonial Victorian city, has more points of comparison and contrast with Grahamstown than either Birmingham or Delhi. It was founded later than Grahamstown, in 1835, without deliberation, merely as a "good place for a village"²⁹ with, most important, a good water supply. But unlike Grahamstown, Melbourne's rate of growth was exceptionally high. In 1850 it numbered 23 000 and by the turn of the century $\frac{1}{2}$ million. 1854 marked the foundation of its University compared to the foundation of Rhodes University in Grahamstown fifty years later. In 1851, with the start of the Australian gold rush, Melbourne experienced an exodus even larger in scale than that experienced by Grahamstown during the Diamond Fields rush of the 1870's. The Gold rush attracted many European immigrants and initiated a boom period for Australia, and

²⁹ Briggs, Victorian Cities, p. 278.

Melbourne in particular, which lasted until the 1870's. Its rate of growth was such that between 1850-1860 several lines of suburban railway had been completed. By the time the gold boom was over Melbourne had become a great Australian trade centre and her prosperity increased further until the financial crisis of the 1890's. In 1880/1 she held an International Exhibition on a par with Victorian Exhibitions held in England, in 1887 she celebrated the Queen's Jubilee with lavish extravagance and, to conclude her years of prosperity, she held a Centennial Exhibition in 1888. Grahamstown's Great Exhibition of 1898-9 falling within this self-same Victorian tradition was likewise on an International scale and a most impressive one by any standards. By 1888 Melbourne boasted electric light, telephones, cable trams, lifts in department stores and a most imposing variety of ornate architectural designs with which her centre and suburbs were adorned in true Victorian style. But the Centennial of 1888 was her last extravagance before years of depression ended the century and ushered in a new Melbourne with a very different civic consciousness.

The pattern of her local government is curiously divergent from practice in England and the Cape Colony. Melbourne was incorporated a Municipality in 1842 and probably because her rate of growth was so rapid, legislation enabled her outlying suburbs to be declared districts and then in 1869 cities, and so have granted to them separate municipal powers. This policy of decentralization was carried to such excess that Melbourne gained numerous town halls, built for enormous sums and symbols of prestige rather than efficient administration. Even Melbourne's Argus wondered in 1880 "whether sub-division has not been pushed to excess".³⁰ Melbourne's first and major Town Hall had had its foundation stone laid in 1867 by the Duke of Edinburgh, well travelled ambassador of Queen Victoria and known to Grahamstown affectionately as "our sailor Prince", after his visit in 1861. The municipality of the City of Melbourne itself measured only 12 square miles. This policy of municipal decentralization worked against the development of any kind of civic gospel. In addition, the scope of responsibility of

³⁰ Ibid., p. 285.

municipal institutions was limited in practice to rates, roads and streets. All other community concerns were left to the Victoria state government. This rather unsatisfactory state of affairs is clearly shown in the multiplication of problems of proper water supply, sewage and public health. Melbourne was dubbed for years "Marvellous Smelbourne"³¹ but the mortality figures in her suburbs were higher than in London. It was only in 1891 that the Melbourne and Metropolitan Board of Works came into existence and reorganised the water supply, sewage and drainage. For years medical men had vainly suggested that Melbourne as a colonial city, should learn from the experiences of cities in England itself but they remained unheeded until 1891. Though Grahamstown did not experience the magnitude of the problems of public health that Melbourne had, it can be said that Grahamstown's community and Town Council, in contrast, showed particular and intelligent concern about all matters of public health during the 19th Century.

Melbourne's culture was self-consciously English. In the 1840's and 50's friendly societies abounded, in 1859 the Public Library was opened, there were Mechanics' Institutes, Young Men's Mutual Improvement Associations and great stress was laid on the ideas of the age of improvement.³² Grahamstown provides a much smaller but very closely parallel cultural development. Yet socially in Melbourne there were many differences to comparative English society. Though there were hard times, the scale of destitution such as was commonplace in English towns of the 19th Century had no counterpart in Melbourne. This is also true of Grahamstown society during the 19th Century, even during the years of the 1860's depression. The clear cut class distinctions of English society with their inevitable influence on social manners were not present to the same degree in the more free Colonial circumstances, Australian or South African. Melbourne's Argus commented on the changing society created by the gold rush: "Jack is not merely as good as his master, but is a great deal better in a pecuniary point of view."³³ James Butler, an Englishman visiting the Eastern

³¹ Ibid., p. 284.

³² Ibid., p. 295.

³³ Ibid., p. 300.

Cape in 1878 commented in similar vein, "here, Jack is as good as his master and rarely addresses him so politely (sir)". The occasion for this observation was his meeting with a recent immigrant from England who had started farming near Grahamstown and betrayed in his style of address "their position at home".³⁴ This trend in the Cape was likewise influenced by the diamond fields rush during the 1870's.

If one were merely to consider size as the criterion for classification as a Victorian city, then Grahamstown cannot remotely compare with great Victorian cities such as Birmingham, Delhi, Melbourne. Grahamstown can however justifiably be regarded as a Victorian city as, situated on the frontier of the Cape Colony, she was most self-consciously aware of her position as an outpost of the British Empire and deliberately created a society and culture which constantly looked to English Victorian values and standards. Grahamstown was a Victorian city in concept and choice, if not in size.

The pattern of local government at the Cape in the 19th Century was less complex and more efficient than that in England because of the different colonial circumstances. Cape Town was unmistakably the biggest city in the Colony while the Eastern Cape centres of Port Elizabeth and Grahamstown had only been established early in the century. They grew rapidly but not on a comparative scale with cities experiencing the Industrial Revolution in Britain or with colonial cities such as Melbourne which received far more immigrants. Grahamstown, until the 1860's the second largest city in the Colony, had in the census of 1865 about 8 000 inhabitants of all races.³⁵ The advent of rail transport came much later at the Cape even than Australia. The first line from Cape Town to Wellington was built in the early 1860's and others were slow in coming. Hardly any industrialization took place in the cities of the Cape Colony until after discovery of diamonds (1867) and gold in the 1880's. There was not the same scale and intensity of

³⁴James Butler, Jim's Journal 25-2-1878. C.L. PR 3482.

³⁵See Appendix C: Census figures.

problems of local government such as those of public health experienced in England. It was easier for smaller Cape colonial towns and cities to become aware of the problems of public health and to cope efficiently through local municipalities in preventive measures to combat the danger of epidemics. Cape towns had an obvious advantage in space: layout of streets was relatively simple and isolation hospitals, e.g. for smallpox, practicable. On the debit side there were problems peculiar to Cape towns. One common to all municipalities was the lack of an adequate water supply. Municipal plans were frequently hamstrung through drought and the physical and pecuniary difficulties of building dams. The most important difference of situation though, was that, in a multiracial society, local government bodies in the Cape were faced with the question of community relations in an acute form, with the growth of locations for African people in the 19th Century. This aspect of local government is of vital importance in understanding the political development of native policy.

Municipal Ordinance 9 of 1836, a general enabling measure, and its amendments allowed for the creation of elected³⁶ Municipal Boards of Commissioners. By 1862, 35 towns had availed themselves of the opportunity to adopt such local self-governing measures.³⁷ This large number suggests the strong need for organised local government in many town communities. Grahamstown was certainly among the first to take advantage of the Ordinance as were other centres away from the seat of government in Cape Town. This marked independence of centres,

³⁶ Landmarks for the elective principle:

Reform Act of 1832
Municipal Corporations Act of 1835
Ordinance 9 of 1836
Durham Report of 1839

³⁷ Hunt, Development of Municipal Government, p. 156.

on the periphery of the colony,³⁸ in initiating competent local self-government is underlined, when one considers which centres were granted their own Incorporation by special Act of Parliament. The powers of the Municipal Boards had been too restricted, especially in the financial sphere, for the most improvement-conscious and independent Boards. Port Elizabeth was the first to seek its own terms of Incorporation as a Municipality under Act No. 31 of 1860. Grahamstown, still with Port Elizabeth a centre for separatist hopes while maintaining its long rivalry with Port Elizabeth, followed suit. Act No. 29 of 1861 came into effect in July 1862. This first election was hotly contested. Before the general enabling Act No. 45 of 1882 was passed, setting the terms by which any further Incorporations were to take place, King William's Town,³⁹ Cape Town,⁴⁰ Uitenhage (1877) Queenstown (1879) Graaff-Reinet (1880)

³⁸ Reasons for the creation of Municipal Boards of Commissioners varied according to local communities. The erfholders of Graaff-Reinet only reluctantly agreed to have a Municipal Board through motives of thrift as the Government had removed convict labour and stopped paying the salaries of the marketmaster, water overseer and the superintendent of the town clock.

K.W. Smith, From Frontier to Midlands. A History of the Graaff-Reinet District 1786-1910, pp. 118-119.

³⁹ King William's Town was created a borough by Ordinance 1 of 1861 of British Kaffraria. In 1902-3 it was placed under the General Municipal Act No. 45 of 1882 which was repealed by the Borough Act No. 27 of 1905 which states: "To constitute the Borough of King William's Town a Municipality under its own Act of Incorporation and for regulating the Municipal Corporation and the Borough thereof."

⁴⁰ Cape Town's municipal legislation is complex. Major legislation dealing with the powers of Cape Town Municipality is as follows: Ordinance 1 of 1840, Acts No. 1 of 1861, No. 1 of 1867 (Act of Incorporation), No. 44 of 1882 and amendments, No. 26 of 1893 and amendments, No. 25 of 1897 and No. 28 of 1902. This legislation was superseded in 1913.

East London (1880) and Kimberley⁴¹ had been Incorporated under their own Acts of Parliament. Eastern centres were noticeably in the majority. Their foremost role can be ascribed to their more recent establishment, more rapid growth and their position on the frontier which engendered local initiative and independence. Beyond the local government sphere this rugged individualism was extended to their Separatist political policies. The strong civic and local self-consciousness which developed with local self-government, bolstered the political cause of separatism in the eastern districts. Municipal Commissioners, then later Town Councillors, were returned to Parliament where their local practice stood them in good stead. The seminal influence of first and second generation Settlers in fostering Eastern Cape independence is an additional factor to consider in the development of local government. In Grahamstown they had a marked influence and role.

1862 marked Grahamstown's Incorporation. It is tempting to view the period covered by this thesis 1862-82 as delineating merely the crucial reasons for Grahamstown's decline and fall from its position of primacy in the Eastern Cape. This is a temptation to be resisted as it obscures the vitality and remaining positive elements on Grahamstown's community development. But Grahamstown's position during these years has generally been considered only in the light of its decline. In H.L. Watts's thesis entitled: Grahamstown, A Socio-Ecological Study of a small South African town this is certainly the case. He has designated 1860-70 "A Static Period", 1875/6 "Failure and Admission of Defeat" and has lumped together the following 80 years 1876-1956 under the static depressing title coined from a Journal editorial of the 1850's: "Sleepy Hollow". His approach is self-confessedly "essentially that of the sociologist rather than that of the historian".⁴² He attempts

⁴¹ Kimberley was first created a Municipality under Ordinance 7 of 1877, Griqualand West. Kimberley was later incorporated under the terms of Act No. 45 of 1882, by Act No. 11 of 1883.

⁴² H.L. Watts, Grahamstown, A Socio-Ecological study of a small South African town.
(Unpublished Ph.D. thesis, Rhodes University, 1957.) Vol. I, p. 15.

to explain Grahamstown's rise and fall purely from a sociological angle and as such it does offer considerable food for thought and criticism. His extremely general, indeed at times, sweeping and over simplistic approach, within his limited framework of questions, needs to be reconsidered from an historical perspective. In this regard it is useful to bear in mind certain statements made by Alan Rogers on the dangers of the sociological approach for the historian. "History," says Rogers, "is not a laboratory in which the social scientist of today can try out his techniques of analysis and find the answers to preconceived problems." The answers to such questions can result in the loss of the "dynamic element"⁴³ in the history of the local community, in the creation of a picture of the past that is too static. Particularly in H.L. Watts's treatment of the years 1860-80 his approach lacks depth. He certainly sketches the relative decline of Grahamstown's position while he neglects the essential dynamics of the Grahamstown community's reaction and response to this challenge of relative decline. He does admit his awareness of the need, in a sociological community study, of possessing a knowledge "of the dynamics of the community in the past"⁴⁴ in order fully to understand the problems of the present situation. But this he fails to do. The position of Grahamstown in the 1860's and 70's is rather more complex than H.L. Watts concedes.

An overall view of the period 1862-82 does reveal Grahamstown's relative decline from its pre-eminent economic and political position in the Eastern province, second only to Cape Town, while yet retaining to some extent its social and cultural dominance and its thriving civic community. Certain factors do indeed need to be emphasized and their impact on the life of the town measured. Grahamstown's decline in position was not a decline from within. Founded with the purpose of frontier defence it became market and commercial gateway to the

⁴³ A. Rogers, Local History, p. 8.

⁴⁴ Watts, Grahamstown, p. 15.

hinterland opened up by Settlers and Trekkers alike. With the gradual eastwards shift of the frontier and the formation of towns such as King William's Town and Queenstown with their outlet port of East London, Grahamstown lost its pivotal frontier position. The removal of the troop headquarters to King William's Town in 1862 revealed Grahamstown's vulnerable position on an expanding frontier. But the move was ill-timed and with a combination of Imperial factors and bad seasonal conditions at King William's Town, Grahamstown was reprieved in 1864. She remained headquarters for the troops only until 1870, when Imperial policy, motivated by a need to cut back Colonial expenses, ordered the withdrawal of the troops. Loss of her position of military prestige was not as hard to accept as the inevitable commercial loss that accompanied the removal of the troops. Having weathered the extremely hard years of the depression of the 1860's at a cost, Grahamstown was challenged in the 1870's by changing patterns of economic and transport development which tended to her isolation. The discovery of diamonds exercised a pull on all existing railway projects towards Kimberley and away from Grahamstown. In 1879 Grahamstown became linked by rail only by the Alicedale branch line. With the ever increasing growth of Port Elizabeth, isolated from the mainline of future Cape economic development and with no industrial resources, Grahamstown yet maintained and developed what had been her secondary function as a market town and trade middleman for Port Elizabeth and the frontier hinterland. The foundations had already been laid as early as 1855 with the establishment of St Andrew's College, for Grahamstown's foremost function as an educational centre. Already in the 1870's and 1880's she was recognised in both the Eastern and Western Cape for the excellence of her schools. Since 1865 she had been the legal centre of the Eastern Cape with the establishment of the Eastern Districts Court.

Politically, Grahamstown in the 1860's exercised considerable influence in the Eastern districts. Before the recently established centres, such as Queenstown, were prepared to involve

themselves actively in politics, Grahamstown very often supplied candidates to stand for such constituencies as Victoria East. The 1860's saw further attempts by the Easterners to achieve Separatism in the political arena but the deep divisions and rivalry, between the Frontier districts with Grahamstown and the Midland districts with Port Elizabeth, prevented any unanimous Eastern pressure group from success. With the granting of Responsible Government in 1872 and the Seven Circles Act of 1874, Separatism was no longer a viable political issue. The Seven Circles Act, with its restrictions imposed by the redrawing of constituent boundaries for the Legislative Council elections, meant that Grahamstown lost its excessive representation on the Council.⁴⁵ In the 1870's Grahamstown had to face the challenge of the withdrawal of its political supremacy within the frontier districts. Her remaining influence had to be channelled through her newspapers. In addition to this political crisis, the 1870's and 1880's saw a crisis at national and local level affecting the entire native policy in all spheres of Cape life: central politics and community relations. The Zulu war, the frontier war of 1877/8 and the sporadic outbreaks of conflict over Basutoland led to a re-examination and re-thinking of Cape native policy and attitudes towards and government of, native locations. The Grahamstown community and its Council had to come to terms with this new situation.

The impact of all these factors of crisis and decline has to be assessed in relation to the reaction and response which resulted within the Grahamstown community. It is not enough, in an historical study, to state the facts of Grahamstown's relative decline in the 1860's and 1870's and to select the factors which caused this decline. Such a pattern has emerged easily and clearly with the perspective of the last hundred years. That would be enough in a sociological study or a general historical survey of the Eastern Cape during that period. The scope of this

⁴⁵J.L. McCracken, The Cape Parliament 1854-1910, p. 23.

thesis demands a more detailed and in depth enquiry into the how and the why and an assessment of the reactions, positive and negative, of Grahamstown's community to its vicissitudes and changing fortunes of those years. One has clearly to delineate the extent of the decline and explore any new avenues of development or growth which were mooted in response to the challenge of changing circumstances. Arnold Toynbee in his monumental work, A Study of History, evolved a theory concerning what he saw as the cyclical rise and fall of world civilizations. An aspect of this process he entitled "Challenge and Response".⁴⁶ As soon as a culture or civilization no longer retained the flexibility of mind, initiative and resources with which to find new avenues of development, overcome or control some new challenge presented by forces of environment or human agencies, it lost the energy and impetus of its former progress. It either stultified and became rigid in its efforts to hold on at least to its former position, or stagnated and declined from within. If one may be permitted to be presumptuous enough to apply Toynbee's concept of "challenge and response" to an investigation of Grahamstown's history during the crucial decades 1862-82, some interesting and significant reactions may be noted. With all due respect to Toynbee, this concept could prove as useful and illuminating when applied to a microcosmic study as it is in his macrocosmic studies.

In a study of the microcosm of Grahamstown 1862-82 one must bear in mind certain key Victorian values and attitudes which form a background to life in Grahamstown in the height of the Victorian era. This framework of values can be used to assess in what measure they were possessed by different individuals and corporate groups in Grahamstown. It is always incautious to generalise about the characteristics or general attitudes and values or the code of life of any period, particularly one as long, diverse and rich as the Victorian era. Even within Grahamstown there were wide differences in class, race and attitude between 1862-82. Yet of the fabric of life as a whole there appears to have been

⁴⁶ A.J. Toynbee, A Study of History Vol. I, pp. 271-339 and Vol. II.

a consensus of belief in a common moral code based on the Christian ethic, duty, self-restraint, work and charity. The family unit was regarded as vitally important in teaching and cultivating these virtues. The family circle was close, drawing within its bonds likeminded friends from the business, religious and cultural spheres. In The Journal Obituary of B.J. Glanville, Town Clerk for many years and Museum Curator, a clear description was given of his family's frequent scientific or literary evenings at home. He would start discussions by reading from scientific journals, Sir Walter Scott, Dickens, George Eliot or one of his family would present a paper themselves.⁴⁷ His circle of close friends included Grahamstown's most knowledgeable medical expert, Dr Atherstone, also at one time Town Councillor and member of Parliament for Grahamstown. His brother, T.B. Glanville, had been editor of The Graham's Town Journal after Robert Godlonton retired from active involvement with the paper in the 1860's until 1873. T.B. Glanville was also a member of Parliament. This was a most talented family circle with the watchwords of education and improvement. It is interesting to note the role accorded to his daughter, clearly with B.J. Glanville's encouragement, with regard to the status of women within that Victorian community. As she displayed marked aptitude for her father's scientific interests and pursuits, he trained her in his Curator's work. It was she who assisted him in moving and placing all the exhibits in their new quarters at the new Town Hall in 1882. Within the framework of Grahamstown Victorian society there was certainly flexibility as regards the acceptance of the role of the female bluestocking.

The institutions of the school - and they were numerous within Grahamstown - the municipality and most decidedly the churches - likewise numerous in Grahamstown - were bastions of the moral and social balance of values then prevailing. The Wesleyan church in particular exercised what one might call a strict Wesleyan conscience over its many adherents, notably to be counted in public life, the Godlonton and Wood families, giving

⁴⁷ G.T.J. 23-6-1882 and
E.S. 23-6-1882.

active force to charitable funds and works. The Anglican church during the 1870's was unhappily divided by the conflict between Bishop Merriman and Dean Williams, which aroused great bitterness within the community. None of the other Christian communities within Grahamstown appear to have had quite the unity, forcefulness and sense of purpose that the Wesleyans clearly displayed. The work of the missionaries in the Grahamstown locations and the Kafir Institute, confidently attempted to inculcate these Victorian and British values and virtues of religion, stability, sobriety and hard work. Naturally enough, cant, humbug and hypocrisy were at times to be discerned within these rigid margins of religious and moral standards, but in spite of this, the general impression of the community remains one of sincerity.

Within, what might appear to a 20th Century outlook, an excessively rigid framework of values and social norms, there was nevertheless scope for free discussion, for allowance and encouragement of individualism, especially in a smaller community such as Grahamstown. In evidence one only has to quote any one of the numerous and exceedingly outspoken open public meetings of the day as also the breathtakingly open, direct criticism and comment, at times definitely libellous, on affairs national, international and local, which appeared in the local newspapers. It was neither a shuttered nor a sheltered society. There was, it is true, some consciousness of class, not so much crude or violent, as a tacit acceptance of different nuances of income, station and background. This is typified by a remark of the eminent Victorian author, Anthony Trollope who himself visited South Africa in 1877. "Make all men equal today, and God has so created them that they shall be unequal tomorrow."⁴⁸ This attitude of class consciousness in Grahamstown was not as rigid as it was in England. Even within the decades 1862-82 it changes and shifts. Something which is important to determine in a consideration of Grahamstown white community's attitude towards the locations - Fingo, Xhosa and Hottentot and their inhabitants - is whether these attitudes in the 1860's and

⁴⁸A. Briggs, Victorian People, p.20.

1870's were still partly determined on grounds of class rather than race and if so, how and why they changed. K.S. Hunt has shown how the frontier conflicts prior to 1862 influenced Grahamstown's white citizens to adopt a more negative attitude to the African locations.⁴⁹

What most characterises the Victorian era in Grahamstown especially during the difficult years, is its unmistakably positive attitude of confidence. This is so marked and absolute that it led individuals and groups to conceive of and plan ventures which caution should have vetoed before the start. Such schemes did not always succeed, needless to say, but the grand designs in outlook of Grahamstown's community must be a unique illustration of Victorian self-confidence. The constant call for improvements within and without the Council, however few resources were available, was typical. The factor which explains this confidence more than any other was Grahamstown community's acute consciousness of being an outpost of the British Empire and its thorough patriotism and loyalty to the British crown. Occasions such as the visit of His Royal Highness Prince Alfred, in 1861, called forth royalist fervour and Victorian vigour in the organisation of the celebrations. They were vivid, crowded, utterly memorable and probably totally exhausting for the Prince. Grahamstown could conceive of things on a grand scale and carry out such designs with pageantry, pomp and circumstance. This awareness of being part of a greater whole than the Cape Colony was enhanced by the Settler family ties many had with Britain, the frequent, thorough and regular reports of English news in the local papers and the visits overseas of the prominent, affluent members of the community. This confidence derived in part also from that other marked Victorian characteristic, self-help. This was of necessity a first generation Settler characteristic yet in the 1860's and 1870's certainly marked the second generation as well, though tempered slightly. Asa Briggs's comment on self-help, in the very different English context,

⁴⁹Hunt, Development of Municipal Government, pp. 205-215.

applies to some extent to the Grahamstown community during this period. "Self-help was a more convenient philosophy for first than for second generations."⁵⁰ The works of the author of the gospel of self-help, Samuel Smiles, were available in the Eastern Cape during this period. The indefatigable Quaker, James Butler, who seems to have recorded all he read in his letters home, was very pleased with Smiles's Character which he started reading on a visit to Richmond. "I think it about the best book I have read since leaving home."⁵¹

One can view Grahamstown as a thriving, vigorous and talented Victorian community with standards of common decency and a framework of social values which allowed for flexibility, adaptation and stability through the difficult years 1862-82. In the commercial, civic, religious and political spheres in community life in Grahamstown, certain families wielded extensive influence and played a considerable role in the shaping of Grahamstown's history in the 19th Century. Perhaps the most important was the Wood family. The Honourable George Wood, a boy when he came out with the Settlers, was a remarkable example of a true Victorian success story. Through self-help, iron determination and probable sharp practice during the early frontier native trade fairs, he achieved merchant status. He was acknowledged in the 1860's as probably the richest citizen of Grahamstown, a staunch strait-laced Wesleyan and, for many years, with the Honourable Robert Godlonton, a member of the Legislative Council. In spite of paralysis after a fall, he continued his political duties with unabated vigour in the 1860's and 70's. He had to be hoisted aboard ship at Port Elizabeth in a wicker basket arrangement, in order to travel down to Parliamentary sessions in Cape Town, but in spite of pain and danger such as this, he remained undaunted. He even entered on a new venture in the arena of local politics as a member of the Albany Divisional Council, only retiring from the latter body in 1882, two years before his death. He was also associated with innumerable other

⁵⁰ Briggs, Victorian People, pp. 19-20.

⁵¹ Jim's Journal. 12-11-1877.

Grahamstown civic and commercial ventures, to name but two: he served on the Botanical Gardens Committee and was on the Board of the short-lived Grahamstown Gas Company. He was a shrewd businessman, a committed Separatist in politics, a sincere Wesleyan and temperance man, a formidable friend and opponent.

Wood's eldest son, George Samuel Wood, was the first Mayor of Grahamstown and re-elected Mayor to serve a continuous term of office of three years 1862-65 when he resigned to pursue his parliamentary career in the House of Assembly. He also served on the Divisional Council for Albany. He was at first a member of the firm Wood Brothers but was less successful than the rest of the family during the depression of the 1860's. He finally made his way independently as an auctioneer, particularly associated with the municipal feather markets and stock fairs which he promoted very ably. Unlike the rest of his very Wesleyan family, he joined the Anglican church and served as a vestryman at the time of the conflict between Dean Williams and Bishop Merriman. He appears to have supported the former. He made his own more modest way after his failure, apart from his family's influence: his home in the 1870's was on Market Square not in the elite area of West Hill or Beaufort Street, where the rest of his family lived. He was one of the most impartial Mayors of Grahamstown and universally respected and liked. His more vigorous, hot-tempered brother, John Edwin Wood, in his career as Town Councillor and very briefly the second Mayor of Grahamstown, came into conflict with many, notably Councillor William Webb, self-confessed defender of the "working man's rights". John Edwin Wood was a man of considerable parts: member of parliament, member of Divisional Council, Town Councillor, member of Boards of various schools and a Chairman of Albany General Hospital, on the Board of the Grahamstown Building Society from its inception and not least connected with the Albany Agricultural and Horticultural Societies. He had a great interest in farming and gardening. He owned several farms and the garden of his beautiful home, Fair View, became the showpiece of Grahamstown. He had designed both house, garden and

grotto⁵² and his residence was placed at the disposal of Colonial governors on their visits to Grahamstown. He was the architect of several other houses in Grahamstown. One he designed especially for his father, who refused the gift and built his own mansion on Beaufort Street. These houses remain a distinctive feature of the Grahamstown architecture of today.

John Edwin and his brother, Henry Richard Wood, were on the committee who organised Grahamstown's Great Exhibition of 1898/9.⁵³ Henry Wood, Benoni Horace Wood and Joseph Garbett Wood all served Grahamstown well in municipal politics. Henry and Joseph Wood also served in parliamentary politics. Henry Wood was most successful in his commercial and political undertakings. Joseph Wood revealed the Wood initiative and enterprise in a rather more ambitious rash venture. He was one of a Grahamstown Syndicate who attempted to obtain mineral concessions during 1887-91 from Lobengula and Khama, which venture was a failure.⁵⁴ The Wood family was a remarkable family with considerable connections: family, religious, business, municipal and political.

A family very different to the Woods but no less important to the municipal history of Grahamstown were the brothers William and John Webb. Sons of Christopher Webb, 1820 Settler, they claimed to be some of the oldest inhabitants in Grahamstown. William Webb was a butcher who prospered; at his retirement he handed over two establishments, one in Grahamstown and the other in Port Elizabeth, to his sons. Ardent Wesleyans, William Webb in particular was quick to seize on injustice and any hint

⁵² James Butler was taken to view house and garden at Fair View and was impressed:

"one of the nicest gardens in the Colony and in its way beating every English garden."

Jim's Journal Vol. I, 13-1-1877.

⁵³ A.A. Maxwell, The Great Exhibition at Grahamstown Dec. 1898 - Jan. 1899, Grahamstown 1979.

⁵⁴ J.A. Benyon and others, eds., Studies in Local History, pp. 80-82.

of exploitation of the poor and the working-class man. His advertisements for his butcher shop reflected this: "Cheap Butcher's Meat" and "The Best Meat always on hand and at lowest market prices" were characteristic slogans.⁵⁵ His boast was true yet profitable, as his brother, John Webb, who started as a carrier, became a landed proprietor and probably came to some business arrangement with his brother for supplying him with stock. Both were extremely civic minded citizens and were made Justices of the Peace and in 1862 were returned as members of Grahamstown's first Town Council. John Webb was a Councillor for 16 years until his resignation in 1878.

William Webb served as a Councillor for twenty-one years until his resignation in 1882, to be re-elected in the 1890's until his death in 1894. During the early years of the Council William Webb had ample opportunity to earn his proud title of "Poor Man's Friend" and lost no chance in attacking what he considered unfair, expensive proposals, real or imagined, by the West Hill merchants, one of whom was John Edwin Wood. Fiery meetings ensued until William Webb learned to temper his bluntness.⁵⁶

Outside the Council chamber, he remained forthright and did not refrain from speaking his mind. On one notable occasion in 1876 this resulted in a libel case between William Webb and the controversial Dean Williams. Webb, as Council representative on the Cathedral Clock Tower Provisional Executive Committee, objected to the Dean's high-handedness. The issue at stake was what the Dean had done to the foundation stone of the tower. Webb, in front of the Dean and his assembled Anglican committee members, declared that everyone knew the Dean to be a liar and that he would continue to keep a check on the Dean's activities. Webb lost the case but had the satisfaction of having challenged the Dean.⁵⁷ This incident brought him into conflict with his

⁵⁵ Eastern Province Year Book and Commercial Directory. 1878.

⁵⁶ G.T.J. 4-12-1894. Even in his In Memoriam these early conflicts were recalled: "Hardly a member of the Council took greater interest in Municipal matters than Mr William Webb and in later years the early faults of his personalities (sic) in debate were much toned down, making his opinions on matters Municipal greatly respected and valued."

⁵⁷ E.S. 9-6-1876.

fellow Councillor, R.W. Nelson, Irishman, Anglican and supporter of the Dean. In spite of such personality clashes, Webb's contribution as a Municipal and Divisional Councillor was considerable. He was a member of most of the Friendly Societies in Grahamstown and Chief Templar of the Good Templars for a time. In the Diamond Fields rush in 1870 he was one of the first of Grahamstown's citizens on the scene and was even elected one of the Committee of Management to keep order. Both brothers were ardent supporters of Robert Godlonton in political thought and John Webb actively used his influence over farmers for Godlonton at the Grahamstown polls.

No study of Grahamstown during this period can ignore the Hon. Robert Godlonton and the influence of his newspaper The Graham's Town Journal. It was still, in the years 1862-82, the main instrument of Grahamstown's influence over the surrounding frontier districts. Godlonton's family connections link him firmly with other major families of Grahamstown: Shepperson, Glanville, Hoole, Attwell and Richards.⁵⁸ The Woods were linked by marriage to the Hooles and Ayliffs. This presents a formidable phalanx of Wesleyan connections associated with Godlonton. These families were all at one stage represented on the Town Council. This kind of connection must have fostered to some extent, a common political and civic creed and one which was expounded by The Journal. During the 1860's and 1870's, after Godlonton had ceased to take an active or open part in the editorship of The Journal, through enterprising moves from his family firm, The Journal office continued to be the centre of what one could almost term a newspaper empire. One must also bear in mind that The Journal did not hold unchallenged sway over Grahamstown's citizens. The Cape Frontier Times, edited by J.G. Franklin, Anglican as opposed to The Journal's Wesleyan viewpoint, was a popular alternative to The Journal during the 1860's. Franklin was, like Godlonton, a thorough Easterner in politics, but he was not a Grahamstown man to the exclusion of all else, as Godlonton was. He took a broader view of Eastern politics, which no doubt explains his return as member of

⁵⁸ B.A. Le Cordeur, Robert Godlonton as architect of frontier opinion, 1850-57. A.Y.B. 1959 11. Appendix VI.

parliament for Uitenhage. The Anglo-African briefly appeared also in the 1860's. During the 1870's The Eastern Star became very much The Journal's opposition paper. With the fanatical Dean Williams as a kind of shadow editor, The Eastern Star frequently devoted its pages to the religious conflicts of the Anglican church. In spite of this focus, at times it does provide interesting counterpoint to The Journal. Grocott's Penny Mail provided an additional modest Grahamstown viewpoint in the 1870's. It is hard to assess newspaper influence with accuracy, but of them all, The Journal had the largest circulation in the districts near Grahamstown.

The Journal hailed Grahamstown's Incorporation (second only to Port Elizabeth's in the Cape) with approval. The unworthy motive was no doubt her long standing and vociferous rivalry with Port Elizabeth; the more worthy motive, a genuine concern about the importance of good government in Grahamstown. But the citizens of Grahamstown appeared to let the terms of the Act pass almost unnoticed; possibly through apathy or an unthinking confidence in the ability of the Board of Municipal Commissioners to frame an adequate Bill. The Special Incorporation Committee had indeed done its work well. They had based the terms for Grahamstown's Incorporation largely on the terms of Port Elizabeth's Act of Incorporation. On their Report to the Board, each clause was minutely examined. The issues which raised heated discussion are significant in several respects.

The major issue was whether or not the Africans were entitled to pay rates and vote and whether the locations should form a separate ward or be attached to other wards of the city. The Committee had not included the native locations in the ward divisions of the City. Commissioners' views were extremely illuminating of their attitudes to community relations. It was generally felt that those Africans who paid rates were entitled to the privileges of citizenship and that there was no reason for their exemption from payment of rates. The Chairman of the Board declared the necessity for bringing Grahamstown's large

African population into "proper subjection to good municipal government".⁵⁹ There was doubt expressed on the part of some Councillors as to whether there would be enough Africans within the locations to qualify as ratepayers to warrant the creation of a special ward. The qualifications for a ratepayer were the occupation of immovable property of the yearly value or rental of at least £10. The Chairman maintained sixty Africans who would pay rates could easily be found. The Chairman's summing up of the problem deserves to be quoted in full, as it shows an awareness of the need for inclusion of the Africans in the framework of civic local government. "There was (sic) a great number of natives among us, some civilised, some semi-civilised and some just emerging from barbarism, and no provision had been made in the report for their representation in municipal matters."⁶⁰

The second major issue concerned the voting procedure. The Port Elizabeth Act laid down that each voter should hand in a voting paper with the candidate's name and his own signature but the Committee recommended the adoption of the new mode of voting laid down in the Ordinance for the Incorporation of King William's Town - vote by ballot. The majority of the Board heartily rejected this dangerous innovation. Commissioner Temlett expressed the general view that a man should not be afraid to go to the polls openly "like a man". The Journal condemned vote by ballot in a lively editorial as offering no real security against intimidation and bribery. The general tone of the defence is admirably revealed in the following: "Fancy an Englishman enjoying an election, even for parish beadle, with a gag in his mouth!"⁶¹ At the first public meeting called to obtain the approval of the ratepayers for the terms of Incorporation, so few were present that it was decided to postpone the meeting and give it more publicity. Councillor Franklin declared that the terms of Incorporation were not a

⁵⁹G.T.J. 12-3-1861.

⁶⁰G.T.J. 12-3-1861.

⁶¹G.T.J. 30-3-1861.

matter of general interest, which judgement was borne out by the numbers who attended the second meeting.⁶² The matter of the ballot provoked lively discussion. Headed by that energetic and public spirited William Webb, vote by ballot passed by 29 votes to 10. Consternation in the Board resulted. The matter was raised with the Members of Parliament who resided in Grahamstown. The majority hoped that this decision would be rescinded in Parliament as Commissioner the Hon. D.H. Kennelly recalled there had been strong feelings expressed against "opening the door to the ballot in the Cape"⁶³ on the safe passage of the Port Elizabeth's Incorporation Bill through Parliament. But the clause was safely passed by Parliament. Hence vote by ballot became part of the general Municipal procedure at Grahamstown elections. It was not until 1892 that legislation was passed to make vote by ballot the accepted procedure at both local government elections⁶⁴ and parliamentary elections.⁶⁵ Grahamstown therefore had led the way with vote by ballot.

Grahamstown's Act of Incorporation was finally passed as Act No. 29 of 1861. The stage was set for municipal experiment and innovation. With the impressive achievements of the Board of Commissioners as their example, the twenty-four newly elected Councillors of Grahamstown faced the future with confidence. Although the Councillors were financially restricted from the start because no rate had been voted in 1862, their confidence remained unabated. The challenge for Grahamstown's City Council was how to manage, with only a paucity of funds, the ordinary business of the day and implement their grandiose schemes to enhance the civic dignity of their city. They managed, despite their financial blunders, to maintain a high standard of public works and public health, and to create that most important civic symbol, the Town Hall, by 1882. The City Council record with regard to community relations was rather more muddled and confused in its issues. In the wider sphere the challenge for

⁶²G.T.J. 23-3-1861.

⁶³G.T.J. 30-4-1861.

⁶⁴Act No. 27 of 1892.

⁶⁵Act No. 9 of 1892.

Grahamstown's citizens was how to maintain their economic and political primary status, while Grahamstown's position became increasingly isolated from the mainstreams of development. The key to the history of these two decades of Grahamstown's development lies in the response of individuals and their close knit family, religious and business groups, to this challenge.

CHAPTER TWO

THE ECONOMIC POSITION

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World trends, the economic climate of the Cape Colony as a whole, as well as local circumstance are all reflected in the varying fortunes of Grahamstown during the two decades between 1862-1882. Serious depression and relative prosperity were experienced during these years - yet there was always an attitude of optimism and confidence in the future of the city. In 1862 Grahamstown was regarded by many as the "capital of the East Headquarters of the Imperial troops, second only in size to Port Elizabeth,¹ Grahamstown was a market town with considerable up-country trade links and well developed industries, especially wagon building.² The town had definite claims to being regarded as the commercial, cultural and political centre of the Eastern Cape. But the acquisition of the civic dignity of Incorporation in 1862 could not mask the disturbing changes in the economic climate of the whole Colony. These were difficult years. Drought, lung-sickness, horse-sickness, floods, falling wool prices, failure of credit and banking facilities resulted in an unprecedented depression during the decade of the 1860's. Within this framework of general economic depression, Grahamstown was faced with the problems peculiar to her own position. The loss of the Imperial troops, briefly in 1862 and finally in 1870, was only paralleled by the heavy drain of men and resources to the diamond fields in the rush years of the early 1870's. Such economic disasters for Grahamstown caused, in addition, her isolation from the important lines of railway development. Her measure of commercial recovery is a measure of the unlimited enthusiasm of her men of business.

¹See Appendix C: Census figures.

²K.S Hunt, The Development of Municipal Government in the Eastern Province of the Cape of Good Hope, with special reference to Grahamstown, 1827-1862. A.Y.B. 1961, p. 157.

The depression of the "dismal sixties" resulted in a dislocation of the fabric of socio-economic life within Grahamstown and the Colony as a whole. The prosperity of Grahamstown and the Eastern Cape had been firmly "carried on the sheep's back"³ since the establishment of merino sheep farming in the 1830's.⁴ Wool was sold on the Grahamstown market together with interior produce in the 1860's. More important were the merchants and agents in Grahamstown who purchased farmers' wool clips and in turn sold them to British wool brokers. One such merchant was Nathan Birkenruth, a member of Grahamstown's first Town Council. In 1864⁵ he returned to London in order to establish himself as a Wool Broker, a "Selling Broker for Cape Colonial wools only"⁶ leaving two agents in charge of his prosperous Grahamstown business. Many such merchants and businessmen had professional and personal stakes in the farming industry. The influential Wood family, to name but one example, owned a number of farms themselves. The occupations of merchant trader and farmer complemented each other well, for the benefit of both merchant and the improvement of farming generally. Experiments with new crops or breeds often took place on merchants' farms prior to their introduction on a large scale.

It was generally believed that, as Godlonton had stated categorically in 1836, "Amidst all the misfortunes of the Eastern Province wool will always prosper."⁷ Wool, as a staple commodity valued on British and American markets was the symbol of prosperity and economic security through the whole South African farming industry. Its vital importance in the further development of the economy of the Cape and South Africa, is stressed by D. Hobart Houghton. "The economic impact of international markets was

³ J.A. Henry, The First Hundred Years of the Standard Bank, p.13.

⁴ Hunt, Development of Municipal Government, p.152.

⁵ G.T.J. 26-2-1864.

⁶ G.T.J. 12-4-1864.

⁷ Hunt, Development of Municipal Government, p.153.

carried into the interior, not in the wagons of the Voortrekkers, but upon the backs of the merino sheep."⁸ Wool was the Cape Colony's major export: in 1860 it accounted for 53% of the total exports of £2,080,000.⁹ The continued prosperity of commercial centres such as Grahamstown and Port Elizabeth was inextricably linked to the prosperity of wool farming in the Eastern Cape.

An examination of the Port Elizabeth wool exports between 1863-1869 reveals the fluctuations and general drop in wool exports and revenue over this period.¹⁰ 1864 and 1866 are the only years which show an increase in weight and value of wool exports. Factors which influenced the production of wool and the falling prices of the wool markets included both local conditions at the Cape and the trends of the overseas markets. The years 1861-62 were years of exceedingly severe drought in the Eastern Cape. Lungsickness and horsesickness, a scarcity of forage and water meant transport by wagon to the Bay became increasingly difficult and costly. Whereas it used to cost 5/- per bale of wool transported, it rapidly increased to 11/- or 12/- a bale.¹¹ Wool piled up at Grahamstown

⁸M. Wilson and L.M. Thompson eds., Oxford History of South Africa Vol. II, p.4.

⁹Ibid.

¹⁰C.B.B. C.C. and R.M. Port Elizabeth Reports 1863-1869.

Table of Port Elizabeth Wool Exports.

	<u>lbs</u>	<u>£</u>	<u>Decrease</u>	<u>Increase</u>
1863	27,011,594	1,278,286		
1864	32,680,402	1,665,835		
1865	28,806,831	1,453,189	(£212,646 (3,873,571 lbs	
1866	28,978,743	1,643,074		£189,890) 181,812 lbs)
1867	28,185,818	1,524,796	(£118,278 (792,925 lbs	
1868	27,310,470	1,407,927	(£116,869 (875,348 lbs	
1869	28,759,754	1,253,945		lbs only 1,449,284
Total revenue increased from 1870 to 1871 by £46,300.				

¹¹G.T.J. 7-6-1862.

awaiting transport: at one stage there were 4 000 bales.¹² The Albany Civil Commissioner and Resident Magistrate described the state of his division in 1862 as "unexampld". Because of the heavy losses, especially sheep losses, and the "poverty" of the flocks, the 1862 wool clip was "considerably below the usual average".¹³ Generally Cape wools did not compare favourably in quality with other colonial wools on the London market because they were "ill got up", unwashed and often matted with burr weed. In addition, Cape farmers were in the habit of shearing twice a year, so yielding short staple wool. This frequent shearing was because of the need for the farmers for cash, the need to secure the wool clip in times of frontier insecurity and, during the 1860's and 1870's, probably also because of the dangers of scab. The preference during the 1860's in the overseas woollen industry was for worsteds rather than woollens. Worsteds demanded long staple wool.¹⁴ Cape wools had therefore been at a disadvantage even before the bad seasons of the 1860's drastically reduced output.

The British market for Cape wool was unstable during the early 1860's as a result of the general dislocation of British trade following the outbreak of the Civil War in America in April 1861. A direct result for the Cape was to close the American market for Cape greased wool. This was overcome by Britain buying the surplus. The impact of the American Civil War 1861-65 on British trade, however, was felt throughout the British Empire. The Journal feared for its adverse influence on the production of British manufactures and exports which would affect "through them our whole social well-being".¹⁵ Britain's cotton industry was indeed brought to a standstill. In anticipation that wool would take the place of cotton, certainly for the supply of cloth for Federal troops in America, speculators at the Cape bought large quantities of wool at the old price. But American tariffs were prohibitive and resulted in a drop in wool prices on the London market.¹⁶ Prices

¹²G.T.J. 27-5-1862.

¹³C.B.B. C.C. and R.M. Albany 1862.

¹⁴Henry, Standard Bank, p.14.

¹⁵G.T.J. 28-3-1861.

¹⁶G.T.J. 21-5-1861 and 23-6-1863.

partially recovered as British trade and markets adjusted. This, together with a good season in 1864, led to hopes of renewed prosperity. But N. Birkenruth's Report from London at the beginning of 1865 stated that there had been no improvement in the market. The prices of Eastern Province wools had receded. Accounts from woollen manufacturing districts in England reported a stagnation in trade and held out little hope for improvement until there was a renewal of demand and the prospects of the money market were more settled.¹⁷ 1865 was a year of worse drought at the Cape and further collapse of wool prices as a result of the end of the American Civil War and commercial disaster on a scale unprecedented. In 1866 there was a trade recession in Britain.¹⁸ Drought continued in the Cape Colony and the average annual wool prices fell to 13d in 1867, 12d in 1868 and 10½d in 1869, though the weight of the annual clip had increased by the end of the period.¹⁹ Finally the drought broke and wool prices improved in 1870/71. It was the discovery of diamonds that ushered in the general prosperity of the 1870's, though initially this caused further depression in Grahamstown.

The financial crisis of the 1860's though exacerbated by bad seasons and the fall of wool prices, had its origins during the years of prosperity of the 1850's. The wool boom, the consequent general prosperity and need for cash and capital, had encouraged the creation of numerous small country banks. A system of unlimited credit appeared to have become the rule in business transactions by 1862. Local banks in the Cape numbered 28 in 1862,²⁰ 15 of which

¹⁷ G.T.J. 18-1-1865.

¹⁸ Wilson and Thompson eds., Oxford History Vol. II, p. 9.

¹⁹ Henry, Standard Bank, p. 15.

²⁰ E.H.D. Arndt, Banking and Currency Development in South Africa 1852-1927, p. 244 and cf.

G.T. Amphlett, History of the Standard Bank of South Africa, Ltd. 1852-1914, p. 9.

...."30 banks in operation in the Cape Colony...."

1859	trading capital of 16 Banks	£2 343 983
1860	" " " 17 "	2 630 207
1861	" " " 21 "	3 061 300
1862	" " " 29 "	3 350 000

were in the Eastern Cape.²¹ Grahamstown had taken the lead in establishing the first bank in the Eastern Cape: the Eastern Province Bank founded in 1838. In addition the Frontier Commercial and Agricultural Bank was founded in 1847. Generally the initiative for the establishment of local banks came from groups of local merchants, in order to increase local credit facilities and make more capital available for business ventures. The local banking boom reached its climax between 1858-62 and the banks appeared to be in a flourishing state, paying good dividends. Certain leading commercial firms in their business transactions in country districts issued notes following banking principles.²² The capital and credit resources of the Grahamstown merchants must have been considerable by 1861: yet in addition to the two established banks, they felt the need for yet a "larger and easier supply of cash".²³ With Geo. Wood (sen) in the chair, a meeting of the leading merchants and businessmen of the town decided to form a Joint Stock Association for purposes of a Loan Investment

²¹ Arndt, Banking and Currency Development, pp.238-244.

List of Banks established in Eastern Cape by 1862.

Year
Established.

1838	Eastern Province Bank (established first in Grahamstown then other branches)
1846	Port Elizabeth Bank
1847	Frontier Commercial and Agricultural Bank (established first in Grahamstown, W. Ogilvie Chairman, then other branches)
1848	Graaff-Reinet Bank
1853	Commercial Bank of Port Elizabeth
1858	British Kaffrarian Bank
1858	Uitenhage Bank
1858	Union Bank Cradock
1859	Queenstown Bank
1860	Somerset East Bank
1860	Fort Beaufort and Victoria Bank
1861	Albert Bank (Burghersdorp)
1861	Colesberg Bank
1862	Kaffrarian Colonial Bank
1862	Agricultural Bank of Queenstown

²² Amphlett, Standard Bank, p. 9.

²³ G.T.J. 15-6-1861.

and Trust Company. They waited until the Limited Liability Bills before Parliament became law, then formed the Eastern Province Guardian, Loan and Investment Company.

1862 was a year of "easy money and active speculation"²⁴ even before the effects of the establishment of the Imperial banks had been felt. This general prosperity and banking boom was based on the profits of the wool industry. The business methods conducted through the chain of farmer, storekeeper, merchant, wool broker, were not conducive to security in times of crisis. Farmers were generally short of ready capital and cash, dependent on the yearly wool clip for their livelihood. While wool prices remained high, long credit was offered them by country storekeepers, who were granted in their turn credit facilities by the merchants of larger centres, who received credit benefits from overseas brokers. With the increased funds available through the establishment of numerous small country banks, credit transactions and speculative wool buying likewise increased.²⁵ This elastic credit system worked satisfactorily while prices were high but as soon as a slump occurred as it did in the 1860's, a chain reaction followed which ultimately affected the entire farming and commercial communities. In 1864 L.L. Mitchell who came out from England in the service of the London and South Africa Bank described this situation as follows: "I found the Eastern Cape strenuously striving for prosperity under the disadvantage of a system of unlimited credit."²⁶

²⁴ Amphlett, Standard Bank, p.3.

²⁵ Henry, Standard Bank, p.15.

²⁶ Amphlett, Standard Bank, p.24.

This quotation deserves to be given in full.

...."Private persons ran accounts with their tradesmen for all the necessaries of life, and payment, which was at rare intervals, took the delusive form of promissory notes, frequently renewed. Retail dealers, in their turn, gave six months acceptance to the merchants and the latter fell back on their Home supporters. Everybody took and gave credit, bad debts were common, and prices therefore ruled high."

The advent of the two Imperial Banks, the London and South Africa Bank in 1861 and the Standard Bank in 1862, and their subsequent role during the crisis that followed needs careful assessment. It is significant to note that the impetus for their establishment came largely from colonial businessmen notably from the Eastern Cape, heart of the wool industry. John Paterson of Port Elizabeth was the prime mover behind the establishment of the Standard Bank. The country was "ripe for new banking facilities"²⁷ and their establishment was welcomed. They certainly increased capital and credit facilities. 1865 marked the height of the financial and banking crisis. Insolvencies and bank failures were numerous. 1865 was the only year in which the Standard Bank failed to declare a dividend.²⁸ Local opinion largely blamed the crisis on the advent of the Imperial Banks for the introduction of capital on a grand scale and the encouragement of the habit of speculation at a stage when the colony's agriculture and commerce was not sufficiently advanced to warrant it. As the crisis in Port Elizabeth was noticeably severe and it housed the head offices of both banks, they were regarded as scapegoats by the press.²⁹ In 1866 The Argus maintained that "when a calm review of these commercial disasters is taken, they will be justly traced to reckless speculation fostered by the facility which, since the establishment of the foreign banks, money has been obtainable".³⁰ This view needs revision.

The seeds of the crisis had been scattered much earlier than the advent of the Imperial banks, in the local banking race, 1858-62, and in credit business habits. The Imperial Banks with their much larger capital were better equipped to survive the crisis and indeed

²⁷ Ibid., p.3.

²⁸ C.G.W. Schuman, Structural Changes and Business Cycles in South Africa 1806-1936, p.81.

cf. Arndt, Banking and Currency Development, p.272.

Arndt states it was 1866 when the Standard Bank failed to declare a dividend.

²⁹ Arndt, Banking and Currency Development, p.261.

³⁰ Ibid., p.271.

to restore stability and confidence sooner to the economic climate. The Standard Bank's avowed policy had been, from the beginning, to amalgamate with smaller local banks as well as to establish branches. By 1864, 3 banks had amalgamated with the Standard and 15 more branches had been established in South Africa.³¹ These ranged from Grahamstown, which was the second branch to be opened in mid 1863, to branches in Bloemfontein and Durban. The local directors of the Grahamstown branch were leading citizens: the Hon. George Wood, Hon. R. Godlonton, the Civil Commissioner and Resident Magistrate H. Hudson, and J.C. Hoole. In 1863 Paterson made an offer to Grahamstown's Eastern Province Guardian, Loan and Investment Company to amalgamate with the Standard Bank but met with failure.³² Grahamstown bankers considered local banking concerns efficient enough to continue independent and so be of more assistance to the local commercial community. Yet The Journal did sound a warning note that the number of Standard Bank branches was increasing "almost too rapidly for the wants of the colony".³³ This was a continuation of an already existing pattern set by colonial banking institutions. Initially, the establishment of the Imperial Banks speeded up the existing banking trend towards crisis by adding to the scale of credit speculation. Ultimately, the establishment, especially of the Standard Bank, played an important role in taking over from those local banks forced into liquidation after 1865, and in assistance to certain banks which needed loans of capital. Its development on a country wide scale gradually fostered security and brought uniformity to money transactions. This was a lengthy process, which lasted throughout the 1870's and 1880's. During the early stages of the Bank's career, its personnel were not much more professional than any other local banking institution in their business methods. In Grahamstown in 1866, the Bank's Inspector reported that the cash which "appeared to be in the possession of no officer in particular"³⁴ was balanced by a running deficiency account. The Grahamstown manager of the Bank was of the

³¹Henry, Standard Bank, p. 6.

³²G.T.J. 7-4-1863.

³³G.T.J. 7-4-1863.

³⁴Henry, Standard Bank, p. 8.

opinion that "such deficiencies must inevitably exist, even from natural causes in all monetary institutions".³⁵ The process towards efficiency and the development of modern banking methods was a gradual one.

The course of the depression in the Eastern Cape falls into two distinct phases with the hectic prosperity and monetary speculation of 1858-62 as a general background. The first phase in 1862/3 of drought, fall in wool exports and wool prices on the London markets, caused economic hardship in both farming and commercial communities and the appearance of distress among white labourers. The recession in Grahamstown was aggravated by the transfer of the military to King William's Town. 1864 was a year of recovery for Grahamstown, particularly as the Cape Parliament met there and the military returned shortly afterwards. The second recession started with bad seasons in 1865/6, a further fall in wool prices, and a general banking crisis which affected all sectors of the community. Extensive distress was obvious among the labouring classes many of whom were recent settlers and who travelled about the country in search of relief and employment. A marked feature of the depression was the way communities attempted to provide relief for distressed labourers.

This community concern was first illustrated when the news of the distressed Lancashire cotton operatives reached the Cape in 1862. Their destitution was a result of the closure of the Lancashire cotton mills because of a lack of American cotton during the war. The response was startling. In 1862, that year of drought implicit with the threat of future depression, the public imagination of Grahamstown and Port Elizabeth was caught by the distress of British workmen. A Lancashire Relief Fund was established in Grahamstown. The magnificent sum of £2 250 was collected within Grahamstown and its surrounding farming districts and sent to the Executive Committee for the relief of the workers in Manchester.³⁶ The Mayor received letters of handsome acknowledgement in reply. There appears to be

³⁵ Ibid.

³⁶ G.T.J. 14-11-1862, 17-2-1863 and 31-3-1863.

no evidence to suggest that such charity stemmed only from the affected commercial consciences of wool merchants who feared that disaster might spread from Britain's cotton to her woollen industries. Rather the available evidence suggests the ingrained and active Victorian conscience, expressive of a sense of charity, was part of Grahamstown's citizens.³⁷ Though the Wesleyan representation on the Lancashire Relief Fund Committee was very strong and the Wesleyans raised considerable funds, this was not an exclusively Wesleyan affair. In the areas of distress relief during the 1860's, it was also noticeably the Anglican church which contributed ideas, men and funds at need. The celebrated "Wesleyan conscience" appeared to have become community property and pride in Grahamstown during the 1860's. The Lancashire Relief Fund's Secretary was R.W. Nelson, a vigorous Anglican and later a Town Councillor. R.W. Nelson and his brother A.E. Nelson, born in Ireland, had spent some years in Lancashire prior to their arrival in Grahamstown.³⁸ Their canvassing was more effective because of their more immediate involvement.³⁹ The Lancashire Relief episode, reflects not only the very real sense of charity present within the Grahamstown community,⁴⁰ but also the deep

³⁷G.T.J. 12-1-1861.

"This home habit - this characteristic of England - ought not to be forgotten by us ... active charity ... We venture to say that there are very few qualities distinctly English which ought to be more carefully cherished than this one."

³⁸G.T.J. 3-7-1906.

³⁹The Nelson brothers shared a common background with the Irish Dean Williams, who had also emigrated from Lancashire to Grahamstown. This partly explains their support of the Dean in his later conflicts and R.W. Nelson's association with The Eastern Star.

⁴⁰G.T.J. 14-11-1862.

These charitable characteristics appear to have been more marked within the Grahamstown rather than the Port Elizabeth communities as the Grahamstown Fund surpassed the total collected by the Port Elizabeth Fund.

involvement and identification experienced by Grahamstown citizens with events and people in Britain. This was an expression of Imperial solidarity in a more meaningful way than some of the later 19th Century expressions of jingoism.

The overwhelming problem of distress and poor relief was very soon felt within the Colony. In 1861, in spite of a dry season, the Albany Civil Commissioner and Resident Magistrate confidently asserted that all immigrants, especially those known to the Albany Immigration Board, had met with ready employment and he stated the need for more immigration.⁴¹ By 1862 his Report stated that some of the younger colonists were thinking of emigration to a more "favoured colony".⁴² Unemployment in some areas was beginning to be a severe problem and was made worse by previous immigration. The effects of the depression were felt earlier in Grahamstown than in Port Elizabeth. The loss of the military had aggravated conditions in Grahamstown, while job opportunities created by the harbour cushioned the impact in Port Elizabeth.⁴³ By February 1863 The Journal reported that local "organised aid" was necessary in the absence of a Poor Law to combat those cases of extreme poverty and distress which existed among some citizens of Grahamstown almost for the first time.⁴⁴ The Journal recommended the Town Council and the Churches as suitable

⁴¹C.B.B. C.C. and R.M. Albany 1861.

⁴²Ibid., 1862.

⁴³C.B.B. C.C. and R.M. Port Elizabeth and Albany Reports 1862.

PORT ELIZABETH

...."marked improvement in buildings may probably be attributed to the result of the immigration scheme. Port Elizabeth, being the port of debarkation, has had the selection of skilled artisans, mechanics and labourers, and many first class workmen being offered remunerative wages, settled down at once, and thus benefitted themselves, improved the appearance of the town and relieved the Government of further expense on their behalf."

ALBANY

...."the result (of the drought) has been considerable scarcity, if not actual distress, among the working classes, for want of employment."

⁴⁴G.T.J. 27-2-1863.

responsible bodies to take charge. Councillors Ayliff, Shepperson and Hoole⁴⁵ duly formed a Committee of Inquiry into the extent of distress in Grahamstown. This was after a lengthy Council debate which measured opinions of relief as a personal or corporate responsibility.⁴⁶ The conclusion the Committee reached, after a thorough and efficient examination of as many distressed persons and ministers' reports as possible, was that though unusual distress existed in Grahamstown, it was not sufficient to warrant a general public movement of relief.⁴⁷ After further co-operation between Councillors and clergy, it was resolved by the Council to employ as many distressed labourers as might apply, on municipal works, leaving individual special cases of distress to be dealt with privately.⁴⁸ This appeared to solve the problem of distress within Grahamstown temporarily. Twenty men were employed by the Board of Works at 3/- per diem. Applications from Grahamstown only were considered. As news of the scheme spread, the Board of Works had many applications from other districts; an indication of the widespread nature of the distress and unemployment.⁴⁹ It was felt that the Council's responsibility was necessarily to be reserved for the Grahamstown distressed. An additional consideration was that such employment cost the Council a large outlay during their first year of office when they laboured under the crippling handicap of no town rate.⁵⁰ Their employment of distressed labourers was a stout effort when one considers a further motion, carried unanimously, to raise the wages of the worthier labourers to not more than 4/6 per diem.⁵¹ Eleven men were subsequently raised to 4/- per diem and the Foreman of labourers to 4/6 per diem.⁵²

⁴⁵ See Appendix G: Councillors.

⁴⁶ G.T.J. 3-3-1863.

⁴⁷ G.T.J. 6-3-1863

⁴⁸ G.T.J. 10-3-1863 and 13-3-1863.

⁴⁹ G.T.J. 21-4-1863.

⁵⁰ See Chapter 3: Municipal Finance.

⁵¹ G.T.J. 3-4-1863.

⁵² G.T.J. 1-5-1863.

Immediately following the Report of the Special Committee to investigate Distress and before such matters as numbers employed and wages received were settled, a hair-raising incident occurred. On 23 March a crowd of disaffected workmen paraded and rampaged through the streets of Grahamstown. After much scurrilous language, noise and a violent attack on Councillor Shepperson's property, they burnt the masks, effigies representative of Councillors Ayliff and Shepperson, which they had been carrying.⁵³ This incident was naturally viewed with the gravest disapprobation in The Journal and by the Town Council. Apparently the attack had stemmed purely from a misunderstanding or misreporting of certain things which Councillors had said during their investigation into the economic distress of the town. Councillor Shepperson was accused of having said that the working man should work for 1/6 per day, eat meat only once a week and have no milk in his tea - all of which he strenuously denied having said. As both these Councillors were men of character and "friends of the poor",⁵⁴ it is unlikely that they were guilty of such statements at such a time. But this episode illustrates the mood of the Grahamstown working man and the emotional fervour which had been generated by the general circumstances of distress. Concern was expressed within the Council that such behaviour, possibly incited by a few, would destroy the hitherto good understanding and relationship between the social classes of the city. It is an ironic consideration that when the course of the depression had run its limit, there were many labourers thankful to be employed at 1/- per day. This incident reads like a prelude to the real hardships still to be experienced by the working man during the depression.

Quite possibly the effigy-burning was caused by a few eloquent speakers with a definite grudge against those certain Councillors - Ayliff was a lawyer - as there was no recurrence. Even when, in August, the Board of Works was instructed to use its own discretion as to when to dismiss the extra labourers after due notice,⁵⁵ there

⁵³ G.T.J. 24-3-1863 and 31-3-1863.

⁵⁴ G.T.J. 24-3-1863.

⁵⁵ G.T.J. 18-8-1863.

appears to have been no public outcry on occasions of such dismissal. Unemployment and distress certainly eased as the effects of a good farming season began to be felt. In Grahamstown itself there was the prospect of hosting the Cape Parliament in 1864. The end of 1863 was hailed in a fairly confident frame of mind that the worst was over and that renewed prosperity would return.⁵⁶ Yet distress in the Western Cape soon assumed alarming proportions. Many of the distressed workmen were recent immigrants. In Cape Town a public meeting was called to attempt to provide a solution for 200 unemployed labourers.⁵⁷ In February 40 such labourers were sent to the Kowie to assist with the harbour works.⁵⁸ For unemployment on such a scale the only workable solution seemed to be public works. By July there were still 100 more than could be employed by the Cape Town Municipality's Public Works Committee. Charitable citizens started a soup kitchen.⁵⁹ Other colonies presented favourable offers of emigration. A Mr William Berg, New Zealand Government Agent, offered free emigration which caused The Journal to react predictably to suggest grants of 40 acres of land on the Eastern Cape frontier be given to distressed workmen.⁶⁰ To combat such emigration offers, Wodehouse attempted to employ distressed labourers on public works such as clearing the Tulbagh Kloof with a view to a railway extension.⁶¹

In Grahamstown, at the same time, all effigy-burning forgotten and unemployment at a minimum, a tribute was paid by certain mechanics to the Mayor, George Wood jun. On his election for the

⁵⁶ C.B.B. C.C. and R.M. Albany 1863.

"The division and city have passed through the late severe commercial crisis with great firmness, and comparatively little suffering, and are now rapidly rallying and will soon recover and exceed their former prosperous condition."

⁵⁷ G.T.J. 19-1-1864.

⁵⁸ G.T.J. 12-2-1864.

⁵⁹ G.T.J. 20-7-1864 and 27-7-1864.

⁶⁰ G.T.J. 1-8-1864.

⁶¹ G.T.J. 22-8-64.

third successive year, the Council accorded him the honour of requesting his portrait done in oils by Grahamstown's artist, Frederick I'Ons.⁶² The commission was to be paid for by the Councillors themselves.⁶³ An even more laudable tribute came from a certain group of mechanics who approached the Council through Councillor William Webb, the self-professed "working man's friend". They offered to make a suitable frame from Colonial wood "worthy of the portrait"⁶⁴ and present it as their gift. The offer was accepted but it seems the portrait took so long to finish and the ensuing years were of such economic difficulty, that this frame apparently did not materialise. In times of economic distress when the labouring class were affected first and noticeably as in 1862, a tendency towards polarisation of the working class man versus the wealthy businessman was apparent. The effigy-burning in Grahamstown illustrates this. But this class division was tempered by respect and a tacit acceptance of different roles within the community in times of lessened distress. This partly explains the mechanics' tribute to the Mayor, though clearly personal factors come into play as well. With the progression of the depression within the Grahamstown community, all classes and levels of the community were ultimately affected. Failures among the most highly respected of the business community of Grahamstown occurred. In such circumstances class tolerance and co-operation were again apparent.

Port Elizabeth experienced more rapid economic dislocation of trade and distress than Grahamstown at first. The Civil Commissioner and Resident Magistrate's Report for Albany in 1865 sounded a

⁶²J.J. Redgrave and E. Bradlow, Frederick I'Ons, Artist, p. 38.

⁶³G.T.J. 1-8-1864 and 2-8-1864.

⁶⁴G.T.J. 17-8-1864 and Eastern Province Year Book and Annual Register for 1862.

The men were:	R. Orgill	-	coachmaker
	J. Wedderburn	-	Bertram Street
	S. MacArthur	-	Beaufort Street
	G. Ricketts	-	no entry in 1862 Directory
	W. Parkins	-	carpenter, Queen Street

cautiously confident note in the future prospect of a revived progress in trade. In spite of general depression in business "the monetary crisis ... has happily not implicated the older mercantile establishments of Grahamstown".⁶⁵ This is probably owing to the shrewd business practices of certain Grahamstown merchants who had conducted business and credit transactions with rather more caution than some of their Port Elizabeth counterparts. Steady supplies to the commissariat after 1864 also helped. The older mercantile firms in Grahamstown had considerable capital reserves to fall back on during a crisis. But 1865/6 experienced a drought more severe than 1862. The Governor declared a day of public humiliation on 12 January 1866. On the Council's motion⁶⁶ all public works were suspended and no market was held that day. With this continued drought, the Council had to make special provision for the grazing of butchers' stock on the town commonage during 1866.⁶⁷ Each butcher was allowed to graze 20 head of cattle and 100 sheep. Councillor William Webb, butcher, had been the first to raise the matter in the Council.⁶⁸ The problem of distressed labourers had again become acute throughout the Eastern Cape. The Report from Albany stated that "so much distress has not existed for many years among the labouring classes".⁶⁹ In spite of good rains the following season, the collapse in wool prices at the end of the American civil war affected the wool brokers of Grahamstown to an alarming extent in 1867.⁷⁰ As an index to the state of civic finances in 1867, one only has to cite an unopposed motion⁷¹ of the

⁶⁵ C.B.B. C.C. and R.M. Albany 1865.

"During the past year severe drought has affected, to a very considerable extent, the productive economy of this division. The monetary crisis, which has been very severely felt by other localities has happily not implicated the older mercantile establishments of Graham's Town; and, although business generally has been much depressed, there is a fair prospect of the revival of a sound and healthy progress in the various branches of trade."

⁶⁶ C.M.B. 5-1-1866.

⁶⁷ C.M.B. 18-5-1866.

⁶⁸ C.M.B. 20-4-1866.

⁶⁹ C.B.B. C.C. and R.M. Albany 1866.

⁷⁰ Ibid., 1867.

⁷¹ C.M.B. 19-7-1867.

City Council on the possibility of a visit to Grahamstown by H.R.H. the Duke of Edinburgh. Whereas in 1863 Grahamstown had cheerfully celebrated the marriage of the Prince of Wales by spending £400 on the city's entertainment, in 1867 the Mayor wrote to the Governor for a sum of money to give H.R.H. a suitable reception. Happily for the strained financial resources of the city, the Duke did not visit Grahamstown. Recovery was slow, and the years 1868/9 were years of economic fluctuations. There were generally improved seasons, some public works for the employment of the distressed but these were years of considerable financial and economic adjustment after the failure of the Frontier Commercial and Agricultural Bank. Trade suffered but the poorer shareholders endured much distress as they had lost their income, in many cases.⁷²

During this period, Grahamstown experienced many insolvencies. Mr Charles Pote, auctioneer and former member of Parliament for Grahamstown, went insolvent during the second phase of the depression. In 1866 he felt himself in difficulties and offered to give up the land he had purchased at a Municipal sale during 1861.⁷³ By 1869 he owed, and was unable to pay, the Municipal rates due since 1865. These came to £143.18.--. Though one Councillor moved that the Town Clerk be authorised to sue him in the Eastern Districts Court, charity prevailed.⁷⁴ The Municipality waited to recover all rates owed by defaulters before pursuing their case against Pote. His was the worst case of a debt owing to the Municipality. Finally in 1873 the Municipality accepted his offer to pay 5/- in the £ extending over 6 years on condition that his creditors and Judges of the Supreme Court released his estate from sequestration.⁷⁵ But in 1879 Pote was still in straitened circumstances. He requested that the Municipality release him from his obligation to pay 25% of the amount for which judgement had been obtained against him in 1870.⁷⁶ His request

⁷²C.B.B. C.C. and R.M. Albany 1869.

⁷³C.M.B. 13-7-1866.

⁷⁴C.M.B. 18-8-1869.

⁷⁵C.M.B. 14-5-1873.

⁷⁶C.M.B. 20-8-1879.

was not complied with.

The case of insolvency which aroused most public interest was that of Grahamstown's first Mayor. This spectacular case involved George Wood jun. in the court action of the Frontier Bank versus A.R. Gooch and Co. Wood, in addition to his lucrative partnership with his brother, J.E. Wood, in the firm Wood Bros., had entered into partnership with Gooch to form another merchant and general dealer firm. Gooch, one of Grahamstown's Town Councillors in 1865, was the active partner of the firm while it was not generally known that Wood was the sleeping partner. J. Standen, former manager of the Frontier Bank, permitted Gooch to borrow large amounts, using Wood's name as security. Gooch's speculation failed disastrously and he absconded in 1867, to leave Wood to discover his malpractices and face his creditors.⁷⁷ George Wood jun. had shown himself too trustful a business partner for such a "dashing speculator". Wood accepted the Court's findings and had somehow to raise the deficiency of £31 113. This necessitated his ruin as a Grahamstown merchant, the end of his parliamentary career and his removal from West Hill to Market Square. He then made his own career as auctioneer, no longer part of the family firm. Public verdict was against Gooch. The Journal commented that it was strange to "find that George Wood the younger, a man of great ability and but yesterday of great wealth, and the Frontier Bank, whose name was once another word for stability should have suffered heavy losses through A.R. Gooch".⁷⁸ But Gooch's chequered career as Councillor, businessman, speculator and bankrupt, had a tragic ending. After reverses on the diamond fields, he eked out a precarious existence as an itinerant musician and died destitute in an outhouse. Some charitable persons held a funeral for him in Barberton.⁷⁹

Not all Grahamstown's insolvents in the 1860's were as fortunate as the Nelson brothers, who had made wealthy connections by marriage. The young A.E. Nelson, a brewer, went insolvent in 1868. But he

⁷⁷G.T.J. 16-9-1868.

⁷⁸G.T.J. 19-2-1869.

⁷⁹G.T.J. 12-1-1897.

was lucky enough to possess a father-in-law who owned the Cathcart Arms Hotel. He and his family took up residence there and a profitable new career opened up for him.⁸⁰ He later became a Lieutenant-Colonel in the Volunteer Corps, a Town Councillor and Mayor of Grahamstown.⁸¹ R.W. Nelson's father-in-law was the Hon. S. Cawood. His insolvency in 1868 occurred while he was a Town Councillor for the first time. When his house in Oatlands Road had to be sold to meet his liabilities, his wife, Mrs Rachel Nelson, was in a position to buy it. The price of £785 was much less than the original price of £1 400, an indication of how depressed the building market was.⁸² His connection with Cawood assisted him to a secure business career as butcher and allowed him to pursue his journalistic leanings in writing for The Eastern Star. He enjoyed a public career equal to his brother's, as Town Councillor and Mayor, though he was disappointed in his ambition to become a member of parliament.⁸³ Both brothers made attempts at business ventures first to the diamond fields and then to the Rand, following the discovery of gold.⁸⁴

Bankruptcies in Grahamstown were so widespread in the late 1860's that the names of many other respectable men who had been, or would later become, Town Councillors, appeared in the insolvency courts. They were, for the most part, victims of the abnormal economic climate and managed to earn an honest living once more in the 1870's.

What is most noticeable in a study of Grahamstown through these depressed years, in Newspapers, Council Minutes, Civil Commissioner and Resident Magistrate Reports, is the tone of implicit and sometimes explicit confidence in the future of Grahamstown free from commercial ills; secondly, is the efficient and

⁸⁰ G.T.J. 12-8-1868 and 14-8-1868.

⁸¹ G.T.J. 11-11-1902 and 15-11-1902

⁸² G.T.J. 23-12-1868.

⁸³ G.T.J. 3-7-1906.

⁸⁴ G.P.M. 28-8-1895.

charitable methods whereby distress was relieved. Led by the organisation of City Council, Churches and charitable persons, ad hoc relief measures were taken as the need arose. During this second phase of the depression the problem was larger than single communities could deal with, so there was heavy reliance on the provision of public works by the government. At times community and municipal motives did not stand up to examination because they were concerned more with financial purse-pinching than charity, but the general record is impressive.

In events of extraordinary distress, there seemed no limit to Grahamstown's contribution. In 1865 in response to the great distress caused by the gale in Table Bay, a Grahamstown Relief Fund was again created. The Mayor, while on parliamentary duties in Cape Town, telegraphed an appeal for more contributions.⁸⁵ The Relief Committee for the Eastern Cape area was situated in Grahamstown and R.W. Nelson was once more Secretary. By 28 June the total contributions from Port Elizabeth, Grahamstown and surrounding areas were £4 400.⁸⁶ Circumstances were very different when Port Elizabeth experienced a flood in 1867. Damage and destruction were clearly on a much smaller scale than Cape Town's had been. There was no need for general relief funds. The effects of the depression had also been felt in much greater measure. These factors explain why an appeal from a Rev. Pickering for distress funds for Port Elizabeth⁸⁷ was met by a fairly poor response. The total collected by Grahamstown's Councillors was £31.2.3.⁸⁸

The years 1865-69 were years of increasing financial difficulty for the Council. Until Grahamstown's 1869 Municipal Amendment Act increased the borrowing powers of the Council, it had been heavily in debt. Its financial resources were not sufficient to pay for grandiose schemes of public relief. There was at times, conflict

⁸⁵G.T.J. 9-6-1865.

⁸⁶G.T.J. 28-6-1865.

⁸⁷C.M.B. 13-12-1867.

⁸⁸C.M.B. 17-1-1868.

within the Council as to how much it could afford on additional relief measures to the steady one of the employment of extra workmen by the Board of Works. When Councillor King proposed the erection of a well or tank in Church Square which, apart from other benefits, would supply employment for those greatly in need of it,⁸⁹ a typical Council fracas resulted in which King's motives for such a proposal were suspect by some, as he was a member of a local Fire Insurance Company and so would have personal motives for such a well. He denied this ulterior motive. But the general feeling was that there were more important improvements with regard to the reservoirs of the town. A suggestion was made that the Grey Reservoir should rather be enlarged and mentioned that the Council could employ 200 men at 1/- a day. This indicates the availability of casual labour as well as the low rate of pay. This does not appear to refer to African labour as there is a reference to "ordinary men". Someone accused the Board of Works of the employment of convict labour rather than ordinary men at which the debate was ruled out of order for impeaching the conduct of the Board of Works.⁹⁰

The provision of water for Grahamstown's inhabitants was especially difficult during these years of drought, and ever more costly for ratepayers. Councillor James Wood, owner of Wood's Hotel and a benevolent Anglican, moved in 1867 that 3 fountains be erected to supply "the indigent and needy with water gratis",⁹¹ but the motion was lost. Undaunted, he tried a different charitable venture and moved that an annual grant of £100 be made to the Albany General Hospital "in aid of funds for the relief of the sick and distressed".⁹² His seconder on both occasions happened to be Councillor R.W. Nelson, fellow Anglican and voluntary worker in many relief schemes. The Council passed the grant to the Hospital,⁹³ only to be informed by Mayor Kennelly on the advice of the City

⁸⁹C.M.B. 28-8-1865.

⁹⁰G.T.J. 4-9-1865.

⁹¹C.M.B. 8-2-1867.

⁹²C.M.B. 31-5-1867.

⁹³C.M.B. 7-6-1867.

Solicitor that the Council could not legally authorise such a grant.⁹⁴ No reason was recorded, but possibly the legal grounds were that this would constitute alienation of ratepayers' money. The motion was rescinded. During these years of distress, the Albany General Hospital provided a magnificent medical service. Fees were charged to those who could pay, others were admitted gratuitously.⁹⁵

The problem of distress within the stable resident population of white labourers in Grahamstown itself, was largely self-contained and controlled. The larger problem was the movement to Grahamstown and other centres of the indigent, from far and wide, many of them agricultural labourers or small farmers who had failed. Some indication of the prevalence of this floating population of distressed is given in an advertisement in The Journal in May 1866.⁹⁶ Addressed to the charitably disposed, it announced a scheme whereby tickets could be purchased to provide a night's lodging for "casual mendicants" without the "questionable bestowal of money". These tickets cost 10/- for 6 or £1 for 12. Supper, bed and breakfast would be provided at Mr Callcutt's, New Street, on the production of such a ticket. The tickets could be obtained at the printers or the five Anglican clergy who had thought of the plan. Bishop Cotterrill, Archdeacon Merriman and Dean Williams were three of the organisers, clearly very much aware of the need for organised relief for such casual distressed labourers. The scheme was adopted immediately. In spite of the steady support the scheme received, certain newspaper comment pointed out there was still plenty of scope for more charitable efforts on the part of Grahamstown's citizens. The Anglo-African in 1867 felt not enough notice was taken of the scheme. It recorded 500 tickets sold the previous year which had afforded relief to 287 different men.⁹⁷ These figures give some idea of the extent of distress. Even in 1870, when general economic prospects for the Colony were becoming

⁹⁴ C.M.B. 21-6-1867 and G.T.J. 24-6-1867.

⁹⁵ C.B.B. C.C. and R.M. Albany 1870
and see Chapter 5: Public Health.

⁹⁶ G.T.J. 30-5-1866.

⁹⁷ A.A. 8-6-1867.

brighter, the scheme continued. Monthly statements for this scheme for "Night Refuge for the Casual Poor" were published in The Journal.⁹⁸ An additional response to this community problem was the formation of the Ladies' Benevolent Society.⁹⁹

The Grahamstown church communities were very actively involved in leading community efforts to aid the distressed. The Anglican contribution was especially noteworthy. Archdeacon Merriman came into lengthy conflict with the Council over his earnest desire to build almshouses near the premises of St Bartholomew's Church, Settlers' Hill. This area housed and served many working class men, labourers, artisans. The need for such charitable institutions, reminiscent of English Poor Law establishments, was deeply felt by Merriman. He applied to the Council for a grant of land in 1866.¹⁰⁰ This caused a complex struggle between Councillors. The Anglican contingent supported the grant to a man. But a Council resolution had been passed in 1863 prohibiting land grants to religious bodies except under very special circumstances.¹⁰¹ The occasion of this ruling had been an application to the Council for a grant of land by a small religious sect. General opinion was that such a grant would be a dangerous precedent and invite applications from other sects even, as J.E. Wood humorously remarked, the Latter Day Saints.¹⁰² On Merriman's request, the majority stuck to the letter of the law, though the circumstances were entirely different. The debate was postponed indefinitely.¹⁰³ In November 1866 the Council included this piece of land in an application for title to be granted to the Council for purposes of raising money for the increased water supply of the town. The Council were serving majority interests as an increased water supply was vitally important for the health of Grahamstown in times of drought. The Anglicans were opposed to its

⁹⁸ G.T.J. 3-1-1870.

⁹⁹ A.A. 8-6-1867.

¹⁰⁰ C.M.B. 20-7-1866.

¹⁰¹ G.T.J. 26-6-1863.

¹⁰² G.T.J. 30-6-1863.

¹⁰³ C.M.B. 13-7-1866, 20-7-1866, 27-7-1866, 3-8-1866, 5-10-1866, 12-10-1866 - adjourned 6 months.

inclusion in the Council land.¹⁰⁴ Merriman persevered, sent a Memorial to the Colonial Secretary on the matter, which was promptly returned to the Council in April 1868.¹⁰⁵ The Council finally agreed "considering the purpose for which the Archdeacon requires the piece of land". Their only proviso was that all expenses of survey and transfer of the land be paid by Merriman.¹⁰⁶ The struggle had taken two years.

Generally all sections of the community worked together in charitable matters. As late as 1871 there was still a need felt for a clearly defined scheme for the relief of the "casual poor with a view to obtain a certain amount of work in return for relief given".¹⁰⁷ The initiative for such a scheme came from without the Council and enlisted Council aid at a public meeting held to examine the matter. The solution that emerged remained the well worn but effective plan of employment in Municipal working parties, where the work provided would ensure no extra expense other than the wear and tear of tools.¹⁰⁸ During the 1870's cases of destitution occurred especially during the diamond fields rush when families were deserted. During the later 1870's and early 1880's, Relief Funds were for war destitute. The crises of war resulted in the Zulu War Relief Fund,¹⁰⁹ the Basuto War Relief Fund,¹¹⁰ the War Sufferers Fund,¹¹¹ and an Irish Relief Fund.¹¹²

The scale of the depression of the 1860's was unparalleled and necessitated government intervention and aid, as well as community effort. In 1865 Mayor J.E. Wood returned from his parliamentary duties in Cape Town to inform the Council that the member for

¹⁰⁴C.M.B. 16-11-1866.

¹⁰⁵C.M.B. 17-4-1868.

¹⁰⁶B.W. & L. Report 24-4-1868.

¹⁰⁷C.M.B. 19-4-1871.

¹⁰⁸C.M.B. 10-5-1871.

¹⁰⁹C.M.B. 5-3-1879.

¹¹⁰C.M.B. 20-10-1880.

¹¹¹C.M.B. 20-2-1878.

¹¹²C.M.B. 31-3-1880.

Cape Town, Saul Soloman, in the event of the Railway Bill being rejected, had a counter proposal for public relief works. He intended to move that the Government be empowered to contract a loan of £20 000, secured on the Town lands and rates of Port Elizabeth, to enable the Town Council to employ the destitute on public works. He had promised to attempt to secure for Grahamstown a similar loan of £10 000 for the same purposes.¹¹³ This co-operation between Western parliamentarian, Saul Soloman, and the Eastern members is a measure of the concern felt by both East and West in their attempts to cope with destitution. The Mayor hoped that Grahamstown's loan could likewise be £20 000. With the Council's approval he sent a telegram to Mr Thompson, Grahamstown's M.L.A., to obtain his assistance in the matter. By March 1866, such a loan had been granted to Port Elizabeth but not to Grahamstown. In view of Port Elizabeth's greater economic depression and greater numbers of distressed workers, this is understandable. A Grahamstown Memorial was sent to the Governor praying for a loan of £10 000 on security of a third part of the City rates for 10 years, to be used to increase the water supply and for the erection of a Town Hall.¹¹⁴ The focus had changed from distress to public works in the memorial. Such works would nevertheless need the employment of extra labour. A reply was not forthcoming, in spite of several reminders, until September 1866. Instead of the loan, the Council's application for the grant of the vacant town lands was acceded to, such land to be used to raise the money for Grahamstown's increased water supply works.¹¹⁵ This lengthy process of gaining government permission, title and transfer of the lands, hampered the start of these public works. Ultimately they afforded steady employment to a small group of labourers and, in addition, utilized army labour.

The Governor, with the co-operation of Parliament, attempted to provide large public work schemes to employ distressed labourers. During the crisis of 1865-6, when Wodehouse was approached by Saul Soloman and other members of parliament in this regard, he was

¹¹³ C.M.B. 30-9-1865.

¹¹⁴ C.M.B. 2-3-1866.

¹¹⁵ C.M.B. 21-9-1866 and 5-10-1866.

initially in a difficult position because the year's parliamentary session was over. He prudently asked for a monetary guarantee to indemnify his expenditure of public money in case the following session of parliament did not grant money for such public works. The Cape Town contingent agreed to start subscription lists for £10 000. Grahamstown was quick to follow suit. The Town Council called a special public meeting which agreed to attempt to raise a similar Eastern guarantee. The meeting took the opportunity to memorialize the Governor for a Port Elizabeth-Grahamstown railway, hoping to combine relief for distress with transport and economic gain for the city.¹¹⁶ Instead of the railway works, the Nazaar road¹¹⁷ between Port Elizabeth and Grahamstown absorbed large numbers of distressed workmen. The wages were 1/- a day with rations. The Albany Civil Commissioner and Resident Magistrate commented on how efficient a measure of relief the Nazaar road afforded.¹¹⁸ By 1869, "distress among the lower classes" was again on the increase because of no public works being carried on.¹¹⁹ This continued until the diamond fields rush from 1871 gradually drained the Colony of all unemployed able-bodied manpower.

After the depression of the 1860's, Grahamstown experienced her worst economic blow when the headquarters of the military finally moved to King William's Town in 1870. Their brief removal from Grahamstown to King William's Town in 1862 had entailed a loss of substantial economic import as well as a loss of prestige. When the first of the troops left Grahamstown for their new headquarters, in April 1862, The Journal gossip column described the scene in a colourful, half ironic, half sentimental fashion. It even said that Hogarth could have made a "capital" picture from the scene of farewell.¹²⁰ No doubt he could have. The comparison is rather

¹¹⁶G.T.J. 15-12-1865, 18-12-1865 and 20-12-1865.

¹¹⁷"Nazaar" is a name which applies to several farms near Seven Fountains, close to the old Port Elizabeth-Grahamstown road.

¹¹⁸C.B.B. C.C. and R.M. Albany 1868.

¹¹⁹Ibid., 1869.

¹²⁰G.T.J. 28-4-1862.

strong, but the loss of the troops at the beginning of the depression might well have challenged a Hogarth in lighter vein. The loss was political, economic, social and even cultural. With the troops went the 9 o'clock time signal, fired from Signal Hill, and the garrison band's Sunday performances in the Botanical Gardens. The whole atmosphere of the town was affected. But worse than the loss of prestige by the departure of the military was the threatened economic loss in such a year of drought and difficulty. The Journal estimated Grahamstown's loss at 1/6 of her total population, taking that to be 15 500. This worked out as 1 200 or 1 500 men in the garrison alone and an additional half that number of camp followers.¹²¹ The Journal's financial assessment was that the loss merely of the 115 officers would mean a loss of £20,000p.a.¹²² In addition to this there would be the loss of the troops' expenditure and the possible loss of contracts for the supply of the Commissariat. The latter had been held by Grahamstown firms such as Cawood's and the Woods, for many years. In the event Grahamstown did not lose their contracts as King William's Town had no competitive firms. Even allowing for The Journal's pardonable exaggeration in her assessment of Grahamstown's population and her probable over-estimation of the financial loss caused by the removal of the troops, such loss must have been severe.

The immediate effect of the loss of the troops was to change the whole pattern of commerce and the standard of living in the town. The smaller commercial firms were hardest hit, as indeed they were to be as a result of the general loss of trade and commercial activity during the depression. The 52 houses occupied by officers were vacated with very short notice. This was followed by decreased house rents and no demand for the building trade. Decreased demand for consumer articles such as butter, poultry, firewood, oathay and others, on the market, led to a reduction in market prices and market rates.¹²³ Such losses as Grahamstown experienced, endured

¹²¹G.T.J. 25-3-1862.

¹²²G.T.J. 29-3-1862.

¹²³G.T.J. 12-4-1862 and 29-3-1862.

only 2 years. The troops who had been moved to King William's Town fared worse than the inhabitants of their former headquarters. There were insufficient barracks/accommodation for them in King William's Town. But the troops who had left Grahamstown for Fort Beaufort fared worst of all. There were very few market provisions, owing to the severe drought experienced throughout the region. At one stage, cabbage leaves were being sold "by the leaf" in Fort Beaufort. In addition scurvy was "attacking" the troops at Fort Beaufort.¹²⁴ Neither Fort Beaufort nor King William's Town was able to cope with the demands placed on them by the removal of headquarters from Grahamstown. This had certainly been unheard of in Grahamstown. King William's Town was unable to cope with the demands placed on it by the removal of headquarters.

These factors played their part, but it was largely as a result of the increased expenditure threatened as a result of the move that the Imperial Government endorsed Governor Wodehouse's recommended restoration of Grahamstown as the troop headquarters in 1864.¹²⁵ Jubilation greeted the announcement in The Times,¹²⁶ followed by Sir Philip Wodehouse's announcement in his opening speech at the Grahamstown Parliament.¹²⁷ A numerous gathering with dignitaries H.E. the Governor and Lady Wodehouse, H.E. the Lieutenant-Governor Sir Percy and Lady Douglas, all officers and large numbers of ladies

¹²⁴G.T.J. 16-12-1862.

¹²⁵G.T.J. 6-5-1864.

The Journal comment on how the removal came about was that the new accommodation for the troops at King William's Town was estimated at £65,000 which was supposed to be raised by the sale of the Cape Town Castle to the Colony. Wodehouse, anticipating Parliament's refusal, suggested the return to Grahamstown.

¹²⁶G.T.J. 13-4-1864.

¹²⁷G.T.J. 29-4-1864.

and gentlemen attended the first performance by the band of the 96th on the green in front of Fort England on the troops' return.¹²⁸ Al Fresco musical entertainments were offered in the Botanical Gardens by the band of the 96th¹²⁹ and the 9 o'clock gun once more returned precise time to Grahamstown.¹³⁰ The boon of the military was further enhanced by Governor Wodehouse's decision to call parliament to Grahamstown for its session in 1864.

The presence of the troops in Grahamstown 1864-70 undoubtedly helped to cushion the effects of the depression, real enough and severe enough as Grahamstown's experience was. But there was no reprieve from the final removal of the troops in 1870. The Imperial Government's policy with regard to the cost of defence of the colonies was decided. The colonies must contribute themselves and a general withdrawal of Imperial troops followed. This included the withdrawal from Grahamstown. At first the economic loss of the troops mitigated against the general factors of prosperity which ushered in the 1870's with a boom in wool and diamonds. But the general economic revival of the 1870's ensured that Grahamstown came to terms fairly rapidly with the double economic dislocation of the loss of the troops and the drain of men to the diamond fields.

The general prosperity of the 1870's was based on the incredible development of the diamond mining industry and to a lesser extent on the further expansion of the wool industry and the rapid expansion of the ostrich feather industry.¹³¹ There were minor depressions in 1873 and 1876/7, the former because of a bad wool season, the latter because of depressed European markets for wool and diamonds and as a reaction to the rapid expansion of the earlier period.¹³² The annexation of the Transvaal in 1877 and British investment in the colony, the opening of Standard Bank branches, increase in trade

¹²⁸G.T.J. 5-8-1864.

¹²⁹G.T.J. 1-8-1864.

¹³⁰G.T.J. 23-12-1864.

¹³¹Schumann, Structural Changes and Business Cycles, p. 82.

¹³²Ibid., p. 83.

links with the Cape Colony, all favourably influenced the general economic climate. In spite of the adverse economic effects on the Eastern Cape in particular, of the frontier war of 1877/78, this was balanced by Britain's spending considerable amounts of money within the Colony. Grahamstown itself was affected more emotionally and politically by the conflict than economically. She was more removed from the fortunes of war than at any previous time in her history, though she experienced some recession of trade because of the general dislocation of farming. Britain also spent a great deal on the conflicts of the Zulu war 1879, the Basuto wars and the First Transvaal War of Independence in 1880. This latter war cost Britain £5 500 000 spent mostly in South Africa¹³³ though the British withdrawal from the Transvaal had in the long run, an adverse effect on the economy of the Cape. The years 1879-81 saw a spectacular boom for the economy of the Cape based on better agricultural conditions within the wool and ostrich feather industries and the start of the diamond mining industry. This was followed by the depression of 1882-86, more severe than any other in the 19th Century, according to Schumann. The diamond crisis of 1881 was as a result of the "speculative over-expansion in the diamond industry".¹³⁴ The days of the individual diggers had to yield to the control and organization of the big companies as a result of the crisis. During the 1870's banking practices were still not as sound as they later became and indiscriminate credit facilities, granted especially to the large numbers of diggers, led to a credit crisis. The banks over-reacted in 1881 and this consequent vigorous clamp down on credit in its turn increased the severity of the depression. Schumann points out that the first big insolvency occurred in Grahamstown in 1881, though this was not seen to herald a new depression at the time.¹³⁵ What was to lift South Africa from this depression was the discovery of gold in such lucrative quantities in the Witwatersrand, in 1886. Gold completed what diamonds had begun: the rapid transformation of South Africa into an industrial society with sophisticated modern methods of banking and credit control.

¹³³ Ibid., p. 84.

¹³⁴ Ibid., p. 85.

¹³⁵ Ibid., p. 84.

The discovery of the first diamond in 1867 was probably identified as such by Grahamstown's knowledgeable Dr W.G. Atherstone though this is not an undisputed fact. This first discovery was not followed by any sizeable frenzied rush to the fields. It was only after the greater finds of 1869/70 in Griqualand West, that the rush began. The phenomenon was amazing. The Eastern Cape was denuded of most unemployed labourers, most doubtful characters, many farmers in difficulties and also many sober high-minded citizens from towns. Grahamstown's Civil Commissioner and Resident Magistrate declared the "beneficial" effect of the rush by "clearing the country almost entirely of loafers - a class that had become most unpleasantly numerous and was alarmingly increasing"¹³⁶ and hailed with relief this solution to unemployment. Peddie's Civil Commissioner and Resident Magistrate spoke of the "exodus" to the Fields in search of "glittering fortunes".¹³⁷ Victoria East's Civil Commissioner and Resident Magistrate stated that of the many inhabitants which had left to try their fortune, few had as yet been successful and those with insufficient means had already returned.¹³⁸ Fort Beaufort's Civil Commissioner and Resident Magistrate, in Victorian style described the "emigration" to the Fields as follows: "Hundreds of males, from fifteen to seventy years of age, have left this town and district to seek their fortunes there."¹³⁹ Several had returned successful but all spoke of their return to the Fields during the cooler months. King William's Town's Civil Commissioner and Resident Magistrate reported that distress existed among the "lower class of Europeans", particularly the females, as their supporters had left them without provision, on their way to the Fields.¹⁴⁰

Diamond fever afflicted Grahamstown citizens from the Mayor to the lowliest Corporation workman. Councillor William Webb claimed to be the first Grahamstown man at the diggings in 1870, and constituted himself Grahamstown's personal correspondent. He gave a faithful

¹³⁶ C.B.B. C.C. and R.M. Albany 1870.

¹³⁷ C.B.B. C.C. and R.M. Peddie 1870.

¹³⁸ C.B.B. C.C. and R.M. Victoria East 1870.

¹³⁹ C.B.B. C.C. and R.M. Fort Beaufort 1870.

¹⁴⁰ C.B.B. C.C. and R.M. King William's Town 1870.

report of the journey, which took him 23 days at an average of 20 miles a day, from Bedford to the Fields. He estimated that at the beginning of August there were 2 000 diggers there, both black and white, and about 300 wagons. Additional wagons were arriving daily, so a toll of 1/6 was demanded at the river. He gave a careful list of prices then prevailing on the Fields.¹⁴¹ He sounded a cautious note to prospective diggers not to expect to become wealthy instantly.¹⁴² Webb, as an honorary member of the Diggers' Government, was in the best position to report on the situation at the Fields.¹⁴³ Soon after his initial report, Grahamstown's exodus began. John Webb's was one of the first wagons to leave. Reuben Ayliff, the Mayor, stayed so long at the Fields that he forfeited his Mayoral office.¹⁴⁴ After his return to Grahamstown, he was re-elected Mayor once more. James Wood of Wood's Hotel, set out to the Fields in a wagon with eight mules which carried a flag with stars and stripes and an Irish harp resting on the crown.¹⁴⁵ Highly respected members of the community such as the Civil Commissioner and Resident Magistrate, Hugh Huntley, as well as adventurers such as A.R. Gooch, made their way to the Fields. Four privates of the 32nd Regiment were reported as having deserted from the Drostdy barracks to journey to the Fields.¹⁴⁶ The Cathedral organist, on his way to the diggings, left

¹⁴¹ butter 1/6 per lb.
bread 2 lb. loaf 1/-
meat 4d per lb.
potatoes £2 per bag.
meal £2.10.0. per bag.
mealies £1.10.0. per bag.
brandy 2/6 a bottle.
wine 1/6 a bottle.
sheep 10/- each.
oxen were very scarce and not for sale.
oathay 1/- a very small bundle.
kafir corn 30/- per bag.

¹⁴² G.T.J. 5-8-1870.

¹⁴³ G.T.J. 15-8-1870.

¹⁴⁴ C.M.B. 7-12-1870.

¹⁴⁵ G.T.J. 29-8-1870.

¹⁴⁶ G.T.J. 24-8-1870.

his velocipede at Colesberg rather than risk crossing the Orange River with it.¹⁴⁷ Artisans set out on the journey on foot, but some mechanics had to return to Grahamstown because they could not afford to remain longer at the Fields with no definite chance of success.¹⁴⁸ Dean Williams reported that by November 1870, all the Municipal labourers had given notice and many of the City police as well, in order to go to the diamond diggings.¹⁴⁹ In a few months Grahamstown's way of life had been completely disrupted.

Individual histories of diggers at the Fields could illuminate the socio-economic background of Victorian South African society under pressure. Spectacular failures and successes they were. But the general exodus had initially and briefly in 1870, an adverse effect on agriculture, particularly cotton cultivation in the Eastern Cape. Farms were neglected and white agricultural labourers were increasingly rare. Conversely all the diggers needed to be supplied with all the necessities of life. Transport riding became a lucrative profession during the 1870's and civic centres as far away as Grahamstown, hoped to share in the general commercial prosperity which followed the supply of the Fields. In 1870 Grahamstown experienced particular trade depression, primarily because of the loss of the troops and the exodus to the Fields. Prices of provisions were low. But the "requirements of the population ... at the Fields have already begun to be felt here and it may confidently be anticipated that more remunerative prices will rule before long".¹⁵⁰

Grahamstown's leading citizens were determined that their city should share in the new commercial opportunities of the Diamond Fields. Councillor James Wood described the situation succinctly when he stated that what Grahamstown wanted was to have "a fair share of the diamond stream through its streets".¹⁵¹ 'The Grahamstown Committee

¹⁴⁷ G.T.J. 23-9-1870.

¹⁴⁸ G.T.J. 5-10-1870.

¹⁴⁹ G.T.J. 23-11-1870.

¹⁵⁰ C.B.B. C.C. and R.M. Albany 1870.

¹⁵¹ G.T.J. 18-11-1870

of Advice and Direction to Intending Diamond Seekers',¹⁵² was the high-sounding title of the committee Grahamstown's leading citizens formed to capture some of the lucrative diamond trade.¹⁵³ The Committee employed a secretary to travel to Port Elizabeth to meet prospective diggers and encourage them to fit themselves out for the Fields in Grahamstown rather than Port Elizabeth. Grahamstown's trade soon showed general improvement with her participation in the supply of provisions and transport to the Fields. Wagons once more blocked the streets and the municipal market and the produce market experienced renewed activity. Grahamstown was a useful point of departure for the diggings.¹⁵⁴ Yet the official Journal correspondent from the Fields commented at the end of 1870, that Grahamstown did not compare favourably with other towns in starting business establishments at the Fields. The Diamond News had been established, together with a single canteen, druggist's shop and soda manufactory.¹⁵⁵ The Journal correspondent wished ironically that the busy Dean Williams were a merchant, as he would then definitely "make Grahamstown the source of supply to the Fields".¹⁵⁶ But the leading citizens of Grahamstown were busy trying vainly to obtain railway links with Port Elizabeth and the Diamond Fields, in order to maintain a permanent share of transit trade.

In spite of the City Council's financial doldrums, because of the empty houses and lack of rates as a result of the diamond rush, the next few years for Albany and Grahamstown were prosperous, until the

¹⁵²Committee members

H. Huntley	W. Gilbert
Hon. R. Godlonton	T.E. Minto
Hon. G. Wood	R. Bertram
Hon. S. Cawood	Jas. Wood
Dean Williams	W. Webb
Dr Atherstone	R.W. Nelson

¹⁵³G.T.J. 18-11-1870.

¹⁵⁴G.T.J. 25-11-1870.

¹⁵⁵G.T.J. 7-12-1870.

¹⁵⁶Ibid.

drought of 1873. The value of wool rose with the diamond industry. There was a rapid rise in the value of land, in prices of stock, produce and provisions of all descriptions. In the Albany district a farm sold for £1 100 which six months previously had only received a bid of £400.¹⁵⁷ The value of oxen doubled and there was great scarcity of supply for transport. Wagon making was very profitable. James Butler gave a critical account of the changes that were being wrought in the previously generally stable farming communities of the Eastern Cape as a result of the Diamond discoveries. Many farmers were "unsettled" and tried transport riding at which several hundred pounds could be made on a single journey from the high rate of carriage to the fields. After having made their profits they then appeared unable to settle down to "steady farming" and so were attracted by the proffered gains of the ostrich feather industry.¹⁵⁸ An amusing and revealing comment on the sudden increased prosperity felt throughout the commercial and agricultural communities as a result of the Diamond Fields trade, is that many Civil Commissioner and Resident Magistrate's of the Eastern Cape were emboldened to ask for higher salaries even through the medium of their annual Reports of the state of their division. They pointedly noted the fixed salaries of all government servants as opposed to the general acute rise in prices and the cost of living.

Most important for the future development of the Cape and of Grahamstown, was the increased demand for transport facilities. An ox wagon journey to the Fields took over a month, during the early stages of the rush. The Bay Postal Contract was given to Cobb & Co. of Port Elizabeth who ran a regular service to the Fields via Grahamstown.¹⁵⁹ This was the fastest transport available. In 1878 James Butler noted that the Diamond Fields Cart needed its full quota of passengers to pay expenses as it was drawn by six horses at least, which needed to be changed during the five to six days ride to the Fields.¹⁶⁰ James Wood of Wood's Hotel, Grahamstown, purchased

¹⁵⁷ C.B.B. C.C. and R.M. Albany 1871.

¹⁵⁸ James Butler, Jim's Journal 30-10-1877 C.L. PR. 3482.

¹⁵⁹ J.J. Redgrave, Port Elizabeth in Bygone Days, p.317.

¹⁶⁰ Jim's Journal 10-1-1877.

the carts, horses, harness and Bay Postal Contract when it was sold in Cobb & Co's Estate.¹⁶¹ From the beginning it was clear to all that wagons and carts, oxen and horses, whose effective transport was subject to drought and the bad state of the existing roads, would generally be superseded when railways reached the Fields. The increased traffic on the main roads to and from the Fields in 1871/2 had caused widespread demands for their repair from all districts concerned.¹⁶² The Diamond Fields necessitated economically more reliable and rapid transport. The fight of Easterners through the 1860's for a railway was finally crowned with victory - a railway was started from Port Elizabeth during 1871 to link up with the Diamond Fields.¹⁶³ But the claims of the Diamond Fields dictated the railway route and so Grahamstown was bypassed.

The immediate reaction of the leading members of Grahamstown's community, after the loss of the troops and the Diamond Fields rush in 1870 had been to make renewed efforts to secure a rail link from Port Elizabeth to Grahamstown. This self-same reaction had been noticeable after the temporary removal of military headquarters to King William's Town in 1862. Such a rail link would have ensured Grahamstown's continued commercial prosperity. The drive for such a railway had started in the late 1850's with the construction of the first line in the West from Cape Town to Wellington. It is significant to note, after the news of the troops' removal, how instant the response was in revived vigour and enthusiasm for the Port Elizabeth railway. Indeed, in March, before the troops had even left, The Journal offered a list of railway benefits equal to those about to be removed by the troops. Such a great public work would be as lucrative as the barracks in several aspects. The railway company's capital would replace that of the commissariat. The completion of the railway would secure double the number of consumers lost and make Grahamstown an inland commercial depot "of the first significance". And, optimistically, The Journal hoped

¹⁶¹G.T.J. 6-12-1878.

¹⁶²C.B.B. C.C. and R.M. Reports 1870-1871.

¹⁶³C.B.B. C.C. and R.M. Port Elizabeth 1871.

that the navvies would have more to spend than the soldiers.¹⁶⁴ Godlonton wrote letters to the Journal on the subject, urging the necessity of railways for the Colony despite their cost. More particularly, he declared that "no line in the Colony will pay so well, none is so much needed", as the Port Elizabeth-Grahamstown line.¹⁶⁵ The "apathy" regarding the railway question rapidly disappeared and the 1859 Railway Committee reformed and was galvanised into activity once again. This Committee included most prominent commercial figures in town.¹⁶⁶

In April The Journal voiced the commercial sector's mood: "there is enthusiasm enough here to carry a line to Timbuctoo." There were some anxious moments lest Port Elizabeth - suddenly, despite Port Alfred, dubbed - "our only seaport - how could we for a moment dream of another?" - turn unco-operative.¹⁶⁷ But Port Elizabeth was all compliance, clearly recognising the advantages for herself. The Grahamstown commercial community was unanimous in its desire for a railway even at the cost of the sub-guarantee.¹⁶⁸

¹⁶⁴ G.T.J. 29-3-1862.

¹⁶⁵ G.T.J. 15-3-1862.

¹⁶⁶ G.T.J. 5-4-1862.

W.R. Thompson (Chairman)
 Messrs. Godlonton
 Shepperson
 Crump
 Kingsmill
 Franklin M.L.A.
 Caldecott
 Campbell
 Richards
 Dr Eddie
 Cawood M.L.C.
 Temlett

Smith
 Clough M.L.A.
 Slater M.L.A.
 Gowie
 Hill
 Buckley
 B.J. Glanville
 T.B. Glanville
 Birkenruth
 G. Wood (sen.)
 A.L. Benjamin

¹⁶⁷ G.T.J. 26-4-1862.

¹⁶⁸ K.S. Hunt, 'When the Railway came to Grahamstown', Contree No. 6, July 1979, p.27.

Sub-guarantee: The government proposed to raise the capital necessary for the line on the security of the colonial revenue and the landed property through which the line would pass. Individual property owners had therefore to provide a "sub-guarantee" for the line. Farmers felt threatened by the sub-guarantee.

Petitions were addressed to both houses of Parliament and a Memorial to the Governor, requesting the introduction of a Port Elizabeth-Grahamstown Railway Bill, that parliamentary session.¹⁶⁹ A Bill was duly introduced in June, which stated the Government's guarantee to be not more than 6% and the sub-guarantee not more than 3% calculated on the immovable property of the districts the line was to pass through. This sub-guarantee was to extend over a period of 50 years after the line reached completion.¹⁷⁰

The sub-guarantee was the rock of disunity on which the Grahamstown-Port Elizabeth railway project was to flounder during the 1860's. The landowners of Bathurst and other divisions affected were understandably not as amenable with regard to the sub-guarantee as the commercial communities of Grahamstown and Port Elizabeth who remained unaffected by its demands. Anti-sub-guarantee and anti-Grahamstown railway campaigns were vigorously, and at times vituperatively, conducted by the Bowkers. They were large landowners and represented Eastern farming interests in Parliament and out, very energetically. Their tactics included a petition from Bathurst presented by T.H. Bowker, for a railway or tramway between Grahamstown and the Kowie.¹⁷¹ This proposal by the opposition changed somewhat ironically, in the light of developments in the 1870's. When the direct route to Port Elizabeth became Grahamstown's branch line to Alicedale, the Grahamstown commercial community promptly urged the advantages of a line to Port Alfred. The Bowkers in 1862 heavily attacked the course the proposed railway was to follow, almost parallel to the coastline in order to reach Grahamstown. They urged the need for a railway from East London to follow the direction of inland trade to Bloemfontein. They accused the mercantile interests of Grahamstown and Port Elizabeth of being the only interested parties in such a railway link between them.¹⁷²

In spite of these attacks the Grahamstown Railway Bill became an Act of Parliament with the preamble that a necessary survey be made to

¹⁶⁹G.T.J. 26-4-1862.

¹⁷⁰G.T.J. 7-6-1862.

¹⁷¹G.T.J. 12-7-1862.

¹⁷²G.T.J. 5-8-1862.

ascertain the most suitable route.¹⁷³ No acceptable tenders for survey were forthcoming because the guarantee appeared too small for the work involved.¹⁷⁴ The Bowkers thereupon continued the sub-guarantee conflict. A petition against the sub-guarantee,¹⁷⁵ addressed to the Governor, was signed by landholders who included several Bowkers and many Dutch names. This raises the interesting speculation as to how far the English members of the farming communities supported the Bowkers. Signatures for this petition and a further petition to Parliament praying for the Port Elizabeth-Grahamstown Railway Act to be rescinded¹⁷⁶ are fewer than such an issue appears to warrant. Both petitions were addressed to the landholders of Albany and copies published in The Journal. In addition an exchange of letters verging at times on the side of acrimony, between the Bowkers and Grahamstown supporters of the sub-guarantee received publicity from The Journal. During the 1863 Parliamentary session, the Railway Bills, which included that of Port Elizabeth and Grahamstown were amended and reduced to provide only for surveys and estimates, tenders being called for only with Parliamentary permission in the following session.¹⁷⁷ Several government initiated surveys of the Grahamstown line were carried out but government finance proved, in the 1860's, as great a barrier as the sub-guarantee. Each session Grahamstown Parliamentary representatives continued their attempts to introduce further Grahamstown Railway bills but to no avail. In the increasingly difficult financial years of the 1860's there was no money to spare for an extension of the Cape railway system and certainly not one as expensive as the estimated one from Port Elizabeth to Grahamstown. Railway hopes became submerged in the more immediate challenge of economic survival in the depression of the 1860's, to revive in 1870 with the diamond fields rush.

As soon as the leading men of the railway lobby in Grahamstown realised that Grahamstown was only to be linked to the main Port Elizabeth-Diamond Fields line through a branch line, they turned their attention to the advantages of Port Alfred as Grahamstown's

¹⁷³ G.T.J. 12-8-1862.

¹⁷⁴ G.T.J. 23-12-1862.

¹⁷⁵ G.T.J. 16-1-1863.

¹⁷⁶ G.T.J. 7-4-1863.

¹⁷⁷ G.T.J. 9-6-1863.

natural port. They started to press for a rail link with the Kowie. On the opening of the Grahamstown branch link to Alicedale, the Hon. S. Cawood publicly referred to Port Alfred as Grahamstown's natural harbour and declared Grahamstown would not rest until linked by rail to Port Alfred.¹⁷⁸ It seemed imperative in the fluctuating fortunes of the 1870's, when the economic structure of the Cape Colony was being redrawn along rail links to the diamond fields, for Grahamstown to gain the commercial advantage of direct rail links to both port and interior. As in 1862 when Grahamstown faced the prospect of losing the troops and immediately increased her efforts to secure a railway link to Port Elizabeth to compensate, so in the 1870's the only comparable compensation to the loss of the troops in 1870 seemed likewise railways.

Port Alfred harbour had had a somewhat chequered career in the 1860's, suffering by its close proximity to Port Elizabeth, its late start and the slowness of the harbour construction works. 'The Kowie Harbour Improvement Company', which had been created in 1852,¹⁷⁹ was dissolved in 1869.¹⁸⁰ This was largely because the Company had never had sufficient funds and so had been unable to develop the Kowie harbour as extensively as it had hoped to do. The Kowie Harbour was therefore taken over by the government in February 1870.¹⁸¹ The Directors of the Improvement Company numbered Grahamstown merchants among them, which underlines the importance of the harbour for such commercial interests. The four elected directors in 1862, for example, included the first Mayor of Grahamstown, G. Wood (jun.), the Hon. S. Cawood and W. Ogilvie, as Grahamstown's representatives, while William Cock represented Port Alfred.¹⁸² During the crucial years of the depression, the Company's expenditure on the harbour reached £210 000 - an impressive figure. Port Alfred Harbour's import and export figures for 1861-1869 reveal a considerable increase

¹⁷⁸K.S. Hunt, 'When the Railway came to Grahamstown', Contree No. 6, July 1979, p.26.

¹⁷⁹Ordinance No. 4 of 1852.

¹⁸⁰Act No. 16 of 1869.

¹⁸¹G.D.R. Dods, 'Nineteenth Century Communications in the Zuurveld', p.129. (Unpublished Master of Science thesis, Rhodes University 1960).

¹⁸²Eastern Province Year Book and Annual Register for 1862.

during this period of commercial hardship.¹⁸³ Imports and exports showed a marked increase in the early 1870's as a result of the general prosperity engendered by wool and diamonds.¹⁸⁴ Bathurst's Civil Commissioner and Resident Magistrate strongly advocated the importance of Port Alfred's "existence, use and improvement" as a "commercial necessity, and one not only local, but colonial".¹⁸⁵

Support from Grahamstown for the harbour works, though general

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Year.	Imports £1000s.	Exports £1000s.	Wool Exports. 1000-lbs.	Number of Ships.
1861.	3.96	Nil	Nil	
1862.				
1863.	2.45	Nil	Nil	
1864.	7.62	Nil	Nil	
1865.	12.10	7.55		
1866.	8.63	Nil	Nil	Ten. Largest was <u>Layard</u> . 178 tons.
1867.	28.94	56.98	1136	Thirty-three. <u>Icon</u> 340 tons was the largest.
1868.	28.93	116.12	2360	Twenty-eight. <u>Icon</u> was largest.
1869.	35.14	121.90	2324	

Dods, Nineteenth Century Communications, p.127.

184 C.B.B. C.C and R.M. Bathurst 1872.

Traffic on the road between Grahamstown and Port Alfred 1872.

Produce wagons	4 507
Merchandise wagons	1 452
Carts	1 592
Horses	4 165
Oxen	10 019
Sheep	3 825

Exports 1871: £50 370 and 1872: £101 344.

The estimated Customs Revenue for 1873 was assessed at £20 000 - which was not realised. Instead, the revenue of Division and Port came to £15 840.

185 Ibid.

among most Grahamstown citizens, was really only pursued as an extension of Grahamstown's own commercial ambitions. Never was support for the Kowie so obvious and clearly defined throughout Grahamstown's business community as when Grahamstown failed to be included on the main Port Elizabeth railway line. Bathurst and the Kowie appear to have been aware of the condescension and time serving of some of Grahamstown's attitude: the Bathurst Civil Commissioner and Resident Magistrate declared in 1870 in reference to the depression years, that "the collapse of the commercial community of Grahamstown was almost simultaneous with the recognition of this as a port".¹⁸⁶ During the 1870's a railway to the Kowie was constantly urged. The Bathurst Civil Commissioner and Resident Magistrate stated in 1877 that "the spirit to use the Kowie for direct importation is decidedly growing amongst Grahamstown's importers".¹⁸⁷ In 1877 also, Anthony Trollope on his South African tour, was taken to view the Kowie by his host, Jonathan Ayliff, and Dr W.G. Atherstone. He noted their enthusiasm in pungent terms. They believed, he wrote, that

"the commerce of the world was to flow into Grahamstown via Port Alfred, and that the overflowing produce of South Africa, will, at some not far distant happy time, be dispensed to the various nations from the same favoured harbour ... And then, when (the harbour works had been completed) the railway from the Kowie's mouth up to Grahamstown would be a certainty, even though existing governments had been so short-sighted as to make a railway from Port Elizabeth to Grahamstown - carrying goods and passengers ever so far out of their proper course."¹⁸⁸

Both Ayliff and Atherstone,¹⁸⁹ at the top of their own professions as lawyer and doctor, neither personally involved in the business circles of Grahamstown, yet as leading civic and, one might almost add, colonial personalities, were actively concerned with the prospects of Grahamstown's future economic prosperity. Their hope, and the general hope in the late 1870's was that the Kowie would be the gateway to Grahamstown's prosperity and renewed Eastern superiority.

These hopes were unfounded. The Report in 1877 on the possibility of

¹⁸⁶ C.B.B. C.C. and R.M. Bathurst 1870.

¹⁸⁷ C.B.B. C.C. and R.M. Bathurst 1877.

¹⁸⁸ J.H. Davidson ed., Anthony Trollope's South Africa, p. 147.

¹⁸⁹ See Appendix G: Councillors.

making the Kowie a deep water harbour stated this to be too impracticable and expensive. It was recommended merely as "a good harbour for the trade of the district".¹⁹⁰ £60,000 was voted on improvements as opposed to the much larger sum granted to Port Elizabeth harbour works.¹⁹¹ Hopes die hard, though, and much was still made of the Kowie, especially when the prospect of the rail link became a reality in 1881. J.X. Merriman himself turned the first sod of the Port Alfred-Grahamstown Railway and the Civil Commissioner and Resident Magistrate of Bathurst declared the importance of the event to be one which could "hardly be over-estimated".¹⁹²

Transport links were Grahamstown's hope and had become Grahamstown's bane in the early 1880's. On a branchline to Alicedale with the Kowie railway in the process of construction, Grahamstown's Chamber of Commerce were still determined to achieve Grahamstown's position on a major line to the interior, with the Kowie as her natural harbour. In 1882 renewed hope had arisen that a line to Fort Beaufort would greatly improve Grahamstown's economic position. The Journal naturally claimed the credit for the first suggestion of such a line; a claim which is a trifle suspect as the initiative appears to have come from the Chamber of Commerce. They organised a preliminary survey of the terrain by Dr Atherstone and Mr Norris, whose findings were favourable.¹⁹³ But Grahamstown wanted more: in the Petition to Parliament from the Chamber of Commerce, they requested an extension of their railway link to King William's Town as well as Fort Beaufort.¹⁹⁴ This would have meant not only a very favourable link with the port of East London, but that Grahamstown would command three ports by rail: Port Elizabeth, Port Alfred and East London. In a parliamentary committee only the line to Fort Beaufort was considered and preliminary permission secured for an official survey.¹⁹⁵ The theme throughout 1882 is hope for a resurgence of Grahamstown's former economic prominence through the

¹⁹⁰ Davidson ed., Trollope's South Africa, p.148.

¹⁹¹ Ibid.

¹⁹² C.B.B. C.C. and R.M. Report Bathurst 1881.

¹⁹³ G.T.J. 20-2-1882.

¹⁹⁴ G.T.J. 27-4-1882.

¹⁹⁵ G.T.J. 1-5-1882.

medium of rail transport. These hopes were not to be realised.

The new pattern of Grahamstown's commercial development was dependant on her established position as a market centre for the surrounding farming districts. Grahamstown's merchants had long realised the importance of fostering agricultural development. In this regard, the reaction of Grahamstown's merchant fraternity to the agricultural depression of the 1860's was one of initiative. The role of Grahamstown merchants in fostering new agricultural products and encouraging farming experiments was notable. During the early 1860's and the later 1860's, evidence of their efforts and the local involvement of Albany and Bathurst farmers is clear. The middle depression years appear to have stultified their efforts for a while. In 1861 sugar cane and cotton were still being grown experimentally in Lower Albany.¹⁹⁶ In July 1861, G. Wood (jun.) of the firm Wood and Sons, major merchants in Grahamstown, introduced lots of sugar cane plants to test the "sugar growing capabilities of the coastlands".¹⁹⁷ A venture already yielding encouraging results in 1861 was the Grahamstown firm of W.R. Thompson and Co's importation of Angora goats. They were doing well on his farm near Adelaide and the clips which had been sent to England had received good reports.¹⁹⁸

The year 1861, with the start of the American Civil War, yielded speculation as to the profits of a cotton industry especially. In March The Journal's Notes on Trade directly suggested that the Cape should try to grow cotton to enter the market left open by the American South. It could become a lucrative staple complementary to wool.¹⁹⁹ This suggestion was apparently not put into practice on any large scale during the years of the American Civil War. There seems to be no evidence that Grahamstown merchants or Albany farmers launched an extra promotion campaign on behalf of a cotton industry

¹⁹⁶ C.B.B. C.C. and R.M. Albany 1861.

¹⁹⁷ G.T.J. 16-7-1861.

¹⁹⁸ G.T.J. 26-1-1861.

¹⁹⁹ G.T.J. 26-3-1861.

in 1861-65. The droughts of 1861/2 and the early years of depression must have appeared to render impossible the fulfilment of investments in large scale cotton plantations. There is merely brief mention in the Civil Commissioner and Resident Magistrate's yearly Report from Bathurst in 1863 of "the cultivation of tobacco and cotton being much talked of, and there is no doubt these articles would thrive here".²⁰⁰ Two years later "cotton a very superior quality"²⁰¹ was reported to have been grown on several farms. But in spite of the popularly accepted belief that the coastal districts in particular and the Eastern Cape generally were perfectly suited to its cultivation, it was not until the late 1860's that there were organised attempts on a larger scale to introduce cotton growing in other districts of the Eastern Cape. It then came to be regarded as a lucrative line of farming.

A 'Fort Beaufort Cotton Association' was formed in 1867 and large quantities of cotton seed were distributed in the surrounding districts. It was considered as having passed its experimental stage. The Association offered to act as buyer of the cotton and be responsible for shipping it to England.²⁰² Clearly the business profits from such transactions were thought to be well worth while. The Civil Commissioner and Resident Magistrate of Fort Beaufort suggested in his annual Report of 1867 that missionaries should encourage its cultivation among the Africans in their areas. This idea was to become widespread and bear thorough investigation later, as to the viability of cotton farming as a cash crop among the Africans. In these last years of the depression, cotton definitely appealed as a paying crop in contrast to the depressed prices of wool. The Fort Beaufort Association and the cultivation of cotton continued to flourish in this area the following years. Cotton cultivation in Lower Albany was taken up with renewed enthusiasm during 1868, together with linseed. The supply of cotton seed was not equal to the demand.²⁰³ These cotton fields thrived and in

²⁰⁰ C.B.B. C.C. and R.M. Bathurst 1863.

²⁰¹ C.B.B. C.C. and R.M. Bathurst 1865.

²⁰² C.B.B. C.C. and R.M. Fort Beaufort 1867.

²⁰³ C.B.B. C.C. and R.M. Bathurst 1868.

1869 the exports of cotton from Port Alfred were already 391 lbs, valued at £30.²⁰⁴ This was but a small start to what the entire Albany farming community and business community of Grahamstown hoped would develop into a highly profitable large scale industry. In Grahamstown the matter of market dues on cotton received attention at this time: it was felt advisable to lower the dues on cotton, linseed and jersey from 2% to 1% to bring them in line with wool. This was left to the Town Regulations Committee to define in the revised Town Regulations to be drawn up after the 1869 Grahamstown Municipality Act was promulgated.²⁰⁵ This was a definite concession and inducement for cotton to be sold on the Grahamstown market, as, unlike in Port Elizabeth, where all market dues were 1%, wool had been the only exception up to this time.

To highlight this new wave of interest in the cotton industry, a Select Committee of Parliament was formed to investigate what measures if any, could be taken by the government with regard to the cultivation of cotton. The Hon. Samuel Cawood, butcher and one of the firm of Cawood Bros. of Grahamstown, gave lengthy evidence before the Committee. He had been actively involved in the promotion of the cotton industry for two years and had encouraged its growth even before then. This time span coincides with the years of the sudden resurgence of interest in the cultivation of cotton in Lower Albany: his role had been influential. In his evidence before the Committee, he estimated that the 1870 yield from the 2 000 acres under cultivation in Lower Albany, Peddie and British Kaffraria would be between 500 to 1 000 bales. The previous year's exports had only been 10 bales: an extremely large contrast which emphasized the sudden increase in cotton cultivation. He could not supply reliable evidence of prices, as the previous year's export was still unsold. He himself had sent two of his own grown cotton bales to England, but they had been sent for the express purpose of being turned into dinner cloths for the Grahamstown celebrations of the Jubilee. He himself had been experimenting with different types of cotton and possessed his own steam-operated cotton gin. Mr Locke, of Grahamstown,

²⁰⁴ C.B.B. C.C. and R.M. Bathurst 1869.

²⁰⁵ C.M.B. 20-10-1869.

had imported several hand roller gins, while Port Elizabeth had likewise. The general tenor of Cawood's and other evidence was that the cotton industry should be encouraged by the government; Africans, particularly, should be urged to grow it and smallholdings should be made easier to acquire for cotton farming.²⁰⁶

Samuel Cawood had sounded the same warning note as the Civil Commissioner and Resident Magistrate of Albany in his 1869 Report, that a major disadvantage of the industry was that sufficient labour was difficult to obtain. His efforts to encourage the cotton industry had clearly been initially successful. As a former member of Parliament for Grahamstown and a highly respected businessman, he had led the way through example. In 1870 he was awarded a Silver Medal by the 'Cape of Good Hope Agricultural Society' for his specimen exhibit of ginned cotton.²⁰⁷ R.W. Murray had even written a letter to The Journal expressive of appreciation at how well cotton could be grown and ginned in Lower Albany. The newspapers gave publicity to Reports on cotton farming and The Journal expressed a wish that more farmers would send in details of their findings.²⁰⁸ Grahamstown constituted itself a kind of headquarters to encourage and promote the growth of the cotton industry. Under the impetus of the Hon. S. Cawood, the 'Eastern Province Cotton Association' was formed in 1871 to hold annual Cotton Shows with prizes for quantity and quality of cotton exhibited.²⁰⁹ A cotton broker of Liverpool was judge. The Association received a Parliamentary grant of £50 instead of the expected one of £100 and found themselves in some difficulty. This was happily overcome by £30 collected in England by R. Ryall. Of the competitors at the successful Show held in 1872, it is interesting to note that J.E. Wood of Wood Bros. was an exhibitor. Combined merchant and farming business was very profitable. Successful Cotton Shows were held in 1873 and 1874. The 'Eastern Province Cotton Association' had as its President S. Cawood, Treasurer T.E. Minto. These men together with R. Ryall who had collected funds in England, were all at some stage, Town Councillors.²¹⁰ Their

²⁰⁶ G.T.J. 11-3-1870.

²⁰⁷ G.T.J. 19-1-1870.

²⁰⁸ G.T.J. 7-3-1870.

²⁰⁹ C.B.B. C.C. and R.M. Albany 1872. Report of the Eastern Province Cotton Association for the year ended 31 December 1872.

²¹⁰ See Appendix G: Councillors.

involvement with cotton provides comment on the overlap between the strong commercial and civic enterprise common among many leading men of Grahamstown. The City Council was naturally in favour of the cotton enterprise; it even allowed the Town Clerk time off to be able to assist at the Cotton Show each year.

In spite of such enterprise and promotion the short "boom" of the cotton industry was over before it had really become established. The labour shortage continued to pose problems for farmers. The Diamond Fields rush of the 1870's worked greatly to the detriment of the industry. The Report of the Albany Civil Commissioner and Resident Magistrate in 1870, was doleful at the rush to the Fields, of all those "with a speculative turn of mind", who would have been the most likely to venture "in a new, and to a certain extent, uncertain product".²¹¹ Bathurst and Peddie reported a likewise neglect of the cultivation of cotton owing to the exodus. As regards the introduction of cotton cultivation among the Africans, it never managed to become started. Encouraging the Fingoes in the Peddie division to cultivate cotton would take time, but when they saw cotton being sold in shops like wool, they would realise its profitability, was the positive Report of the Civil Commissioner and Resident Magistrate in 1873.²¹² But this did not take place. The main cause of the increasing neglect of cotton cultivation was the increasing attention being paid to ostrich feather farming in the 1870's. The profits offered by this branch of farming were almost as tempting and certainly more tangible than the prospects of profits on the Diamond Fields. After 1875 the last remnants of the industry faded into obscurity, in spite of the high hopes and higher efforts of Grahamstown and other promoters.

It can be generally stated that in the later 1860's, during the second stage of the depression, with wool prices still low, farmers and members of the commercial community were very concerned to find profitable alternative farming products. Experiments were conducted, in the late 1860's, by the venerable Hon. W. Cock of Port Alfred

²¹¹ C.B.B. C.C. and R.M. Albany 1870.

²¹² C.B.B. C.C. and R.M. Peddie 1873.

Harbour fame, with coffee plantations, on his farm in Lower Albany.²¹³ Coffee experimentation did not become widespread. This attempt by a businessman-farmer such as the Hon. W. Cock, a figure well known in political and commercial circles in the Colony, illustrates the lead taken in agriculture by the leading figures of the commercial community. Sericulture found a larger area of cultivation and experimentation than coffee. In 1867 Mr Hellier,²¹⁴ Secretary to the Chamber of Commerce of Grahamstown and, at one time Town Councillor, conducted experiments with the "mimosa silkworm" but the results did not ensure its advantage over others. Tobacco also received a trial: in 1870 some "boer tobacco" which had been sent to England was "highly spoken of" and realised good prices.²¹⁵ The Journal ran a series of lengthy articles on Grahamstown's industries in 1866, in the hope of extra publicity which would encourage more trade. Those enumerated were the tobacco manufacture, the brewery, soda water manufactories, carriage and wagon making establishments, soap and candle manufactories, brick and tile making establishments and the printing establishments.²¹⁶ In 1867 the proprietor of a brick, tile and pipe making establishment, ascertained that the white clay found in Grahamstown's hills was suitable for the manufacture of pottery. A pottery manufacturer in England had quoted £6 per ton of exports. A shipment was sent off to test the feasibility of this statement.²¹⁷ The depression, though it hampered enterprise considerably in certain ways, yet acted as an incentive to find means whereby its effects could be circumvented.

The most long term successful agricultural experiments were those which involved Angora goats. Experimentation had started before the depression and survived it. This was initiated by a Grahamstown

²¹³ C.B.B. C.C. and R.M. Bathurst 1868.

²¹⁴ C.B.B. C.C. and R.M. Albany 1867.

²¹⁵ C.B.B. C.C. and R.M. Albany 1870.

²¹⁶ G.T.J. 10-1-1866, 24-1-1866, 2-2-1866, 16-2-1866, 23-2-1866, 2-3-1866, 16-3-1866, 21-3-1866, 20-4-1866.

²¹⁷ C.B.B. C.C. and R.M. Albany 1867.

firm. W.R. Thompson and Co's imported Angoras sold very well in Adelaide in 1863. Angora farming had started to spread to the Midlands during this time. The Graaff-Reinet Herald predicted that in the end, Angoras would take over from Merinos.²¹⁸ The Graham's Town Journal likewise encouraged²¹⁹ the development of Merino farming. Imports of Angora goats and Merinos took place through Port Elizabeth, in 1868, 1869 and 1871, after import restrictions had been removed.²²⁰ Messrs Blaine & Co. a merchant firm with branches in Grahamstown and Port Elizabeth, imported 539 rams and 172 ewes in 1869, the largest numbers imported by a single firm that year.²²¹ From their sale, goats were bought on behalf of the 'Bloemfontein Association for the Introduction of Angora Goats'.²²² And so the long arm of Grahamstown enterprise continued in its assistance with the development of the interior - an on-going tradition established since the days of the Trek.

Angora goat farming likewise spread within Victoria East during 1869/70.²²³ In 1869 exports of "angora hair" from the harbour of Port Alfred were 12 853 lbs. This was a considerable quantity for a fairly recently established commodity, as opposed to the Port's 2 323 851 lbs wool exports.²²⁴ A comparison of Port Elizabeth export figures of mohair in 1864 and 1869 illustrates the rapid growth significantly during the depression years, of Angora farming. The total export in 1864 was 6 804 lbs valued at £359. In 1869 exports had increased to 245 584 lbs valued at £14 208.²²⁵ The development of the "Angora hair" industry, as it was still termed, brought additional custom and profit to Grahamstown's wool brokers and merchants and to Grahamstown's market and municipal revenue, sorely needed during the 1860's and 1870's. The average price of a bale

²¹⁸ G.T.J. 25-8-1863.

²¹⁹ G.T.J. 23-6-1863.

²²⁰ C.B.B. C.C. and R.M. Port Elizabeth 1868, 1869, 1871.

²²¹ C.B.B. C.C. and R.M. Port Elizabeth 1869.

²²² G.T.J. 3-1-1870.

²²³ C.B.B. C.C. and R.M. Victoria East 1869, 1870.

²²⁴ C.B.B. C.C. and R.M. Bathurst 1869.

²²⁵ C.B.B. C.C. and R.M. Port Elizabeth 1869.

of Angora hair sent to England by Grahamstown's Wood Bros. in 1870 was 3/- per lb.²²⁶ During the 1870's, however, Angora farming like Merino farming, suffered with the too rapid changeover of many farmers to ostrich feathers. Angora farming nevertheless remained a steady staple for those farmers who persevered with it. In 1882, though, the prices Mr Frank Holland, of Adelaide, realised for 2 bales of best quality Cape mohair, on the London market, were less than those the Wood Bros. had received, in 1870: 2/- and 2/4d per lb.²²⁷ This could be due to market fluctuations but it is more likely that this was another indication of the onset of the further depression which began in 1882.

Wool, though depressed in the 1860's and still at times during the 1870's, following the fluctuations of the British market, remained the Eastern Cape's major agricultural industry and export. In answer to the disastrous fall in wool prices and exports during the depression, there were general attempts at improving the appearance and quality of Eastern Cape wool in the late 1860's. In 1868 Grahamstown boasted a number of wool washing establishments where different methods, such as hot water washing and sprinkling, were tried.²²⁸ Albany's Civil Commissioner and Resident Magistrate declared with confidence that "the old plan of sending home dirty wool is dying out, and great further improvements may be expected in the next few years".²²⁹ It may be said that the commercial community of Grahamstown responded to the challenges of the agricultural depression of the 1860's, with business acumen, a spirit of experimentation and common sense. Some ventures were successful, others not; some actively helped Grahamstown's commerce, others not; but the response remains the same.

It is interesting and illuminating, in view of the decade of the boom of the ostrich feather industry, in the 1870's, to consider how

²²⁶ G.T.J. 28-2-1870.

²²⁷ G.T.J. 8-3-1882.

²²⁸ C.B.B. C.C. and R.M. Albany 1868.

²²⁹ Ibid.

unforeseen this appeared in Grahamstown in 1870. A Journal editorial predicted that the production of Angora hair and cotton presented a solution to the general over supply of wool at the time.²³⁰ Ostrich farming was not generally thought of at that stage. Yet ostrich farming, to a lesser measure than diamonds, was definitely a cause of the general economic recovery and the boom years of the 1870's and thereafter, through over-speculation, also a cause of the 1882-86 depression. As ostrich feather farming brought renewed prosperity to the farming areas of Albany, Bathurst, Fort Beaufort, so it brought renewed prosperity to Grahamstown, to compensate in lesser measure for the removal of the troops in 1870. Wild ostrich feathers had been sold on Grahamstown market since its establishment, but domesticated ostriches appear to have been first farmed with in the 1860's. Exactly where credit should go for the domestication of the first ostriches is not certain - east, west or the midlands. The spread of the ostrich feather farming industry only occurred on any scale after the invention of a patent incubator for ostrich eggs, credit for which goes to a farmer in the Eastern Cape. Arthur Douglass who farmed at Heatherton Towers, near Grahamstown,²³¹ through his friendship with Grahamstown's Atherstone family, was persuaded to order an incubator from London, only to have it broken on arrival.²³² He promptly invented his own, on similar principles, and it worked very well.²³³ In 1870 in the Albany district, ostrich farming was "tried by only a few farmers" but it "seems likely to prove successful".²³⁴ By 1875 sheep farming was being neglected for "the more paying speculation of ostrich farming" within Albany.²³⁵ From 80 domesticated ostriches at the Cape in 1865, the industry had developed to such an extent that there were 32 247 ostriches by the 1875 census. In this census Riversdale was listed as having the most ostriches - 2 892 - while Albany had 637.²³⁶ Generally the eastern

²³⁰ G.T.J. 14-1-1870.

²³¹ Arthur Douglass (1843-1905) came to the Cape in 1866. He was Grahamstown's M.L.A. 1884-1903. He wrote Ostrich Farming in South Africa. (1881).

²³² J. Mosenthal and J.E. Harting, Ostriches and Ostrich Farming, p.205.

²³³ R. Wallace, Farming Industries of Cape Colony, p.220.

²³⁴ C.B.B. C.C. and R.M. Albany 1870.

²³⁵ C.B.B. C.C. and R.M. Albany 1875.

²³⁶ Mosenthal and Harting, Ostrich Farming, p.191.

districts lagged behind the western districts as regards sheer numbers of birds. During the drought of 1876/7, the fall in prices of wool and diamonds and the effects of the frontier war of 1877/8, ostrich feathers remained profitable. James Butler, during his stay in Grahamstown in 1877/8, considered that ostriches "were doing a great deal to save the country from bankruptcy".²³⁷ In 1875 the average value for ostrich feathers per lb was £6.3/-;²³⁸ a most profitable farming venture. The height of the ostrich feather mania was in 1879/80. In 1880 it was noted that in the Bathurst division, in contrast to 1879 when few farmers owned birds, there were few farmers who did not farm principally with ostriches.²³⁹

Some idea of the extent of the industry and the profits and revenue involved may be obtained from a consideration of the 1882 export figures. 253 954 lbs of ostrich feathers were exported, valued at £1 093 989. Wool exports in that year were £2 062 180.²⁴⁰ But 1882 was the year in which prices of ostriches started falling, an indication of the forthcoming depression within the industry itself and generally, in South Africa. Anthony Trollope during his visit to South Africa commented on the "precarious" nature of ostrich feather

²³⁷ Jim's Journal 23-10-1878.

²³⁸ J. Noble ed., Official Handbook of the Cape of Good Hope 1886, p.264.

Average values for ostrich feathers per lb.

1850	£3.13. 0.
1855	6. 0. 0.
1860	8. 8. 0.
1865	3.14. 0.
1870	3. 1. 0.
1875	6. 3. 0.
1880	5. 8. 0.
1884	4. 2. 0.

²³⁹ C.B.B. C.C. and R.M. Bathurst 1880.

²⁴⁰ A.R.E. Burton, Cape Colony for the Settler, pp.149-150.

farming, which could gain one a fortune or lose one one's livelihood just as easily. The basis of demand for the ostrich feather industry was unstable; it depended on "a freak of fashion". Trollope voiced his fear that over production of feathers could mean they became a drug on the market and "when the nursemaid affects them the Duchess will cease to do so".²⁴¹ The prudent James Butler had likewise considered that, in spite of its profits, ostrich farming "will soon be overdone".²⁴² The fabulous prices of ostrich feathers had created over speculation, like that of the diamond industry, though on a smaller scale. But in 1882 Grahamstown feather sales were still very profitable.

The 1870's saw Grahamstown's experience as one of transition. With the final loss of the troops in 1870, new avenues had been sought to secure her economic and civic growth. In addition to their hopes for railway benefits, the commercial community assessed their situation realistically and proceeded to seize every opportunity for commercial enterprise. The Journal's confident assessment of Grahamstown in 1862, as established and well able to exist without the troops, was perforce accepted as true in 1870. It had declared that Grahamstown was "no longer a frontier outpost, dependent for its sustenance on a commissariat and garrison outlay; it has established itself as a market for the exchange of local produce and of exports and imports, and it is the centre of a legitimate business".²⁴³ During the 1870's every effort was made to extend and improve Grahamstown's market facilities, to share in the general agricultural prosperity of wool and ostrich feathers.²⁴⁴

Grahamstown relied heavily on her markets and stock fairs to maintain her position as supply centre and middleman to the Port Elizabeth buyers. The awareness of the need to attach the trade, of as many surrounding areas as possible, to Grahamstown, is illuminated

²⁴¹ Davidson ed., Trollope's South Africa, p.145.

²⁴² Jim's Journal 30-10-1877.

²⁴³ G.T.J. 25-3-1862.

²⁴⁴ See Chapter 3: Municipal Finance.

in The Journal's editorial comment, on the Albany Divisional Council's consideration, of the question of a direct road link with the Peddie area.²⁴⁵ With an eye to the main chance for Grahamstown's prosperity as usual, the editorial vigorously applauded the move and pointed out the possibility of capturing the trade of the immense and prosperous Fingo population around Peddie "which it estimated at 20 000". The Peddie Fingoes, it claimed, were rapidly adopting new agricultural techniques and implements and would become an increasingly valuable market. A pointed reference was made to King William's Town prosperity which depended so largely on its native trade.²⁴⁶ The matter of the Peddie road received several editorials while the two Divisional Councils of Albany and Bathurst attempted to divide responsibility on the matter. It is significant to note the emphasis placed by The Journal during 1882 on the importance of developing, improving and protecting the agricultural industry of the Cape and on the need for a Minister of Agriculture. It is an interesting index of the realisation of how closely Grahamstown fortunes were dependent on its surrounding agricultural districts.

Grahamstown's economic position in 1882, on the eve of the depression of 1882-86, appeared secure. She had recovered from the loss of the troops and the economic dislocation of farming and trade, experienced during the Diamond Fields rush. She had gained a certain measure of prosperity with supplies to the Diamond Fields and as a market for ostrich feathers and wool. Though the coming of the railway had to some extent adversely affected such industries as wagon building, and in spite of merely being on a branch line, additional business and prosperity had resulted. Her banks and the Grahamstown Building Society, founded in 1877, were flourishing, as yet untouched by the financial crisis. True, neither the "sword" nor the "navvy's spade" had opened the oyster of commercial success²⁴⁷ for Grahamstown. But the men of Grahamstown had been and

²⁴⁵ G.T.J. 9-9-1882.

²⁴⁶ Ibid.

²⁴⁷ G.T.J. 29-3-1862.

On the removal of the troops and the hope for a rail link to Port Elizabeth: "If the sword is not to open our oyster for us, we will try the navy's spade, which will do very well, we dare say."

still were, untiring in their efforts, by whatever means they could, to advance the cause of Grahamstown's economic prosperity. The confidence and enterprise of Grahamstown's business community through the very difficult years of the depression and the changing economic pattern of the 1870's remains the recurrent and memorable theme.

Beneath the euphoria of celebration at the opening of the new Town Hall in 1882 the leading men of Grahamstown were very well aware of the economic climate of the times and the problems peculiar to Grahamstown. Yet they retained their optimism as regards Grahamstown's future development. The popular Civil Commissioner and Resident Magistrate, C.H. Huntley, on this occasion made the following assessment of Grahamstown's economic situation.²⁴⁸ He estimated that a hundred houses had been built during the previous two years, an indication of the flourishing building trade and with it an index of Grahamstown's prosperity. He enumerated Grahamstown's existing industries: gun, tin, brass and iron, saddlery and harness, boot and shoe, soap and spirit and wagon and cart manufactures, and emphasized their country wide business connections. He proffered high tribute to the Town Council who had achieved much against considerable odds: they had to their credit the beauty and improvements of the town which included thirty-seven miles of streets to maintain. He applauded their efforts to make Grahamstown attractive enough to encourage "men of means" to settle in town but stressed heavily the need for an improvement in Grahamstown's water supply. He stressed Grahamstown's favourable position regarding public institutions such as the Eastern Districts Court and educational establishments "among the best in the Colony". Though C.H. Huntley saw Grahamstown's future importance as a commercial centre improved by further rail links, it was to be through these educational establishments that she gained a lasting primacy in the Eastern Cape. In Grahamstown's ambition to grow commercially and industrially, almost incidentally as a result of the priorities of her citizens, the foundations had been laid for the educational establishments which would, in the 20th Century, take the place of the army and the railway.

²⁴⁸G.T.J. 4-5-1882.

CHAPTER THREE

MUNICIPAL FINANCE

A REVENUE OF GRAMMSTOWN MUNICIPALITY 1862-1882

Municipal Water & Other Rates	Market Dues	Pound Fees & Lease of Pound	Proceeds of Pound Sales	Registration & Other Fees, Fines etc.	Licenses to Graze Cattle Exercise Trades & Fell Timber etc.	House & Land Rent Sale of Land Lease of Brickfield	Loans Raised	Loans Repaid Interest & Debts Recovered	Sundries	Total Receipts
£	£	£	£	£	£	£	£	£	£	£
665.14. 4	1513.18. 6	225.16.10.	166. 8. 9	4.17. 6	-	477. 6. 8	1000. 0. 0	-	147.17. 2	4201.19. 9
3321. 9. 0	714. 1. 1	159. 0. 7	77.10. 6	10. 0. 0	-	5660.13. 9	991. 3. 0	96. 1. 0	141.14. 5	11171.13. 4
3002.17. 8	1241.15. 6	258. 9. 8	73. 9. 0	18.11. 9	6. 0. 0	1796. 2. 0	-	4. 0. 2	18.11. 9	6419.17. 6
2926. 5. 0	1491. 1. 8	201.15. 4	100.16. 7	11.14. 9	-	217.17. 6	2000. 0. 0	-	37. 3. 2	6986.14. 0
3824.18. 2	1439. 3. 4	162. 7. 0	104. 4. 3	18.13. 6	1. 5. 0	1468.19. 0	6256. 1. 5	-	73. 3. 1	13348.14. 9
4046. 2. 7	963.11. 9	146.12. 8	44. 1. 5	27. 3. 1	0.15. 0	46.19. 0	1221. 5. 8	-	6.12. 6	6503. 3. 8
3245.12. 9	819. 6.10	165. 4. 5	62.15.10	11. 0. 0	0.10. 0	60. 5. 0	2501.11. 3	72.14.10	15. 2.10	6952. 3. 9
3535. 2.10	773.10. 7	97. 6. 8	49.11. 4	9. 1. 0	0.10. 0	117. 7. 6	1000. 0. 0	-	0. 5. 0	5582.14.11
2530. 2. 2	654.15. 6	93. 6. 1	53.15. 5	10.15. 0	-	88.10. 0	1100. 0. 0	-	-	4531. 4. 2
3225. 0. 3	924. 5. 0	111.16.11	121.11. 1	8.10. 0	-	78.10. 0	6000. 0. 0	69. 7. 6	2.12. 0	10541.12. 9
2959. 2. 9	993.14. 4	111. 5. 8	183. 2. 5	41.15. 9	-	108. 5. 0	1000. 0. 0	-	0. 2. 6	5397. 8. 5
3603. 1. 3	1161. 0. 4	138.18. 6	209. 0.10	19. 8. 9	1. 0. 0	112. 7. 6	600. 0. 0	-	2. 0. 0	5846.17. 2
1058. 8. 9	1060. 3. 3	125.11. 8	154.12. 5	20. 2. 2	1. 5. 0	686. 0. 6	-	2. 7. 6	33. 2.11	6111.14. 2
3900. 0. 8	1089. 8. 0	173. 4. 1	69.11. 8	15.13. 0	18. 2. 6	2597.16. 9	-	16. 0. 0	2.15. 9	7882.12. 5
4116. 2.10	1154.17. 6	185. 6. 0	79.18. 3	34.13. 3	8.18. 9	476.19. 2	3000. 0. 0	-	61. 9. 4	9118. 5. 1
4216. 8.11	1541.10. 4	253. 3. 6	114.15.10	14.19. 3	8. 6. 6	161.11. 0	-	3. 7. 9	23.19. 4	6341. 2. 5
4291. 1. 4	1816.19. 7	161. 4. 8	122.10.10	14. 6. 6	15.10. 0	128. 0. 0	8500. 0. 0	455. 8. 9	237.14. 7	15742.16. 3
5329. 5. 0	2379. 5. 0	147. 1. 0	118. 4. 0	-	10.15. 0	742.17. 0	-	454. 0. 0	1032. 7. 0	10213.14. 0
5235. 1. 0	3205. 8. 0	112. 0. 0	117.16. 0	8. 3. 0	36.12. 0	2555.12. 0	-	330.16. 0	126. 0. 0	11727. 8. 0
6357. 0. 0	2961. 0. 0	306. 0. 0	127. 0. 0	131. 0. 0	30. 0. 0	1494. 0. 0	11000. 0. 0	198. 0. 0	695. 0. 0	23299. 0. 0

B EXPENDITURE OF GRAHAMSTOWN MUNICIPALITY 1862-1882

Payments	Salaries to Officers & Gate Collectors	Waterworks Roads, Streets, Bridges, Materials etc.	Loans & Interest paid	Rent	Proceeds Pound Sales Refunded	Miscellaneous	Total
1862	£ 1612.15.2	£ 1520.5.5	£ 67.11.7	£ 90.0.0	£ 7.13.3	£ 792.8.8	£ 4090.14.1
1863							
1864	1961.13.0	3840.6.11	6329.7.8	45.0.0	8.1.6	791.2.2	12975.11.3
1865	1080.14.9	3549.2.7	740.8.3	45.0.0	8.3.0	294.11.0	5717.19.7
1866	1461.12.0	3732.13.6	-	45.0.0	-	364.3.11	5603.9.5
1867	1431.10.0	3440.18.5	5163.3.0	22.10.0	15.13.2	1805.9.7	11879.4.2
1868	1575.13.6*	2520.15.2	2244.2.10	82.10.0	15.18.7	189.11.7	6628.15.8
1869	1373.2.0*	1776.0.1	2686.11.9	50.0.0	11.16.2	1050.6.9*	6947.16.9
1870	1370.0.0*	1701.1.2	1812.8.8	50.0.0	-	517.14.5	5451.4.3
1871	876.3.4	1656.8.7	1818.10.4	50.0.0	16.1.6	522.4.5*	4939.8.2
1872	796.0.0	2039.2.0	6913.1.0	50.0.0	31.7.0	462.0.0*	10291.10.0
1873	982.0.0	2068.6.10	1975.0.0	120.0.0	34.0.8	437.8.11*	5616.16.5
1874	1023.0.0	2805.4.3	1393.9.0	120.0.0	(+ contribution to) (Ad. Police 348.0.0 298.10.2	155.9.9	5845.3.0
1875	1128.15.0	3613.18.3	580.12.6	120.0.0	263.9.4	536.8.5	6305.4.4
1876	1422.9.8	3119.12.6½	862.17.6	165.0.0	221.7.7	296.18.5½	6136.7.6
1877	993.17.5	4950.5.10	3361.7.9	225.0.0	(Contribution in) (aid of Police 836.10.10	429.5.2	10181.4.0
1878	1158.3.5	4742.19.4	361.6.3	153.0.0.	561.14.0	317.6.3	6732.15.3
1879	1358.0.4	9234.12.8	475.5.9	248.0.0	-	450.1.6	12602.11.1
1880	1861.11.0	15087.19.0	1270.6.0	465.0.0	1376.0.0	482.19.0	19729.9.0
1881	846.0.0	13526.5.0	1534.12.0	180.0.0	-	561.9.0	16648.8.0
1882	1561.0.0	13386.0.0	1935.0.0	122.0.0		989.0.0	19369.0.0

Including
 * £314 Ad. Police
 * Ditto Ad. Police
 * Gate Refunded
 * £715.8.9
 * Ad. Police £314
 * Ad. Police £314
 * Ad. Police £314
 * Ad. Police
 £333.3.4

C ACTUAL ANNUAL CREDIT/DEBIT BALANCES OF GRAHAMSTOWN MUNICIPALITY 1862-1882

Year	Total Receipts £	Less Loan £	True Receipts £	Total Payments £	Deficit £	Credit Balance £
1862	4201.19. 9	1000. 0. 0	3201.19. 9	4090.14. 1	888.14. 4	£
1863						
1864	11171.13. 4	991. 3. 0	10180.10. 4	12975.11. 3	2795. 0.11	
1865	6419.17. 6	-	6419.17. 6	5717.19. 7		
1866	6986.14. 0	2000. 0. 0	4986.14. 0	5603. 9. 5	616.15. 5	
1867	13348.14. 9	6256. 1. 5	7092.13. 4	11879. 4. 2	4786.10.10	
1868	6503. 3. 8	1221. 5. 8	5281.18. 0	6628.15. 8	1346.17. 8	
1869	6952. 3. 9	2501.11. 3	4450.12. 6	6947.16. 9	2497. 4. 3	
1870	5582.14.11	1000. 0. 0	4582.14.11	5451. 4. 3	868. 9. 4	
1871	4531. 4. 2	1100. 0. 0	3431. 4. 2	4939. 8. 2	1508. 4. 0	
1872	10541.12. 9	6000. 0. 0	4541.12. 9	10291.10. 0	5749.17. 3	
1873	5397. 8. 5	1000. 0. 0	4397. 8. 5	5616.16. 5	1219. 8. 0	
1874	5846.17. 2	600. 0. 0	5246.17. 2	5845. 3. 0	598. 5.10	
1875	6141.14. 2	-	6141.14. 2	6305. 4. 4	163.10. 2	
1876	7882.12. 5	-	7882.12. 5	6136. 7. 6		
1877	9118. 5. 1	3000. 0. 0	6118. 5. 1	10181. 4. 0	4062.18.11	1746. 4.11
1878	6341. 2. 5	-	6341. 2. 5	6732.15. 3	391.12.10	
1879	15742.16. 3	8500. 0. 0	7242.16. 3	12602.11. 1	5359.14.10	
1880	10213.14. 0	-	10213.14. 0	19729. 9. 0	9515.15. 0	
1881	11727. 8. 0	-	11727. 8. 0	16648. 6. 0	4920.18. 0	
1882	23299. 0. 0	11000. 0. 0	12299. 0. 0	19369. 0. 0	7070. 0. 0	

APPROXIMATE STATEMENT OF ASSETS AND LIABILITIES OF THE GRAHAMSTOWN MUNICIPALITY ON 30-7-1862.

(Taken from G.T.J. 29-7-1862.)

Liabilities

Mortgages on the Town Hall property in High Street	)	£ 650. 0. 0.
Cape of Good Hope Savings Bank	)	952. 0. 0.
Purchase money of land at Hope's Garden	)	340. 0. 0.
Interest on the same from November 1859	)	53. 8. 0.
Loan from Frontier Bank	)	523. 9. 2.
	)	22.18. 6.
Pro. Note in favour of Surveyor due 10-9-1862		281.10. 0.
" " " " " G. Wood jun. & Jno. Roberts		
- costs with regard to Chas. Pote due 1-10		71. 9. 0.
Pro. Note in favour of J. Temlett Reservoir a/c due 1-11		250. 0. 0.
" " " " " S. Cawood " " "		500. 0. 0.
a/cs passed by Board remaining unpaid in the)	
hands of the Town Treasurer	)	786.10. 5.
Liabilities to the Eastern Province Bank on Reservoir)	
special bond	)	2 000. 0. 0.
G. Wood jun.		500. 0. 0.
H. Blaine		500. 0. 0.
D.H. Kennelly		500. 0. 0.
J. Hill		500. 0. 0.
J. Roberts		500. 0. 0.
7 Commissioners		500. 0. 0.
		<u>£ 9 431. 0. 1.</u>

Assets

Cash balance 30-6 E.P. Bank on Reservoir a/c	)	£ 5 345. 4.10.
- as set off against loan £5 000 per contra)	
Floating cash balance in hands of Market Master		100. 0. 0.
Rent due: On Town Hall property	£250.12. 6.	
On Brickfield	<u>6. 0. 0.</u>	256.12. 6.
Market dues yet unaccounted for		
Water Rate defaulters		
Town Rate defaulters		
Town Hall property High Street		2 700. 0. 0.
Land at Hope's Garden		393. 8. 0.
Land grant for Reservoir (6 blocks)		

RATES ASSESSED

- 1862 No Rate
- 1863 1/- in the £, to be collected $\frac{1}{2}$ yearly (W. Webb attempted to pass)
(rate 9d in £. Lost)
(G.T.J. 24-2-1863)
- 1864 1/- in the £ (Finance Com. Report recommended Ad. Rate of)
(9d in the £ but Kennelly withdrew motion.)
(G.T.J. 26-2-1864)
- 1865 1/- in the £, to be collected half yearly. (W. Webb tried for 9d)
(in £ rate. Lost)
(G.T.J. 27-2-1865)
- 1866 1/- in the £, collected $\frac{1}{2}$ yearly.
- 1867 1/- in the £, collected $\frac{1}{2}$ yearly, March & September.
Ad. Police Rate levied 9d in the £
- 1868 9d in the £ (W. Webb) (1st m. 1/- in £. Lost and 6d in £. Lost)
(C.M.B. 21-2-1868 and C.M.B. 28-2-1868)
- 1869 6d in the £ (C.M.B. 26-2-1869)
Ad. Rate of 6d in £ due from 14-6-1869 (C.M.B. 9-6-1869)
- 1870 1d in the £, due July. (amd. $\frac{3}{4}$ d in £. Lost)
- 1871 1d in the £, due May (C.M.B. 15-2-1871)
- 1872 $1\frac{1}{2}$ d in £, due April (amendment 5 farthings. Lost. Rhodes & W. Webb)
(C.M.B. 21-2-1872)
- 1873 5 farthings in £, due April (amendment Watson & W. Webb, 1d in £)
(Lost)
(C.M.B. 19-2-1873)
- 1874 $1\frac{1}{2}$ d in £, due May.
Ad. Rate for Douglas Reservoir, 1d in £ but Public Meeting and
Poll changed it to $\frac{1}{2}$ d in £, due December 1874.
(C.M.B. 30-11-1874, 3-12-1874, 9-12-1874)
- 1875 $3\frac{1}{2}$ d in £ assessed.
- 1876 $1\frac{1}{2}$ d in £, due April.
- 1877 $1\frac{1}{2}$ d in £
- 1878 $1\frac{1}{2}$ d in £
- 1879 $1\frac{1}{2}$ d in £ (Mathews and Houston amendment 1d in £. Lost)
- 1880 2d in £, due May (Stirk m. 3d in £, collected $\frac{1}{2}$ yearly. Lost)
- 1881 $1\frac{1}{2}$ d in £, due May (amendments 3d in £ $\frac{1}{2}$ yearly and 2d in £. Lost)
- 1882 2d in £, due May (m. $2\frac{1}{2}$ d in £, due May and September. Lost)
(C.M.B. 24-2-1882)

CHAPTER 3.

MUNICIPAL FINANCE.

A shortage of municipal funds provides the index to the municipal history for the period 1862-82. Just as the economic fortunes of Grahamstown proscribed the course of the town's growth, so the municipal finances dictated the extent of municipal endeavour. In the local government sphere, no less than in Grahamstown's commercial community, the aims of individual Councillors exceeded the limits of their financial resources. A study of the finances of Grahamstown's Town Council during 1862-82 is largely a study of the overwhelming challenge of the ever empty municipal coffers and the Council response in overcoming this financial difficulty. An examination of the lists, of the total municipal revenue and expenditure, during this period, reveals that the municipal financial situation parallels the general economic situation of Grahamstown most markedly.¹ The major sources of municipal revenue after Incorporation were, as they had been during the Municipal Board's period,² rates, market dues and sale of land, with pound revenues bringing in much smaller amounts. One of the main reasons for Grahamstown's Incorporation was that the Municipal Commissioners were finding it increasingly difficult to manage the financial affairs of the Board under the restrictions of Ordinance 9 of 1836. There were restrictions on the right to mortgage municipal property, on the sale of municipal land, as well as being unable to raise a loan for any kind of municipal improvement scheme.³ The Commissioners, who had themselves pledged their private credit to continue the work on the Grey Reservoir, realised the only solution was Incorporation. Increasingly during the period 1862-82, the

¹ See accompanying Lists of Revenue and Expenditure 1862-82 compiled from the C.B.B. 1862-1882.

² K.S. Hunt, The Development of Municipal Government in the Eastern Province of the Cape of Good Hope, with Special Reference to Grahamstown (1827-1862), A.Y.B. 1961, p.170.

³ Ibid., p.218.

municipality relied on loans and the extended power of municipal credit, made available by the Act of Incorporation and the Acts of 1869 and 1878, to complete public works and pay off debts. The overall pattern of fluctuations of the rates and market dues is particularly significant as an index to Grahamstown's general economic position.

1862 was a disastrous year for the newly incorporated municipality. At a public meeting, the rate-payers declined to vote a rate on property, hence the rate fund was entirely derived from the sale of water and only amounted to £665.14. 4. Never again in the period under review were the citizens quite so foolish. The levy of a rate on property provided the principal source of revenue. During the early 1860's the fluctuations in rate collected were attributable to the effect of the depression. The rates decreased from £3 321. 9. 0., in 1864, to £2 926. 5. 0., in 1866. Arrears of rate increased during this time and there was the problem of a shifting population of labourers which rendered rate collection difficult. The sudden high rate of 1868, £4 046. 2. 7., can only be explained as a result of the extra levy in that year, to make up the Council's arrears of payments of the additional police rate. The Municipal Commissioner had been bound to pay a police rate to the Civil Commissioner and Resident Magistrate since they had entered into such agreement in 1857 under the terms of Act No. 15, which enabled municipalities to obtain additional police by contributing to their expense. The Council had inherited this obligation, but since 1862 had been unable to pay the rate. After narrowly escaping being sued by the Government for their arrears, the deficit was made up in 1868 by the levy of a special rate.

The end of the 1860's and the beginning of the decade of the 1870's were even more so than usual, a time of troubles for the municipality. The end of the depression of the sixties, the removal of the military in 1870, and the rush to the Diamond Fields in 1870-1871, resulted in the greatest commercial dislocation Grahamstown had experienced since Incorporation. Houses were left

unoccupied after the army officers left, and many more stood empty during the scramble to the diggings. During these unstable commercial circumstances, the Council decided on a policy of retrenchment, rather than an increase of rates, to retain enough in the municipal coffers to continue with the normal municipal business. The low figure of rates collected in 1871, £2 530. 2. 2., together with the sharply decreased municipal salaries of £876. 3. 4., reflect this policy of retrenchment. The cut-back of salaries of such valuable municipal officers such as the Inspector of Works, the Market Master and the Town Clerk, caused a great deal of protest. The vexed question of retrenchment was hotly debated among Councillors and townspeople alike. The disreputable squabble in the Council on the matter of retrenchment was aggravated by the involvement of characters such as the vociferous Dean Williams, who freely expressed his anti-retrenchment views in the pages of the newspapers. Certain Councillors, especially the Webb brothers, were very annoyed by the Dean's criticism of Council policy.⁴ Worse than this civic conflict though, was the attention it drew upon Grahamstown's financial straits. Journalists in Port Elizabeth and Cape Town ridiculed Grahamstown's retrenchment. The Zingari, a Cape Town paper, published a cartoon depicting Grahamstown as it would appear after "retrenchment": the buildings in ruins, the streets littered and the citizens humbled.⁵ The Journal immediately claimed that Grahamstown was still the metropolis of the Eastern Cape, in spite of the loss of the troops and the glouting of her rivals.⁵

This municipal crisis was neatly reduced to its proper proportions by the genial Councillor James Wood, when the Council were debating whether or not to erect a triumphal arch to welcome the Governor, Sir Henry Barkly, on his proposed visit to Grahamstown. Several Councillors felt the honour of Grahamstown was at stake and that an arch was a necessity, in spite of the fact that municipal funds were

⁴G.T.J. 17-2-1871.

⁵A. Gordon-Brown, The Settlers' Press, p.14.
The artist was C.J.M. Smith of The Zingari.

⁶G.T.J. 27-2-1871.

so low. Other centres would most certainly erect arches for the Governor. James Wood suggested an arch of firewood and oathay would be appropriate to represent the industries of Lower Albany. He pointed out that the money for an arch should rather be used for the maintenance of the streets in the locations. He did not win the argument: £25 was voted for an arch. But Wood's commonsense view of Grahamstown's situation reduces the sound of fury of retrenchment to its proper perspective. "Whether an arch were or not erected, or whether they were 'cartooned' or not, he was quite convinced that Grahamstown possessed sufficient spirit and intelligence to hold her own, and preserve her position."⁷ An amusing postscript to the debate on the arch occurred as a result of the Eastern Province Herald's editorial criticism of Wood's attitude. Wood replied to the Herald, enclosing a year's subscription, thanked the editor for his gratuitous advertisement of Wood's Hotel, and asked to be put in print in the future as well.⁸

The retrenchment policies were gradually phased out as Grahamstown was affected by the growing prosperity of the rest of the Colony, with good wool prices and the boom of the ostrich feather and diamond industries. This renewed prosperity of the later 1870's and the gradual growth of Grahamstown is reflected in the steady increase of municipal rates collected. The grand total of £6 357 rates was reached by 1882. This included the revenue from the increased water rate, but is nevertheless an important indication that Grahamstown's prosperity and increased population was as yet unaffected by the approaching general depression of the middle 1880's. Unfortunately these figures show no division between general municipal rates, additional rates levied or amounts collected for the water rate, so no precise comparisons can be made.

An assessment of the market dues collected from 1862 to 1882 yields a very interesting reflection of the pattern of agricultural

⁷G.T.J. 17-3-1871.

⁸G.T.J. 27-3-1871.

The Herald's editorial comment was that James Wood was "evidently a shrewd man of business ... We do not yet despair of seeing Mr Wood as truly mindful of the city's interests as he is of his own".

recession and development during this period. Grahamstown's role as a market town is emphasized and her vital dependence on the agricultural industries of the surrounding districts is reinforced by a study of these figures. Market dues for 1862 were high: £1 513.18. 6. was received. Wool prices were still high and farming was yet largely unaffected by the drought. By 1864 dues had dropped dramatically to £714. 1. 1.; a clear indication of the bad seasons of 1862-3 for farmers. There was some recovery after 1864, as witness the slight increase in market dues. But the cumulative effects of the depression are clearly reflected in the market figures for 1867-71. Market dues of over £1 000 in 1867 dropped to £654.15. 6. in 1871. The latter figure is the lowest recorded during this period and indicates, in addition to the slow recovery from the bad years of the 1860's something of the dislocation caused within the farming industry as a result of the rush to the diamond fields of 1870/71. From 1872-82 the steady increase in market dues parallels the general agricultural recovery of better wool prices and the boom years of the ostrich feather industry. The municipality instituted special markets and stock fairs during these years to attract farmers to Grahamstown to capture more revenue for both city and municipality from this agricultural prosperity. In 1881 market dues yielded the highest amount for this period, £3 205. 8. 0., a most important contribution to municipal funds. The slight drop in dues in 1882 heralded the effects of the depression on the agricultural industry, notably in the ostrich feather industry.

Found revenue followed a similar pattern to market revenue though on a smaller scale. Land Sales brought in considerable sums from time to time but these remained special sources of revenue, generally earmarked to cover particular municipal works or debts. Likewise the increasingly large income from loans, mortgages and later, debentures, was utilised for financing special objects or the payment of previous debts. Other sources of revenue - fines, licences, lease of brickfields and rents from the use of municipal property and buildings did not contribute revenue to any considerable extent, though their regulation occupied large amounts of municipal time and energy. It is interesting to note, that though, under the terms of

each Grahamstown Municipality Act during this period, the Council had the power to establish tolls as a source of revenue, they did not do so. During a conflict with the Albany Divisional Council in 1865, brought on by the Divisional Council's decision to establish a toll on the Cradock Road, the reason for this hesitation was explained. A Memorial was sent to the Governor stating the Council's conviction that the establishment of tolls so close to the city, within the municipal boundaries, would adversely affect the trade of the city. They clearly emphasized this as their reason for refraining from utilization of this potential source of revenue. The Council regarded themselves in some measure as the civic guardians of Grahamstown's continued commercial prosperity. They clearly identified their commercial position as one dependent on the trade of the farming community. In lighter vein, Councillor Kennelly likened Grahamstown's future position, hemmed in by tolls and by-passed by wagons for Port Elizabeth, as resembling a lion in a cage.⁹

In a consideration of the list of municipal expenditure for 1862-82, the most striking increase is clearly that of public works. Expenditure grew from a modest £1 520. 5. 5. in 1862, to an almost unbelievable £13 386 in 1882. During the early 1860's when new water schemes were in progress, expenditure on waterworks, streets and bridges maintained a steady average of over £3 000. After 1867 the need for retrenchment affected even these areas of vital municipal effort and expenditure dropped considerably. The prosperous 1870's brought gradual, increased expenditure in these categories. Increased expenditure continued until the dramatic increase in 1879 to £9 234.12. 8. and in 1880 to the highest single municipal expenditure of £15 087.19. 0. These sharp increases were occasioned by the construction of the Town Hall, improvements in roads and bridges occasioned by the coming of the railways in 1879, as well as further attempts to increase Grahamstown's water supply. An important additional sum of municipal expenditure which appeared in different columns at different times was the annual Additional Police Rate which was due by the Council to the Civil Commissioner and

⁹G.T.J. 25-9-1865.

Resident Magistrate. This police rate was to cause a financial crisis in 1867-68. All such expenditure, together with the salaries of municipal employees and the rent of Town Offices was in general justified as necessary expenditure, from the ratepayers' view. But the disturbing financial tally, to certain citizens at times, was the interest paid on municipal loans. On occasion this represented a considerable drain on the municipal exchequer and charges of extravagance in public works and lack of forethought in negotiating such loans were charges sometimes levied on the Council and individual Councillors by fellow citizens.

The growth of Grahamstown, of its public amenities, especially that of a Town Hall, water supply, well kept streets, fairly advanced sanitation, all are reflected in the enormous increase in revenue and expenditure for this period. The contrast between the figures of 1862 and 1882 clearly indicates the increased monetary and financial complexities and increased civic obligations which the Town Council had gained in its first twenty years as an incorporated body. Revenue in 1862 was £4 201.19. 9., expenditure £4 090.14. 1., as compared to the 1882 revenue of £23 299 and expenditure of £19 369. Yet these total figures can be misleading. The total revenue and expenditure figures for 1882, when compared, appear to show a municipal surplus, which was very far from true. The accompanying Schedule C, which calculates the more realistic totals of revenue and expenditure, by subtracting the amounts of municipal loans from actual municipal revenue received, shows the yearly Council deficit and credit figures.¹⁰ These figures show how dependent the municipality was on loans, to complete her very necessary public works plans. There were only two years when ordinary revenue was greater than municipal expenditure: 1865 and 1876. Municipal revenue since incorporation had not even been sufficient for the everyday maintenance of municipal responsibilities, let alone the many necessary and several grandiose schemes of various Councillors. Some schemes had merely been slowed down for lack of funds; the Town Hall had taken twenty years to become a reality. Others had never even been started; the ambitious plan for lighting the streets of Grahamstown with gas had been dropped through lack of funds. This reliance on credit facilities to maintain the progress

¹⁰ See Schedule C.

of the civic barque poses the problem as to why the municipal income was insufficient to meet municipal expenses in a newly incorporated Council with considerable financial scope.

The charge of extravagance against the Council and individual Councillors cannot be sustained. There is considerable evidence to show the meticulous care with which all financial matters were considered by both the Finance Committee and the whole body of the Council. According to the provisions of the Act of Incorporation, an annual drawing up of the estimated revenue and expenditure had to precede the decision regarding a municipal rate. These Estimates were drawn up in February of each year by the Finance Committee and considered individual item by individual item when presented to the full Council, haggled over and finally amended. Auditors were carefully selected each year to check the accounts. Those selected were reputable businessmen. Naturally financial matters engendered hot dispute and conflict within the Council but a jealous regard for Council finances generally prevailed. Decisions regarding finance were taken in good faith. There is no evidence of corruption though at times there were certainly errors of judgement. Naturally enough too, Councillors were guilty of small errors and larger vanities involving municipal finance. During the drought of the 1860's, while finances were particularly tight and while the search after a sufficient extension of Grahamstown's water supply was on going, the Council was guilty of paying a lordly £50 to a certain Karl Kohl, the "water finder ". He divined the most likely places for springs on the municipal commonage. Much to the Council's consternation, none materialised. Neither did Mr Kohl return to Grahamstown, though required to do so by the Council.¹¹ Items of expenditure such as fittings for the Council Chamber, robes for Councillors, the acquisition of a municipal coat of arms and seal, were expenses not to be grudged for the dignity of the Council. In all matters relative to the celebrations of the Queen's birthday or engrossing addresses to members of the royal family on auspicious occasions, the Council willingly agreed to such additional expenses. But such Imperial loyalties and expenses of civic dignity amounted to paltry sums when

¹¹ C.M.B. 23-2-1866.

compared with the deficit of thousands which the Council built up in the 1860's.

To understand and fully assess how and why the Council was so soon in financial straits, an appreciation of the situation immediately after Incorporation is essential. Grahamstown's first Town Council faced its first term of office without a town rate having been approved. This somewhat inauspicious start significantly heralded the depression of the 1860's. At a stormy ratepayers' meeting¹² prior to the first Municipal elections, strong dissatisfaction had been expressed about the assessment roll, listing the rateable assessment of the properties of Grahamstown. It was felt by many to have been unfairly drawn up. William Webb, who had decided to stand for the first City Council elections and intended to capture the working man's vote, raised a clarion call of "poor men" versus "rich men". He rather unfairly accused every Commissioner, with the exception of Commissioner Powell, of having their properties undervalued at the expense of the working class men of the town. As these were the self-same Commissioners who had pledged their private credit for the Municipal Board's debt,¹³ this was totally unjustified. In response to Walter Smith's proposal of a rate of 1/- in the £, William Webb proposed 1d in the £. When the hall was called upon to divide between 1/- rate and no rate, the tally was 56 for no rate versus 46 for 1/- rate. Grahamstown's Town Council entered on its first term of office in very sober financial state.

¹²G.F.J. 10-5-1862.

¹³Hunt, Municipal Government, p.183.

- a) In February they pledged their personal credit to raise money to pay the amount of the writ issued for the recovery of the purchase money on the property they had sold in High Street.
- | | | |
|---------------|---|--|
| H. Blaine |) | |
| G. Wood jun. |) | |
| J. Temlett. |) | all advanced £100, while J. Powell the |
| J. Hill. |) | sum of £67. 5. 0. |
| S. Cawood. |) | |
| D.H. Kennelly |) | |
- b) When funds were needed for expenses of construction of the Grey Reservoir, the Minute Book records Promissory Notes made by Commissioners in favour of the Town Treasurer to the total of £4 000.

In rather undignified vein, The Journal's reporter acutely pronounced, in September, that "Finance is the Council's skeleton" and called upon the town to give a rate, predicting that otherwise Grahamstown would end up as "a nasty location lying in the bottom of a slop basin".¹⁴

The context of municipal endeavour in 1862 was such as to demand an increased income as a vital necessity. The new Town Council had inherited the Municipal Board's debts together with the pledged notes of the Commissioners and was in no position to redeem them.¹⁵ The ongoing municipal business of the maintenance of public works, notably with regard to the completion of the Grey Reservoir and other water affairs, and the payment of municipal employees, had utilised the income derived from the market and the pound. Lack of a rate in 1862, coupled with liabilities inherited and those gained in the next six months and the onset of the depression years when the Council could not demand excessive rates, were the factors which set the scene for the overwhelming debt of the 1860's. There was certainly, in the absence of a rate, no money in the municipal coffers for further schemes for public works and the public benefit. Yet the civic responsibility of Incorporation had emphasized the need for the long projected acquisition, for Grahamstown, of the dignity of a Town Hall. Councillors felt that despite the lack of funds, it was essential to build a Town Hall. The matter of the Town Hall and an appropriate site for an edifice to symbolise Grahamstown's civic pride was to involve the Council in increased debt from 1862 onward.

The Municipal Board had already purchased a suitable erf in High Street - the building known as Clapperton's - for the purpose of building a Town Hall. They had, moreover, received from Sir George Grey a grant of lands to raise funds for a Town Hall. Part of the money derived from the sale of land had in fact gone towards the purchase price of Clapperton's erf, but a great deal of it was spent simply on meeting the cost of running the municipality.¹⁶

¹⁴G.T.J. 9-8-1862.

¹⁵See accompanying Statement of Assets and Liabilities 30-7-1862.

¹⁶G.T.J. 19-3-1861.

But by the time of Incorporation, this property had had to be mortgaged.¹⁷ The new Town Council had somewhat different ideas as to the suitability of the site of the projected Town Hall. A more valuable, larger erf, and, it was argued by some, on a more centrally situated site for the erection of such a vital civic structure, came on the market three months after Incorporation. This erf comprised the plot and buildings in Mr Wright's estate, situated on Church Square, next to The Journal offices. The proposal that the Council purchase this plot as the site for the new Town Hall caused a furore within and without the Council. In defence of the frequent charge of carelessly and needlessly increasing the Council's debt, it must be said that the Town Hall Committee went most thoroughly into financial ways and means. The original Report of the Committee calculated on the sale of land yet to be granted, south and east of Fort England, application for a further land grant on West Hill and the sale of the High Street property as together realising enough to pay for the new site and build the Town Hall itself.¹⁸ Apart from financial objections to the new purchase, the High Street site was felt by some to have prior claim, having been approved by Sir George Grey.¹⁹ Those who were most vociferous in their support of the High Street property were, understandably, those who had places of business in High Street and who stood to gain commercially from the prestige of the proximity of the Town Hall.

There was bitter conflict in the Council and accusations were made

¹⁷ See accompanying Statement of Assets and Liabilities. 30-7-1862.

¹⁸ G.T.J. 12-8-1862. The Town Hall Fund already claimed the following:

- a) Sale of Scott's Barracks £ 633. 0. 0.
 Land West Hill 1 552.19. 6.
- b) Fort England land grant estimated value of sale £5 000.
- c) Land West Hill to be surveyed and applied for, estimated £7 000.
 TOTAL ABOVE £14 000.
- d) Sale of Town Hall property in High Street.

¹⁹ G.T.J. 19-8-1862. Letter from Mr Blaine, past Chairman of Municipal Board.

against "interested" Councillors having a hand in the new deal.²⁰ J.E. Wood was accused of being an interested party and refused to act as member of the Town Hall Committee in consequence. A minority of four Councillors, Ogilvie, Cole, Watson and Gilbert, felt so strongly against the proposed purchase of the new site that they handed in a protest and a Memorial from 42 householders.²¹ But there had already been a Memorial from 80 householders in favour of the proposed new site.²² The protest could not be received by the Council as there was an objection raised to the words describing the sale as bringing "discredit and contempt" on the Council. The self-same Councillors promptly applied to the Supreme Court, through an Advocate, for an Interdict to prevent the purchase on financial grounds and the existing possession of the High Street site.²³ The Council consulted their Solicitor, but in the event, the Acting Attorney General advised the four recalcitrant Councillors to withdraw their application.²⁴ There seems no doubt that opposition to the purchase, led by these four Councillors was after that definitely on the wane. The purchase of the new Church Square site was completed during this unedifying episode of Council conflict. The purchase price was £3 500, to be paid in five instalments of £700 each. A measure of the Council's financial insecurity in 1862 was the fact that they negotiated for the payment of the first instalment to be made two years after the date of purchase. The other instalments were to follow at one year intervals over six years. The interest was to be 6% payable half-yearly.²⁵

In spite of their first plan to sell the High Street property, on second considerations the Council decided to lease it until their financial position was secure enough to erect a Town Hall on the new site. The buildings on the new Town Hall erf were so dilapidated

²⁰G.T.J. 26-8-1862.

²¹G.T.J. 23-8-1862.

²²G.T.J. 19-8-1862.

²³G.T.J. 26-8-1862.

²⁴G.T.J. 23-9-1862.

²⁵G.T.J. 2-9-1862.

that, rather than have the cost of repairs, and in the hope of being able to erect a Town Hall in the near future, the Council decided to have them removed. No tenders for the removal of the buildings were received so they were sold by public auction.²⁶ Determined to show Grahamstown in its most progressive light, tenders were called for plans for the Town Hall in the hope that the foundation stone would be laid by the time the Grahamstown Parliament met in 1864. None met the requirements of the Council but the architects' plans were only returned after a long delay of over a year.²⁷ In financial reality, it was impossible for the Council to build a Town Hall or even contemplate building such during the depression of the 1860's. The Council could not meet even the first instalment due on the new Church Square erf without the assistance of a loan from the Frontier, Commercial and Agricultural Bank for £1 000 at the high rate of 8%.²⁸ An attempt was made to mortgage the Town Hall erf in order to cover the further purchase instalments, on the advice of the City Solicitor, but this does not appear to have been successful.²⁹ By 1865 the Council contemplated the mortgage of a certain portion of the Fort England land granted for the Town Hall, in order to meet the second instalment on the Church Square property.³⁰ The financial position of the Council was difficult. £740 was due for the instalment on the Church Square property, there was a debt to Theophilus, Richards & Co. and funds were needed for the construction of a new reservoir. The balance of the mortgage, the Council hoped to use towards payment of the increased water supply of Grahamstown. Qualms were expressed that the mortgage might prevent sale of the lands or the erection of a proposed reservoir beyond Fort England.³¹ The motion was shelved, the Executors of the Wright estate having accommodated the Town Council by accepting two Promissory Notes in lieu of the

²⁶G.T.J. 20-2-1864, 26-2-1864, 2-4-1864 and 10-3-1865.

²⁷G.T.J. 10-3-1865.

²⁸G.T.J. 29-8-1864.

²⁹G.T.J. 12-9-1864.

³⁰G.T.J. 21-8-1865.

³¹G.T.J. 9-8-1865.

second instalment, but at a cost of 10% interest.³² Continued payments were made by means of this most unsatisfactory sleight of hand method of deferred and increased payment.

The Town Council was under increasing financial pressure from all sides, with a constant drain on the municipal resources: the Town Hall debt and the increased expenditure necessary to extend Grahamstown's water supply. From 1862, when a loan of £1 000 from the Frontier Bank was deemed necessary to meet current expenses, the Council could not manage to meet her liabilities. The habit of borrowing money became the only means whereby the Council could maintain its public responsibilities. In 1863, in spite of the prospect of the municipal rate about to be collected, the Council considered it advisable to call a ratepayers' meeting to approve a larger loan to become free of debt.³³ Under the terms of the Act of Incorporation, the Council could borrow up to $\frac{1}{3}$ of the municipal rates for 10 years, provided that this loan was the only one and had been taken up by public tender. At a Council meeting it was decided to ask the ratepayers' meeting for authorisation to borrow £10 000, leaving the Council free to contract several smaller loans whenever required. The motion finally passed the meeting of ratepayers.³⁴ The Council called for tenders for £5 000 loan on the security of the municipal rates but none ventured to risk that security.³⁵ The only avenue left for raising such a sum was, as Councillor Birkenruth, Chairman of the Finance Committee argued, to mortgage the town lands.³⁶ They estimated the value of the lands at their disposal at £6 590 and planned to mortgage for not less than £5 000. With Grahamstown suffering at the beginning of the depression, a further rate would never be approved and it was felt that the sale of large amounts of municipal land was a short-sighted policy, apart from the fact that land prices were depressed. In reply to the Council's application to the Governor for permission to mortgage the land at the Council's disposal,³⁷ the Colonial Secretary

³²G.T.J. 28-8-1865.

³³G.T.J. 1-9-1863.

³⁴G.T.J. 11-9-1863.

³⁵G.T.J. 22-9-1863.

³⁶G.F.J. 1-12-1863.

³⁷G.F.J. 22-12-1863.

refused such a blanket request. There was no objection to the mortgage of the lands granted for the Grey Reservoir provided the sum raised was expended on behalf of that Reservoir.³⁸ The financial needs of Grahamstown's municipality were more complex than the Colonial Secretary realised.

There seemed no option but to hold a municipal land sale. The financial demands of Grahamstown's water supply were considerable, but there were other equally urgent demands. Such were the municipal straits that the revenue from a sale of the land granted to defray the costs of the Grey Reservoir, would have to be used to defray costs in other directions. Several grants of land had been made for the expenses of the Grey Reservoir. A land sale of 1861 brought in £5 644 which did not manage to cover the entire expenditure but the Commissioners were confident that with other land sales the debt would be cleared.³⁹ The immediate demands which the Council had to meet in 1864 were to liquidate their debts: specifically to meet the long standing claims of Theophilus, Richards and Co., to pay the Frontier and Eastern Province Banks and redeem the bond held by the Hon. George Wood on Clapperton's property.⁴⁰ A measure of the situation the Council found themselves in during 1864 can be gauged from the emphatic announcement from the Chairman of the Finance Committee that the Council was not bankrupt.⁴¹ As a temporary measure he had called on all Councillors to affix their names to the renewal of a Promissory note held by the Bank, a measure demanded from the Bank.⁴² This did not meet with all Councillors' approval. £5 107 was realised at the municipal land sale. The Mayor and Councillors were themselves among the buyers, but certainly not to an extent that suggests undue land speculations. Their involvement is a measure of their realisation of the severity of the situation. Naturally they were also hopeful that such land would prove an investment after the depression. Though

³⁸G.T.J. 20-2-1864.

³⁹G.T.J. 30-11-186 .

⁴⁰G.T.J. 8-8-1864, 9-9-1864 and 12-9-1864.

⁴¹G.T.J. 19-1-1864.

⁴²Ibid.

the Council received more land grants and held several more land sales in an effort to clear outstanding liabilities and raise money for new water schemes, these were on a much smaller scale than that of 1864. Having staved off bankruptcy, the Council did not wish to alienate all her meagre assets, the most valuable of which was her possession of municipal lands.

The cycle of credit began again. In order to finance the construction of the Douglas and Hamilton Reservoirs, completed in February 1867⁴³ and October 1868,⁴⁴ the Council relied on municipal credit. In 1863 Councillor Penn, in spite of the gathering financial storm of the 1860's, compounded of expenses of Town Hall and water supply, voiced the general financial optimism of the Council and their firm belief in the importance of Grahamstown's civic role. He declared that "no nation ever became great or rose from barbarism to any degree of perfection in the arts and sciences before she got into debt".⁴⁵ Grahamstown's Town Council, in their efforts to secure that most important civic benefit, a sufficient and reliable water supply, did not flinch from the inevitable extraordinary loans to cover costs. In 1866 the Frontier Commercial and Agricultural Bank advanced them £2 000 on account of the water supply,⁴⁶ followed by a further £1 000 in 1867.⁴⁷ Then in 1868 the Council submitted a memorial to the Governor praying for his permission to mortgage the existing reservoirs and water plants of Grahamstown and the remaining lands granted to the Council for water purposes, for not more than £10 000.⁴⁸ The Governor's permission was granted. The Council's aim was, by calling for tenders for such a loan, to be able to pay off all existing debts which had arisen from municipal expenditure for an increased water supply. Advertisements for tenders for a mortgage loan of £6 000 were published in The Cape Argus, The Eastern Province Herald and The Journal.⁴⁹ The terms outlined in the advertisements were a rate of

⁴³C.M.B. 22-12-1865 and 22-2-1867.

⁴⁴G.T.J. 5-10-1868.

⁴⁵G.T.J. 24-2-1863.

⁴⁶C.M.B. 20-7-1866.

⁴⁷C.M.B. 13-9-1867.

⁴⁸C.M.B. 2-10-1868.

⁴⁹C.M.B. 7-11-1868.

interest of 6% on a loan for 21 years, £1 500 to be repaid every five years from a sinking fund to be formed for the purpose of paying off all the existing liabilities of the Council. This move towards a consolidation of the municipal debt and the foresight of the establishment of a sinking fund marks a more sophisticated attitude to the Council's financial affairs. The accumulated debt of the 1860's had been built up from the legacy of debt from the Municipal Board, no rate in 1862 and ever increasing expenditure, especially in the purchase of a new Town Hall site and the increased water supply works. The Town Council had early become aware of the need to revise the Act of Incorporation with particular reference to the municipality's financial and credit facility provisions. The necessity for revising the Council's financial legislation was especially felt after the crisis of the Additional Police Rate, in 1867.

The Additional Police Rate, owing the Civil Commissioner and Resident Magistrate from the Council, had fallen into arrears since 1862. By 1867 it totalled £1 806. 8. 8.⁵⁰ Mr Graham, Civil Commissioner and Resident Magistrate, had intimated to the Mayor that he had no option but to sue the Town Council in the Eastern Districts Court for payment of these arrears. He had received instructions to discontinue the Additional Police, unless such arrears were forthcoming.⁵¹ This would have meant a serious curtailment of the exercise of law and order on the streets of Grahamstown, effectively removing all policemen on street patrol duty. Since 1857 Grahamstown had had the benefit of ten Additional policemen who had patrolled the main areas of Grahamstown in day and night shifts. Half the cost of the maintenance of this police force was contributed by the ratepayers through the Town Council, the other half paid by the government. At the prompting of the Municipal Board, a public meeting of ratepayers in September 1857⁵² had unanimously agreed to this arrangement. Grahamstown was probably one of the first

⁵⁰C.M.B. 15-2-1867.

⁵¹C.M.B. 1-2-1867.

⁵²G.T.J. 22-2-1867.

Municipalities to take advantage of the terms of Act No. 15 of 1857.⁵³ The Police Rate had faithfully been met by the Commissioners until 1862 when the municipal rate had been refused. With this refusal, the £356.12. 3. Police rate was likewise unable to be paid to the Civil Commissioner and Resident Magistrate. Even when the ordinary municipal rate of 1/- in the £ was assessed again from 1863, the Council, harried by what they considered more pressing demands, did not contribute their annual share. The Council had hoped that the government would refrain from pressing this debt until the extraordinary expenses of the Town Hall and water supply had been met and the ordinary Council revenues could be allotted to their usual functions. The notification that the Council was about to be sued in the Eastern Districts Court left no alternative but to call a meeting of ratepayers⁵⁴ to receive permission to assess an additional rate to cover such arrears. By the terms of the Act of Incorporation, any rate levied over and above the 1/- in the £ limit, had to receive the sanction of a ratepayers' meeting.

This crisis resulted in the most vociferous and disturbed ratepayers' meeting since Incorporation. On 22 February 1867 between 350 and 400 ratepayers assembled in the Albany Hall.⁵⁵ The opportunity to voice their many criticisms of the Council's financial management, made more heated by their experience of the general depression and insecurity of business in the town itself, was seized with alacrity by the ratepayers. The meeting was so long and disorderly that it was adjourned for two weeks.⁵⁶ The Mayor had to telegraph the Colonial Secretary to request a reprieve until the results of the meeting were available.⁵⁷ The Council was heavily criticised at both meetings for its purchase of the Town Hall erf in Church Square, the retention of Clapperton's property in High Street, the "excessive"

⁵³ Act No. 15 of 1857.

⁵⁴ C.M.B. 8-2-1867.

⁵⁵ G.T.J. 22-2-1867.

⁵⁶ G.T.J. 11-3-1867.

⁵⁷ C.M.B. 15-2-1867.

salaries and expenses of the Town Offices, notably that of the Town Clerk, and the fact that the arrears of Police Rate had not been published with the general Municipal Estimates each year. The most unexpected and significant attack on the Council was led by the Hon. George Wood. He emphasized each of the above criticisms vehemently, despite the fact that the matter of the Church Square Town Hall site had been approved during the Mayoralty of his eldest son. His proposal of five points of suitable economies to be practised by the Town Council and a revision of the additional police system, was passed enthusiastically by the meeting.⁵⁸ Mayor Kennelly, in a very difficult situation, had to point out that the purpose of the meeting was for the passing of a rate and any other resolution would merely be considered by the Council as a recommendation. The Hon. G. Wood, however, attempted to make the grant of a rate of 9d in the £, conditional on the implementation of his first proposals. Mr Gowie rapidly moved that a rate of 9d in the £, to be paid in four, three monthly instalments, be granted, as well as authorisation for the Council to borrow the whole sum needed, pledging the rates as security. With the show of hands the Mayor declared Gowie's motion had won and the meeting broke up, literally, in an uproar.⁵⁹ The account of this riotous meeting in The Anglo-African, though less full, notes that the Mayor and Councillors seized their moment of victory to escape from the stage through the back entrance, while Wood's supporters, suspecting that they had been deceived during the last vote, returned to the Hall to renew the fray, only to find the Council had made good their escape from controversy.⁶⁰

The Council had narrowly escaped the indignity of a court case advertising their parlous financial state and Grahamstown the loss of prestige and law and order which would have followed her loss of police. It is interesting to note that, as early as this, Councillor James Wood mentioned, as argument for the rate, the importance of the maintenance of police, to secure the educational reputation that Grahamstown already was "pluming" herself upon. Such a riotous and near disastrous public meeting illustrated most

⁵⁸ G.P.J. 11-3-1867.

⁵⁹ Ibid.

⁶⁰ A.A. 9-3-1867.

strongly the advantage the Town Council had over the Municipal Board in that they could levy the annual 1/- in the £ rate, without recourse to the dubious benefit of calling a ratepayers' meeting each year. On the other hand, such a meeting clearly illustrated the general economic depression and the ratepayers' reluctance to contribute to civic funds without gaining something definite in return. The public meetings provided an opportunity for definite criticisms which, however well or ill based, possibly needed to be levelled publicly against the Council. The Council had not been guilty of anything more than lack of foresight, in not raising the problem of the Additional Police Rate sooner, and somewhat too ambitious, too soon, in the matter of the Town Hall erf. The most sensible remark of the evening at the ratepayers' meeting came from Councillor King who reminded the meeting that in their zeal for retrenchment they should not stop the progress that they had made so far.⁶¹ The tone and attitude of the meeting certainly emphasized the urgency for a revision of the Act of Incorporation and the extension of the credit powers of the Additional Police Rate.

The Council's narrow victory over the Hon. George Wood, at the public meeting, was short-lived. When the additional police rate was being collected, Wood refused to pay his paltry sum of £10.14. 6., because he claimed that the rate had not been granted by a majority of ratepayers at the public meeting and so the Council rate had no validity. This stubborn opposition led to a Court case highly unbecoming to Grahamstown's civic dignity. The Town Council were obliged to sue Wood for his police rate.⁶² In November 1868, the court had to attempt to ascertain what exactly had taken place at the riotous second public meeting in March 1867. What emerges from a close reading of the evidence of Councillors and citizens alike, is the state of confusion, worse confounded, that prevailed. According to Hon. George Wood and his son, Benoni Horace, Councillor, the latter had demanded a poll after Gowie's motion had been put, only to be refused by the Mayor. The question turned on whether a majority had voted for the rate or not. Mayor Kennelly's evidence stated: "No means were taken to count the hands held up at either

⁶¹G.T.J. 11-3-1867.

⁶²G.T.J. 12-10-1868.

meeting; it was impossible. I judged from the general appearance. I am rather short-sighted, but I had the aid of glasses I saw everything, as well as if it had been daylight.⁶³ But in the noise and confusion (some estimated 200 at the meeting, others 700) no-one appeared sure which proposal was being put. R.W. Nelson declared that he rather thought it had been his brother who had voted with both hands and an umbrella "on all sides" of the question.⁶⁴ Unfortunate Mayor Kennelly's conduct in leaving the meeting hurriedly after the poll had been demanded, on the advice of certain Councillors, came in for a deal of adverse criticism. He was described as having "bolted ", by Anthony Mathews,⁶⁵ who declared he had seen Mayor and Councillors running away outside the Hall. R. Orgill, coach and cartmaker, who apparently had had possession of a bottle during the meeting, stated the Mayor was "bustled and jolted and skedaddled ". Jonathan Ayliff, lawyer for his father-in-law, the Hon. George Wood, came to the conclusion that the "old gentleman" (i.e. the Mayor) had lost his head towards the end of the meeting. James Wood, in his defence of the Mayor, declared boldly that he "did not go out on all-fours; he walked erect, the Town Clerk bringing up the rear".⁶⁶ Dean Williams commented ironically that as the rate was difficult to get, the Mayor had managed the matter very well. But the Mayor rested his case on the fact that under the provisions of the Act of Incorporation, it was necessary for two or more people to demand a poll before such could be granted.⁶⁷

C.H. Huntley, Resident Magistrate, gave judgement for the Town Council, with costs.⁶⁸ The Hon. George Wood was not to be so easily defeated, and gave notice of his appeal to the Supreme Court.⁶⁹

⁶³ G.T.J. 16-10-1868.

⁶⁴ Ibid.

⁶⁵ See Appendix G: Councillors.
Anthony Mathews was not a Councillor in 1867 at the time of the public meeting, but was first elected later.

⁶⁶ G.T.J. 16-10-1868.

⁶⁷ Ibid.

⁶⁸ Ibid.

⁶⁹ G.T.J. 26-10-1868.

Ironically, in this matter, his Eastern scruples took second place, as he sought judgement above the Eastern Districts Court. The Hon. George Wood finally won. The Supreme Court gave judgement in his favour.⁷⁰ This episode has a Dickensian suggestion of caricature about it. The Hon. George Wood had won his individual victory, but more than that, the validity of the 9d police rate was no longer allowed. The Council were forced to assess an extra 6d rate during 1869.⁷¹ The Council were determined not to fall into arrears with the police rate again, and so had adopted a system of paying each instalment monthly in advance. The Civil Commissioner and Resident Magistrate had suggested such a system after the original two disturbed public meetings.⁷² This system worked well.

The passage of the Public Bodies Debts Bill during the Parliamentary session of 1867 served as a further reminder of the need to reorganise Grahamstown's finances. The situation faced by Grahamstown's Town Council in a possible court case over the Additional Police Rate was hardly unique during the 1860's of financial difficulty which had affected public bodies throughout the Cape. The Bill was designed to provide the legal procedure for just such eventualities. Grahamstown's Town Council's reaction to the terms of this Bill during its early readings, serves both as an illustration of how Eastern to a man the Councillors were and how openly involved in all matters of finance possibly connected to them. The Finance Committee was set to consider the terms of the Public Bodies Debts Bill and report thereon to the Council.⁷³ A Special Meeting considered the Report and a motion was carried to send petitions embodying the points of the Report to both houses of Parliament, to be presented and supported by Grahamstown's members of Parliament.⁷⁴ The main objection to the Bill was ably presented and argued by Wood, Godlonton and Hoole in the Legislative Council. It was a typically Eastern and especially Grahamstown concern. The Bill had made no provision for

⁷⁰ G.T.J. 31-5-1869.

⁷¹ G.T.J. 14-6-1869.

⁷² C.M.B. 29-3-1867.

⁷³ C.M.B. 10-5-1867.

⁷⁴ C.M.B. 22-5-1867.

such judgement cases, involving public bodies empowered to levy rates, to be tried in the Eastern Districts Court, but only in the Supreme Court. The Grahamstown members won the day; the Bill was amended to include both Supreme Court and Eastern Districts Court as having jurisdiction in such cases.⁷⁵

The Grahamstown Municipality Act of 1869 had two major financial provisions. It extended the borrowing powers of the Council and it completely altered the methods of assessment of rateable property. The system of assessment had received complaint and criticism even in the days of the Municipal Board⁷⁶ and had been the cause of no rate being granted in 1862. It had been felt, from 1861, that the fairest method of assessment was to employ an assessor who would assess all properties for a set fee. The only tender which had been received by the Commissioners in 1861 had been regarded as too expensive⁷⁷ and so the old methods had been used in creating the municipal assessment role of 1861 which provoked the refusal of a rate. By the terms of the 1861 Act of Incorporation no assessor was provided for; instead the methods of assessment were outlined as fairly complex procedures, and not always reliable. Printed schedules were to be delivered to each householder to make out, filling in the annual rental of the house or the estimated annual value of the property, if no rent was paid. These schedules were to be returned to the Council for the compilation of an assessment roll. The Council had the right to query and alter information on such schedules after an interview with the person responsible, and to assess a rate themselves for any ratepayers who had not returned schedules or presented themselves before the Council when so required. The Council held too, an annual "court of the Citizens' roll" which reviewed thoroughly all and various complaints against the assessment roll and thereby the rates which had to be paid. This system was open to all sorts of abuses and misrepresentation and involved the Councillors in

⁷⁵G.T.J. 29-5-1867.

⁷⁶Hunt, Municipal Government, p. 218.

⁷⁷Ibid., p. 179.

much sheer hard labour each year in checking the assessment roll and in hearing and judging objections to the roll. An Assessment Committee had to be appointed and a Court for hearing citizens' complaints.

It was soon realised that this method of assessment was not satisfactory. The Report of the first Assessment Committee in 1862 recommended the appointment of an efficient valuator.⁷⁸ The Finance Committee recommended that tenders for such a man be published but withdrew the motion after consideration that the Act of Incorporation did not allow for such a change.⁷⁹ The Journal had a field day attacking the system every time the question of the revision of the assessment roll came round. It stated that it turned Grahamstown into "a school for scandal" and suggested an Act of Parliament to change the assessment provisions.⁸⁰ The problems of assessment were compounded by the provision for two bases on which an assessment was to be levied: either the estimated rateable value or the annual rental. In 1864 a memorial from 30 ratepayers requested the convening of a public meeting for the alteration of the mode of assessment.⁸¹ Ironically there was a delay because the Council was too involved in framing the Assessment Roll, but all Councillors applauded the principle of change. The considered opinion of the Mayor was that the existing form of assessment could not be changed without an Act of Parliament,⁸² so the status quo had to remain until 1869.

The provisions of the 1869 Act for the valuation of fixed property were that within three months of the passing of the Act the Council were empowered to appoint one or more "competent appraisers" to value all immovable property within the City for a period of three years. Though immeasurably more efficient, the appointment of appraisers brought different attendant problems for the Council to iron out. Tenders were called for from prospective evaluators.⁸³

⁷⁸G.T.J. 9-9-1862.

⁷⁹G.T.J. 24-3-1863.

⁸⁰G.T.J. 19-9-1864.

⁸¹Ibid.

⁸²G.F.J. 26-9-1864.

⁸³C.M.B. 16-12-1869.

An additional clause of Act No. 23 of 1869 stated that the Council could resolve to adopt the valuation of the Divisional Council as an alternative means of assessment. The Council appears to have wanted to explore avenues of co-operation with the Divisional Council. They had approached and entered into negotiation with the Albany Divisional Council on the possibility of employing the same evaluator and so sharing costs. The Divisional Council agreed.⁸⁴ Jno. Brislin's tender to evaluate all fixed property for £120, was accepted.⁸⁵ His Assessment Roll, drawn up for 3 years, appeared to put an end to the problems which had existed before 1869. The partnership with the Divisional Council was not altogether an easy one: the 1872 city valuation was carried out by Mr Brislin for the Town Council only, for £50.⁸⁶ In 1875 an approach to share evaluators came from the Divisional Council. The Town Council accepted on condition that they be allowed to approve the appointment of an evaluator.⁸⁷ When J. Welchman, Secretary to the Divisional Council and new evaluator, wrote asking for the Town Council's contribution of £50, they refused on the grounds that the Draft Assessment Roll was very defective.⁸⁸ After this conflict on the matter of evaluation, the Council preferred to appoint their own evaluator, on their own terms. C.J. Jones's tender for 1878 was accepted on very stringent and lengthy conditions.⁸⁹ The only difference made by the further municipal Act of Revision, No. 12 of 1878, was to extend the period of time, for each professional evaluator, to five years. In the interim between each five years, new buildings and alterations to old properties were re-evaluated by fresh tender.⁹⁰ The pattern of steadily increased efficiency in the sphere of property evaluation and rate assessment is clearly discernible through each stage of 1862, 1869 and 1878.

⁸⁴C.M.B. 17-11-1869 and 1-12-1869.

⁸⁵C.M.B. 22-12-1869.

⁸⁶C.M.B. 14-8-1872.

⁸⁷C.M.B. 3-2-1875 and 10-3-1875.

⁸⁸C.M.B. 1-9-1875.

⁸⁹C.M.B. 2-10-1878.

⁹⁰C.M.B. 12-1-1881 and 25-5-1881.

A radical change in the rate assessment was embodied in Act No. 23 of 1869,⁹¹ as a concomitant to the new means of property evaluation. Instead of the Council being allowed to levy a rate of 1/- in the £ without recourse to the permission of a ratepayers' meeting, the 1869 Act limited this rate to 1½d in the £. This seems to be explicable only in terms of the more stringent property evaluation rules which were in force from then on. The total rates collected following this Act did not show any marked drop from rates collected under previous assessments, in spite of the lower rate of assessment. It was found in practice that 1½d in the £ did not confer enough scope on the Council for extraordinary need, so the provisions of Act No. 12 of 1878 raised this limit to 3d in the £, before recourse to a Public Meeting of Ratepayers. A further provision regarding the assessment of rates was retained from the Act of Incorporation and has only recently been changed, in 1981. This was the exemption of all government property such as hospitals, schools, police stations and prisons, as well as all church lands, from paying any municipal rate. This provision was to have important later consequences in limiting the scope of municipal rating.⁹²

The Town Council was particularly jealous of its right to assess rates and other fees within the limits of the municipal boundaries and this brought them into conflict on several occasions with the Albany Divisional Council. In 1880 the Council carried a motion to communicate with other incorporated Municipal bodies in the Cape Colony requesting their views on the desirability of Parliamentary action being taken to restrain Divisional Councils from levying or imposing any rates within the limits of the boundaries of any incorporated town.⁹³ No parliamentary action appears to have been taken, but this motion certainly reveals the strength of the Grahamstown municipal views. There had long been occasional conflict with the Divisional Council over the issue of tolls established too close to, or even within, the municipal boundaries. The Grahamstown members of Parliament, notably Dr Atherstone, opposed the proposed removal of the Cradock Road Toll to the Grahamstown

⁹¹See Appendix A: Municipal Legislation.

⁹²Act No. 29 of 1861, section 62.
Act No. 23 of 1869, section 65.
Act No. 12 of 1878, section 8.

⁹³C.M.B. 6-10-1880.

Flats in Parliament in 1881.⁹⁴ In addition there was the matter of the Divisional Police in 1876. Certain Councillors protested most strongly against the Divisional Council's motion to levy a Divisional Police Rate on the Albany division, as Grahamstown's ratepayers would suffer unduly in such an assessment because Grahamstown formed so large a portion of the Albany division. The Mayor ruled that it was not within the Council's powers to put a stop to such a rate, so a protest and respectful letter were sent to the Divisional Council.⁹⁵ It was an accumulation of conflicts such as these that led to the attempt at uniting Municipal opposition in the Cape to what Grahamstown's Town Council regarded as an encroachment on municipal rating powers. Grahamstown's Councillors were nothing, if not bold in their outlook, whenever the financial rights or concerns of the city were at stake.

The extension of the Council's scope of credit facilities was much enlarged by the provisions of Act No. 23 of 1869. With the consent of the Governor, funds could be raised by sale or mortgage of land, or by the issue of debentures on the security of such land, to carry out public works or for any other important municipal purpose. The introduction of debentures as a source of extraordinary revenue was to be utilized fully during the following years. Such issue of debentures had to be accompanied by a mortgage of the land or property proposed as security. With the consent of a public ratepayers' meeting the Council had the power also to mortgage or charge by debentures, $\frac{1}{3}$ of the municipal rates for 10 years. A mortgage such as the latter could only stand as a single mortgage. The restrictions as to the size of loans and mortgages which had formed part of the 1861 Act were generally removed. Provision was also made for the automatic renewal or call for fresh tenders of any municipal loan, mortgage or issue of debentures due. The financial credit system was much more flexible; money could be raised by mortgage to redeem debentures or vice versa. There were specific provisions in the 1869 Act for floating a loan of £5 000 on the mortgage of certain municipal lands, in order to pay off the existing loan from the Frontier, Commercial and Agricultural Bank. These credit and borrowing facilities remained unchanged after the Act of 1878 had been passed.

⁹⁴ C.M.B. 9-2-1881, 30-3-1881 and 6-4-1881.

⁹⁵ C.M.B. 2-2-1876, 9-2-1876, 16-2-1876 and 23-2-1876.

In 1871 and 1872 it was decided to consolidate the Council's debt by means of the issue of debentures.⁹⁶ After each legal procedure had been followed, the tender of P.H. Hiddingh for debentures to the extent of £6 000 at a minimum of £2. 1. 0. per £100 was accepted.⁹⁷ The published purpose of these debentures was left general, to allow for the later call up of others for the purposes of increased water supply and/or the Town Hall. In 1875 an abortive attempt was made by several Councillors to call for debentures for these reasons.⁹⁸ It was felt that the municipal lands which would be needed as security for further debentures, were in short supply. In 1878, as a result of a large Government land grant for the erection of a Town Hall, the Finance Committee was authorised to call for tenders for debentures of up to £10 000.⁹⁹ The Council planned to establish a sinking fund in order to pay the principle in two instalments of 5 and 10 years. Seven tenders were received, ranging from Cape Town, Port Elizabeth, Grahamstown and "George Town".¹⁰⁰

The expenditure on behalf of the Town Hall was the major financial drain of the 1870's. In 1873 Mr Chapman's mortgage bond on the Church Square Town Hall erf was redeemed¹⁰¹ and the way opened for the raising of additional funds for the erection of the Town Hall. All avenues at the disposal of the Council were tried: land was applied for, land was sold, debentures were issued. The Council's financial ingenuity was taxed to the limit. Land applied for in 1873 was granted by the Government in 1874 and promptly surveyed.¹⁰² The Council had to wait over a year before it was in receipt of the land titles.¹⁰³ Immediately some portion of these lands was put up

⁹⁶C.M.B. 27-9-1871, 10-1-1872, 24-1-1872, 13-3-1872 and 20-3-1872.

⁹⁷C.M.B. 18-3-1872.

⁹⁸C.M.B. 24-3-1875.

⁹⁹C.M.B. 31-7-1878.

¹⁰⁰C.M.B. 13-11-1878.

¹⁰¹C.M.B. 1-10-1873.

¹⁰²C.M.B. 22-10-1873 and 11-2-1874.

¹⁰³C.M.B. 24-3-1875 and 5-5-1875.

for auction,¹⁰⁴ followed by further applications for other vacant land in the city. This piecemeal process continued throughout the 1870's, with long delays involved in waiting for titles and waiting for surveys. In 1878 the Council was finally granted further and larger plots of land towards the financing of the Town Hall and these were successfully sold in 1880-81.¹⁰⁵ Revenue from such sale of lands and the debentures issued in 1878 finally provided sufficient money for the Town Hall to be built by 1882.

The opening of the Douglas and Hamilton Reservoirs proved inadequate to resolve the shortage of water in the town. The Town Council was challenged by the problem of financing further schemes to improve the town's water supply. The Council utilized every opportunity to take advantage of government loan legislation. In 1878 the Council first applied for a loan under the Irrigation Act No. 8 of 1877 to construct a Reservoir at the Railway embankment near the Cradock Road.¹⁰⁶ Under the terms of the Irrigation Act the Council could not be granted such a loan but there was a possibility that legislation was to be passed which would make such a loan available.¹⁰⁷ In 1880 the Council tried once more, this time to raise a loan of £3 000 under the Irrigation Act, the reservoir and materials pledged as security for the loan.¹⁰⁸ This appears to have been successful,¹⁰⁹ as a further application was made in terms of this Act for a loan on behalf of the extension work at the Grey Reservoir.¹¹⁰

In spite of such works, in 1882 the town's water supply had to be

¹⁰⁴ C.M.B. 28-7-1875 and 18-8-1875.

¹⁰⁵ C.M.B. 11-9-1878 and 26-1-1881.

¹⁰⁶ C.M.B. 2-10-1878.

¹⁰⁷ C.M.B. 13-11-1878.

¹⁰⁸ C.M.B. 19-5-1880.

¹⁰⁹ C.M.B. 24-11-1880.

¹¹⁰ C.M.B. 15-9-1880.

restricted in availability to one day a week.¹¹¹ The only financial avenue open to the Council was the chance of a Government loan. In August a deputation of Councillors interviewed the Hon. John X. Merriman, Commissioner for Crown Lands and Public Works, on this subject while he was on a visit to Grahamstown. Merriman approved of a plan to erect another reservoir. He also consented to the Council's application for a loan of £13 000 to relieve their debts and to secure enough money for increasing the water supply.¹¹² The Council resolved to apply for such a loan and to obtain the services of Mr Gamble, the Hydraulic Engineer, for a survey and to advise them on a new water scheme. When Mr Gamble's Report came out the Councillors were divided over his costly recommendations. Prudence rather than enterprise won for a time.¹¹³ The Council decided to consider the question of increased water supply only after the estimates had been discussed the following February.

The Council constantly examined ways and means of increasing revenue from the water supply in an effort to balance the huge amounts of money required to provide water facilities. In 1875 the Council decided to introduce a Special Water Rate which would affect all establishments which used a great deal of water, such as Hotels, Boarding Houses, Boarding Schools, Livery Stables, Tanneries, Soda Water Manufactories and Bakeries to the tune of £5 p.a. for water.¹¹⁴ Such was the outcry and the numerous letters asking for partial or full exemption that the Finance Committee ruled that they should have the power to consider each individual case on its merits. This involved the Committee in a great deal of time-consuming work.¹¹⁵ Only exceptional cases escaped the new rate. In 1878 this water rate was more clearly defined. The rate of £5 would apply to any of the above establishments situated in any street with a main water pipe. All other buildings so situated would have to pay £1.10. 0. water

¹¹¹G.T.J. 22-4-1882.

¹¹²S.C.M.B. 15-8-1882.

¹¹³C.M.B. 11-10-1882.

¹¹⁴C.M.B. 23-8-1875.

¹¹⁵C.M.B. 18-10-1876.

rate. The Finance Committee remained the court of appeal.¹¹⁶ In 1879 £3 water rate was levied on all "Restaurants" situated in any main street through which the water pipes ran.¹¹⁷ In 1880 this rate was extended slightly to make the rate more equitable. The £5 water rate was applied to all premises which used machinery worked by steam, whether or not they were situated opposite a main water pipe.¹¹⁸ During the later years of the 1870's the matter of the water rate received particular attention and several attempts to increase it were considered, but public pressure was very great on this issue. The Railway Station was not exempt but had to pay the large sum of £200 p.a. for its large consumption of water. The Council adhered to this decision in spite of a query from the Resident Maintenance Engineer at Port Elizabeth.¹¹⁹ The Fire Insurance Companies did not escape either: the charge in the event of a fire was £10 for the first hour of service, followed by £5 for subsequent hours or fractions of hours.¹²⁰

It is clear from a study of the Council's minute concern in all matters of revenue that it was not through lack of financial detail and expertise that the Council was always out of funds. The case of the Pound is an instance in point. The question of the lease of the Pound was raised as early as 1864, when the pros and cons for such a move were thoroughly debated.¹²¹ The Pound was not a great source of municipal revenue but rather a necessary public amenity for the citizens of Grahamstown. To lease the Pound would bring in steady, regular income, without the expense of a Poundmaster's salary and, it was hoped, with fewer petty complaints which took up so much of the Pound Committee's time. On the other hand, as a memorial against the lease feared, it might well lead to "a system of sharp practice and petty tyranny".¹²² Though a lease might be considered more beneficial for the Council and probably more lucrative, such a step could interfere with the harmony of the town

¹¹⁶C.M.B. 18-9-1878.

¹¹⁷C.M.B. 14-5-1879.

¹¹⁸C.M.B. 21-7-1880.

¹¹⁹C.M.B. 19-1-1881.

¹²⁰C.M.B. 26-9-1878.

¹²¹G.T.J. 20-7-1864.

¹²²Ibid.

and even indirectly disturb its trade. All would depend on whether the lessee was a man of mercenary habit or not. But in spite of the fact that the Pound Regulations would have to be completely revised in preparation for such a lease,¹²³ the Council decided upon it. A minority were nevertheless not in favour of the idea; J.E. Wood mentioned the examples of Cradock and Burghersdorp where it had been tried and had not been a success.¹²⁴ But no tenders were received for the lease:¹²⁵ it must have been considered a bad financial risk and a very awkward position to hold. Attempted leases of the Pound were considered several times to no avail. A proposal in 1868 was not passed by the Council,¹²⁶ while a similar one in 1877 shared the same fate.¹²⁷ Finally it was raised again in 1881 and offered for tender.¹²⁸ This was probably occasioned by the death of Mr Currin, who had been Municipal Poundmaster for a very long time, and the difficulty of finding a suitable successor. Detailed conditions for the letting of the Pound for 1 year were worked out by the Committee,¹²⁹ to avoid any unpleasantness resulting from such a move. The temper of the town appeared fairly equally divided: a memorial of 100 was against the move, while 148 supported it.¹³⁰ The Pound had cost the Council a considerable amount during 1862- 82. As a result of various sales of lands and the growth of the town, the Pound had had to be moved twice: once in 1864¹³¹ and a second time in 1881.¹³²

¹²³G.T.J. 26-7-1864.

¹²⁴G.T.J. 1-8-1864.

¹²⁵G.T.J. 12-9-1864.

¹²⁶C.M.B. 24-1-1868.

¹²⁷C.M.B. 4-7-1877.

¹²⁸C.M.B. 15-6-1881.

¹²⁹C.M.B. 29-6-1887.

¹³⁰C.M.B. 29-6-1881 and 6-7-1881.

¹³¹G.T.J. 10-10-1864.

¹³²C.M.B. 19-1-1881.

It is through an examination of the Grahamstown markets and their revenue that the financial enterprise of the Councillors is best revealed. Though the depression of the 1860's caused market revenue to drop dramatically, it still represented an income of major importance, not merely for the Council but also the town. In addition to the daily market on Market Square, the Council was at some pains to encourage the establishment of further, more specialised markets. In 1863, following the Mayor's suggestion, a weekly Wool Market was established in Church Square.¹³³ This position was chosen for its proximity to the principal wool merchant establishments of Grahamstown, a significant indication of how vital the wool trade was to Grahamstown during the 1860's. Port Elizabeth had apparently led the way with the establishment of a wool market. The wool sale returns were very lucrative.¹³⁴ In 1864 it was decided to advertise these Church Square wool sales in however many newspapers the Market Committee considered necessary, in the hopes of informing more farmers and attracting some of the wool trade from Port Elizabeth.¹³⁵ The market dues on wool, as opposed to 2% on all other produce, interior or otherwise, were 1%, another indication of how important wool sales were considered. It is not clear when this wool market lapsed during the 1860's. That it did lapse partly suggests itself from the proposal in 1867 from

¹³³ G.T.J. 3-2-1863.

¹³⁴ G.T.J. 30-6-1863.

<u>Returns for the quarter ended 31 May 1863 : Wool Market.</u>		
Wool	107 713 lbs	£ 4 343. 2. 2.
(Wool	92 007 lbs not sold	£3874.8.10.)
Hides	3 322 lbs	30. 3. 3.
Goats and sheepskins	4643	228.12. 3.
Ostrich Feathers	84 lbs 15oz	197. 3. 7.
Ivory	813 lbs	161.13. 1.
Sundries		<u>14.10. 7.</u>
		£ 4 975. 4.11.
1% on Wool above	£ 43. 8. 8.	
2% other produce	12.12.10.	
1% on wool not sold	<u>9.18. 9.</u>	
	<u>£ 65.15. 3.</u>	TOTAL REVENUE

¹³⁵ G.T.J. 7-5-1864.

the Hon. Chas. Pote, requesting the Council's permission to establish wool and produce sales under Council authority at his wool stores in Dundas Street. This request was naturally refused by the Council.¹³⁶ Yet in 1867 a proposal was entertained by the Council to erect a shed on the Town Hall erf to store wool and produce brought to Grahamstown for sale.¹³⁷ Possibly it lapsed during 1867 - but by 1870, it was felt necessary to start another market in Church Square.¹³⁸ This was for sales of wool, cotton and general produce and special dues and Regulations¹³⁹ were framed for the business of these markets.

This market too must have lapsed, for, by 1875, the request for a re-establishment of a Produce market on Church Square came from the Grahamstown Chamber of Commerce. The Council agreed to hold such markets for produce such as "wool, skins, ivory, diamonds and ostrich feathers".¹⁴⁰ By 1878 the ostrich feather boom was well under way and the need was felt for a separate Ostrich Feather Market at which some other produce could also be sold. The Produce Market appears to have lapsed. A monthly Ostrich Feather and Produce Market was established, held first in Peter Pote's store.¹⁴¹ This was moved to the Assembly Room in Anglo African Street¹⁴² and to several other venues before finally moving to the Town Hall in June 1882. A public market for ostriches was declared and located on the City Lords;¹⁴³ clearly facilities on Grahamstown's Market Square were inadequate. This was forerunner to the establishment of Stock Fairs. The Albany Farmers' Association approached the

¹³⁶C.M.B. 11-1-1867, 25-1-1867, 1-3-1867 and 22-3-1867.

¹³⁷C.M.B. 22-3-1867 and 5-7-1867.

¹³⁸C.M.B. 2-11-1870.

¹³⁹C.M.B. 16-11-1870.

¹⁴⁰C.M.B. 10-2-1875, 17-2-1875 and 10-3-1875.

¹⁴¹C.M.B. 3-4-1878.

¹⁴²C.M.B. 24-7-1878.

¹⁴³C.M.B. 11-9-1878.

Council regarding the establishment of such Fairs. Council resolution duly brought them into being once a month to be held on a separate section of Market Square.¹⁴⁴ James Butler sketched an amusing picture of the hazardous occupation of bringing ostriches to the market. An African servant would precede the ostriches, running along the street and throwing down mealies to guide the birds, while horsemen brought up the rear, carrying whips.¹⁴⁵

With the increasing bulk of feathers for sale on the Ostrich Feather Market, an additional and separate Produce Market was necessary. Again the overture came from the Chamber of Commerce and found immediate favour in the Council's eyes.¹⁴⁶ A Wool and Produce Market was held in premises in High Street leased from Mr Page, first once a month, then once weekly as its popularity increased.¹⁴⁷ This Wool and Produce Market, like that first started in the 1860's, was advertised very widely. Advertisements appeared in all Grahamstown, Port Elizabeth, Adelaide, Fort Beaufort, Alice, Queenstown, Cradock, Burghersdorp, Aliwal North, Colesberg, Bloemfontein and Griqualand West newspapers.¹⁴⁸

The market figures of Grahamstown in 1882 reflect the vital role of the markets in attracting farmers and trade to town and so maintaining Grahamstown's commercial activity. From January to September 1882 the total sales on the Municipal market amounted to £30,034. 4. 5. The Council's revenue from these sales was £775.17. 4.¹⁴⁹ The Ostrich Feather Market realised £87,667.14. 0. total sales from 20 January to 8 December, considerably more than

¹⁴⁴ C.M.B. 10-12-1878 and 17-12-1879.

¹⁴⁵ James Butler, Jim's Journal 2-7-1877 C.L. PR 3482.

¹⁴⁶ C.M.B. 16-7-1879.

¹⁴⁷ C.M.B. 23-7-1879, 6-8-1879, 13-8-1879 and 10-12-1879.

¹⁴⁸ C.M.B. 13-8-1879.

¹⁴⁹ G.T.J. 27-12-1882.

the traditional market.¹⁵⁰ Municipal revenue from these sales was £876. 5. 0. Market dues on both ostriches and livestock had been pegged at 1%: a sure indication of their importance to the town as well as the Municipality.¹⁵¹ The average monthly sales of the Stock Fairs were between £5 000 and £6 000 a month during 1882. Cattle, sheep, goats and the ubiquitous ostriches found a market. In March the Council decided to invest in an increased number of pens and improved facilities for the convenience of buyers. In a year of financial difficulty this outlay of funds is a further indication of how valuable a source of revenue this was for both Council and town. The Journal heartily approved of these municipal measures and clearly estimated their value of adding "to the popularity of the fairs and the prosperity of the town".¹⁵²

By 1882 the Town Council had realised their ambition of twenty years: a Town Hall of sufficient civic dignity and character to have been worth all the financial struggles. But the impressive facade of the Town Hall could not conceal the shaky state of the Municipal finances - almost as doubtful in 1882 as they had been when Grahamstown was first incorporated as an autonomous Municipality in 1862. The very night before the opening of the Town Hall the reluctant decision had been taken that the services of the City Engineer, Mr Arthur Reid, the first qualified City Engineer, employed by the Council since 1879, had perforce to be dispensed with in September. The full irony of the situation lay in the fact that Mr Reid had been responsible for supervising the erection of the Town Hall and had also designed the furniture and mural decorations. George Wood jun., first and most respected Mayor of Grahamstown expressed his view during the celebration of the opening of the Town Hall that some other means of retrenchment could surely have been found. But the Council remained reluctantly adamant. The wheel had turned full circle. Nevertheless in 1882 in spite of their usual financial straits, the Council could not only congratulate

¹⁵⁰ G.T.J. 29-12-1882.

¹⁵¹ C.M.B. 15-9-1880 and 19-1-1881.

¹⁵² G.T.J. 30-3-1882.

themselves on the achievement of the Town Hall, but face future municipal depression and debt with confidence that they had well served their financial apprenticeship.

CHAPTER FOUR

PUBLIC WORKS

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PUBLIC WORKS.

A measure of the civic achievement of Grahamstown's local government may be assessed through the provision of public works for the citizens of Grahamstown. Such assessment reveals not merely the uses made of public money and whether it was wisely spent on the public behalf, but also the concepts of public works in mid-19th Century Grahamstown. The nature of the public works engaged upon indicates significantly the areas of Grahamstown Council's concern. Major themes of civic endeavour in the 1860's and 1870's were the provision of a secure and sufficient water supply for all citizens and the erection of a suitably magnificent Town Hall to reflect the Council dignity. The order of priorities was that of civic responsibility for public amenities first, followed by the creation of the symbols of civic pride and consequence. The first Grahamstown Town Council prided itself on the fact that Grahamstown had a water supply, while Port Elizabeth first directed its energies towards a Town Hall. But from 1862 onwards shortage of finance was a serious problem for the Council.

The provision of an adequate water supply was a major objective from the days of the Board of Municipal Commissioners. The importance of such provision was early realised, not least because it affected the health of citizens. A sufficient water supply remained the most important area of civic concern throughout the 19th Century and continues to pose problems for the City Council of the 1980's. The decision by Ensign Stockenström and Colonel Graham to site the town near the source of the Blaaukrantz, major tributary of the Kowie, which, it was anticipated, would provide a good water supply for the headquarters of the troops, proved an ironic choice. Such expectations were not realised. The search for a more than sufficient water supply for Grahamstown was a challenge which taxed the enterprise of successive Municipal Boards and Town Councils to the limit. The achievements of the Board of Commissioners, with the

very limited means of raising money at their disposal, displayed ingenuity and their advanced notions of civic responsibility. At a time when English cities like Leeds and Birmingham did not have piped water to all sections of the towns, and in the Scottish capital city of Edinburgh, water was still being sold in the streets, the Grahamstown Municipal Commissioners had, in 1844, placed their first order for iron water pipes from the Birmingham firm, Theophilus Richards and Co.¹ The pattern of the Board's initiative after 1844 was that of the provision of reservoirs and dams enough to provide a reliable flow of water through the increasing network of pipes laid along the major streets of the town. Water leadings from the main pipes had been granted to 107 property owners who lived in 22 streets by 1855.²

The factors which forced such early recognition that the provision of water was a civic responsibility, were typical of most Cape towns in the 19th Century. Natural water supplies were scarce and unreliable and droughts frequent. The capital outlay for the erection of dams and the requisition of water pipes was so great as to preclude the involvement of private enterprise in the provision of water for townspeople. Conditions in England were rather different. In many of the emergent cities and populous places, private companies made themselves responsible for a town's water supply. Such private enterprise ventures were generally lucrative. It was only gradually that the idea of municipal control over such a vital civic necessity of life and health, was accepted. This occurred concurrently with the widening concepts of municipal authority and responsibility which took place notably in Chamberlain's Birmingham. The Royal Commission on the Health of Towns in 1844-45 had advocated municipal control of a town's water supply.³ Translated into civic practice, these recommendations had

¹K.S. Hunt, *The Development of Municipal Government in the Eastern Province of the Cape of Good Hope, with Special reference to Grahamstown (1827-1862)*. A.Y.B. 1961, p. 191.

²Hunt, Municipal Development, p.193.

³E.P. Hennock, Fit and Proper Persons. Ideal and Reality in Nineteenth-Century Urban Government, p.207.

firstly to be accepted within the legislative framework of individual corporations. Such principles were often included in various Acts of incorporation of certain new municipalities after the Commission Report, but were not acted upon until a realisation of changed civic conditions dictated. Such adoption of the Royal Commission's recommended practice, when it occurred, was the result of very different civic motives. The Leeds Corporation purchased the private company which supplied Leeds with water in 1852, while Birmingham Corporation only succeeded in doing so in 1875.⁴ The reasons behind the early venture in Leeds were a serious drought, the urgent necessity for a search for new water sources and the contemplated construction of a new sewerage system for the town.⁵ The Birmingham Water Works Company, on the other hand, had provided good general service for the city. Yet the high water rate in the poorer districts led to excessive use of contaminated surface wells. The health principle of the necessity of Corporation control of the water supply works was accepted by the Birmingham Corporation in 1869 but Councillor apathy prevented any action. It was only after Chamberlain had master-minded the purchase of the Gas Works and a smallpox epidemic in 1874 had forcibly focussed Council concern on sanitary matters, that Corporation unanimity called for the purchase of the Water Works. The Birmingham Corporation Water Works Act became law on 2 August 1875. Despite the Company's vain opposition, the Corporation had control of Birmingham's water supply.⁶ What is significant to note in both cases, is that such civic control was not utilised to provide excessive Corporation profit through high water rates, but to provide cheap water for all citizens and so safeguard the health of the cities.

The idea of the formation of a public Company to supply Grahamstown with water was actually the subject of a serious motion on the

⁴ A. Briggs, Victorian Cities, p.225.

⁵ Hennock, Fit and Proper Persons, pp.205-207.

⁶ Ibid., pp.121-123.

Council during 1865 when drought had again rendered acute the shortage of water. Councillor King moved that a Committee should be appointed to submit plans for the formation of such a Company for the better supply of water to the city. His sanguine expectation was that the profits of such a Company would be able to secure not only the water supply, but also build the Town Hall and relieve the Corporation debt with no extra contribution from the ratepayers. He conveniently forgot the ratepayers would pay for the water. He suggested a Joint Stock Company with £5 shares and gave a lengthy exposition on English precedents for the formation of such a company, and went back to the reign of James I. This motion illustrates how consciously aware certain Councillors were of English precedents. The ideas expounded within the Council were certainly on a large and imaginative scale. Within the context of Grahamstown's situation in 1865 such a proposal was not realistic. It was the bluntness of Councillor Shepperson, who pointed out that Grahamstown needed a new reservoir, not a new Company, which carried the day.⁷ The small size of Grahamstown, the lack of capital during the depression and the difficulties presented by the construction necessary to ensure an adequate water supply, meant that the water rate would have had to remain prohibitively high for such a Company to pay a dividend. The Council provision of water for the city during the 1860's and 1870's made a substantial demand on Grahamstown's meagre financial resources and the water rate invariably did not cover general municipal water expenses.⁸

The solution of the Board of Commissioners and afterwards the Town Council was the same: the answer lay not in companies but in the construction of dams. The superb efforts of the Commissioners who had pledged their private credit to finance the Reservoir had resulted in the construction of the Grey Reservoir named after the then Cape Governor, Sir George Grey.⁹ This dam, it was confidently

⁷G.f.J. 19-6-1865.

⁸See Chapter 3: Municipal Finance.

⁹Hunt, Municipal Development, p.198.

expected, would solve all Grahamstown's immediate and future water supply problems. Sir George Grey, in his speech on the occasion of the official opening of the Grey Reservoir, expressed concisely his appreciation of the vital importance of a secure water supply. "Upon a sufficient supply of this, the most necessary element of life, depends in a great degree the health, the comfort, the cleanliness, and in part, the morality of the inhabitants of any city."¹⁰ Such sentiments were heartily applauded by the Commissioners. The Journal greeted the ceremonial opening of the Grey Reservoir in ecstatic vein: "Happy moment! Payment in full for toil, losses, responsibilities and civic grumblings!"¹¹ It was an opportunity for Grahamstown to revel in civic pride. The formal addresses and the opening of the sluice valve were followed by Archdeacon Merriman's prayer and the National Anthem. Finally the dignitaries were ferried across the dam in boats to the refreshment booth on the other side. The scene was exceptionally colourful with small craft of varied descriptions which added to the festive welcome of the Governor.

Immediately after the triumphal opening, The Journal acted as the civic conscience of Grahamstown, in an attempt to spur the civic authorities to greater ambitions in public works. They reminded the Board the city drainage needed attention for health and sanitary reasons. In addition the editorial suggested tentatively the importance of the foundation of a College for higher education in Grahamstown.¹² This is an interesting proposal, especially as early as 1861, and suggests the awareness of certain members of the Grahamstown community that the scope of civic amenities should include educational facilities.

The capacity of the Grey Reservoir was not enough to tide Grahamstown over the drought years of the 1860's. That the newly incorporated

¹⁰G.T.J. 26-1-1861.

¹¹Ibid.

¹²G.T.J. 29-1-1861.

Town Council managed to meet the crisis of these years, despite their financial strait-jacket, is a remarkable achievement in itself. By 1865 the Council was brought to the reluctant realisation that the only solution to the water shortage was the construction of yet another dam. The end results were the Douglas and Hamilton Reservoirs constructed with the aid of the military. As with all water schemes the initial discussion of sites and consideration of finance were lengthened by the opinions of so many Councillors who, in the absence of qualified professional advisers, ventured widely different solutions. In this regard the assistance of Colonel Hamilton, the officer commanding the Royal Engineers, was invaluable. The way in which military aid came to the Council's rescue is a comment on how parlous the water situation had become in Grahamstown by the mid-1860's. Initial pressure had been exerted on the Council by a memorial from 228 citizens, to urge the necessity for another Reservoir.¹³ The February estimates had allocated a sum of money for such a purpose, but the matter was only referred to the Board of Works after receipt of the memorial. The Report of this body presented a plan for a new reservoir situated in the gorge above Fort England. Such a dam the Board optimistically hoped, would hold an estimated 11,000,000 gallons of water and cost £2,500.¹⁴ The plan was adopted after two lengthy sessions of debate which rejected a suggestion to raise the level of the Grey Reservoir, and altered the plan to include a curved wall for the proposed dam.¹⁵ In December 1865, such was the enthusiasm of certain Councillors for what was yet still only a "contemplated" Reservoir, that a proposal was made to request Governor Wodehouse to permit the Council to name the dam after him. The matter was deferred.¹⁶ Ironically neither the Fort England Reservoir nor the Governor's popularity ever became established in Grahamstown. Six months delay had exacerbated the water problems of the town to such an extent that serious complaint was made by the military.

¹³G.T.J. 5-6-1865.
C.M.B. 2-6-1865.

¹⁴G.T.J. 9-8-1865.

¹⁵G.T.J. 21-8-1865.

¹⁶G.T.J. 15-12-1865.

A special Council meeting was called to consider a letter from the Military Secretary to the Commander of the Forces on the subject of the water supply of the troops and which offered the services of military working parties to assist with construction work. The entry in the Council minutes shows several lines, relative to the letter, crossed out. They read as follows: "that if a better supply of water was not provided for the troops they would be removed from Grahamstown."¹⁷ The military had only recently returned to Grahamstown as their headquarters in 1864, after two years spent at King William's Town. They returned to a Grahamstown suffering from the depression and drought of the 1860's.¹⁸ Their threat would have had the desired effect. Judiciously omitted, this statement yet indicates the gravity of the situation from both military and civic viewpoints. The Council considered the letter in Committee and duly formulated their plan of action. Sir Percy Douglas, Lieutenant Governor and Commander of the Forces, was requested to receive a Council deputation. The Mayor and Councillors Caldecott and Shepperson were nominated to lay the Council case before Sir Percy Douglas. The most pertinent resolution called on the City Solicitor to serve notice on Mr Morgan, contractor for the construction of a dam in No. 2 Water Kloof, that unless the contract was signed by the next week, the work would be proceeded with by the Council at his expense or as otherwise determined.¹⁹

This projected dam in No. 2 Water Kloof had been an additional proposal of the Board of Works in October 1865.²⁰ Mr Morgan's tender, at the low estimate of £195, had been accepted. The Board of Works was to be responsible for the puddling and laying of pipes. The total estimated cost was £285.²¹ Mr Morgan's delay in signing the contract and starting the work, had added to the Council dilemma

¹⁷ C.M.B. 30-12-1865.

The Mayor, J.E. Wood, signed the altered version.

¹⁸ See Chapter 2: The Economic Position.

¹⁹ C.M.B. 30-12-1865.

²⁰ B.V. & L. 10-10-1865.

²¹ C.M.B. 13-10-1865 and 17-11-1865, and
B.V. & L. November 1865.

in the face of the military ultimatum in December 1865. The reluctant contractor duly signed the contract and undertook to start work at once, after the reminder of the City Solicitor.²² The drought worsened, however, and by July 1866, the Contractor stated he was unable to proceed with the work. Mr Morgan's contract was cancelled and he received half his contract money for the work started.²³ The Board of Works and Lands had increasingly realised, during those 6 months, that the only practicable solution to the water crisis, was to seek military co-operation. Permission was obtained from Sir Percy Douglas to employ military labour and, more significantly, draw on the expertise of Colonel Hamilton of the Royal Engineers.²⁴

Colonel Hamilton undertook the supervision of the works at No. 2 Water Kloof, which was thereafter named the Douglas Reservoir after Sir Percy Douglas. He was ably assisted by Mr Hill, Inspector of Works. The construction of the Hamilton Reservoir was begun before the Douglas Reservoir was completed, on the other side of Signal Hill to the Douglas Reservoir. It was named after Colonel Hamilton in gratitude for his supervision of the construction of the Douglas Reservoir. Colonel Hamilton replied that he was happy to have his name associated with "any work which may tend to the benefit of the inhabitants of Grahamstown".²⁵ The Douglas Reservoir was completed about the end of February 1867 and had cost, up to 17 January, a total sum of £1038. 4.11., much more than the original estimation.²⁶ The Hamilton Reservoir, which was completed in October 1868, cost an estimated £1 863, a more realistic figure than that projected in April 1867.²⁷ Mr Hill, Inspector of Works, later stated that the overall costs for both reservoirs had been in the region of £3,000. This figure, taken in conjunction with the fact that each dam had a

²² C.M.B. 11-1-1866 and
B.W. & L. Report, pp.159-160.

²³ C.M.B. 27-7-1866 and
B.W. & L. Report, pp.241-242.

²⁴ C.M.B. 22-6-1866, 29-6-1866 and 6-7-1866.

²⁵ C.M.B. 12-4-1867 and 26-4-1867.

²⁶ C.M.B. 18-1-1867 and 25-1-1867.

²⁷ K.S. Hunt, 'The Story of Grahamstown's water supply',
Annals of the Grahamstown Historical Society 1976, pp.11-15.

capacity of about 7 million gallons,²⁸ meant that the total costs to the Municipality were much less than those of the Grey Reservoir. The employment of military labour is an important factor which partly explains such a difference.

These three reservoirs - the Grey, Douglas and Hamilton - were the source of Grahamstown's fairly reliable water supply during the 1870's. But the experiences of the acute drought of the 1860's had made the Council aware that the future water problems of Grahamstown necessitated a much larger undertaking. The idea of a dam at Fort England was revived in 1866,²⁹ 1867³⁰ and 1868 when a plan was projected to borrow £10 000 for such a project.³¹ Part of the attraction of the Fort England Reservoir as outlined in 1874 was that it would enhance the value of Council land in the area and so facilitate land sales for Town Hall purposes.³² But such plans and projects never materialised beyond debate in the Council Chamber. Finance was, as always, a problem. The final removal of the troops in 1870 and the drain of manpower resources to the diamond fields,³³ however detrimental to the commercial life of the town, eased the water supply situation in the early 1870's. This was a time of repair and consolidation of the existing water sources of the city and such necessary expenditure prohibited new reservoir plans. The small Hope's Reservoir, beyond Settlers' Hill, had to be extensively repaired in 1872.³⁴ Such repairs paled into insignificance beside the improvement problems presented by the new Douglas Reservoir in 1874. Excessive silting caused such water impurities as to render the contents of the Reservoir virtually unusable. The original plan of the construction of a Silt well at the head of the Reservoir had to be extensively revised until improvements estimated at £1,500

²⁸ G.F.J. 13-3-1871.

²⁹ C.M.B. 29-6-1866.

³⁰ C.M.B. 25-1-1867.

³¹ Hunt, 'Grahamstown's Water Supply', Annals 1976, p.15.

³² G.F.J. 30-11-1874.

³³ See Chapter 2 : The Economic Position.

³⁴ C.M.B. 15-5-1872, 22-5-1872 and 5-6-1872.

were considered essential by the "amateur experts" of the Board of Works.³⁵ This forced the Council to call a ratepayers' meeting in an attempt to finance the works by the levy of an additional rate of 1d in the £ on the value of all fixed property in the City.³⁶

This led to two public meetings where the debate was as lively as was usually provoked by any matter of finance. Councillor Barr, Chairman of the Finance Committee, moved that a rate be granted for the improvements to the Reservoir. A temperance note was struck when he claimed he might safely say that "no man, especially no good Templar (laughter) would dispute the fact that pure water was a primary requisite to health and comfort". The nature of the repairs of the Douglas Reservoir had clearly stimulated free citizen comment, which was an illustration of how involved the inhabitants felt themselves to be in such vital matters of public works as affected the water supply. Councillor Barr commented on how many knowledgeable "City Engineers" he had encountered on the way to market and wondered at the need for the Government to import qualified City Engineers for the Cape Colony from England.³⁷ In the face of such enthusiasm from the no-rate party, the adjournment of the meeting so that more working class men could attend, is understandable. Councillor R.W. Nelson proposed that only ½d rate in the £ be levied at the adjourned meeting and this proposal was the one finally carried, not without violent opposition from the no-rate party. Nelson's reminder of Grahamstown's comparatively favourable rate of 1½d in the £ to King William's Town's 3d in the £, had its effect. Mr Barker,³⁸ later a Town Councillor, laid vociferous complaint against the Town Council in every sphere and declared his fixed objection to the assessment of such a rate which would unfairly make those people who derived no benefit from the water facilities of the town, pay for those more privileged than themselves. His concern was partly on behalf of the "natives" who

³⁵ C.M.B. 11-11-1874.

³⁶ C.M.B. 18-11-1874.

³⁷ G.P.J. 30-11-1874.

³⁸ See Appendix G : Councillors.

lived beyond the suburbs. Councillor Nelson's riposte was to state that the Council never received a sixpence from the "natives" as rates - a statement whose accuracy it is difficult to assess because of the lack of Council record on this point. The laughter which greeted this argument certainly suggests those present considered the matter purely as it affected themselves. Councillor Watson's arguments reinforce this impression of a closed white community concern. As a self-proclaimed working man he stated his opinion that such a rate would benefit everyone in Town including the working men, as there were no poor people in Grahamstown. Such a blanket statement earned him "immense cheering and cries of 'go it Charley' ". So the Town Council received an additional $\frac{1}{2}$ d in the £ rate for the repair of the Douglas Reservoir.³⁹

As with many public works projects, the repairs at the Douglas Reservoir dragged on over the next year and were a periodic focus of Council controversy. The question of whether the works should be completed under the Board of Works or through tender was a popular point of debate. But the need for professional advice was felt to be imperative. Councillor R.W. Nelson first proposed that the opinion of a professional hydraulic Engineer be sought.⁴⁰ It was government policy to allow duly qualified professional engineers in government service, to assist local governing bodies when needed. Mr Jas. Newey, Civil Engineer, was duly granted permission from the Commissioner of Crown Lands and Public Works office to report on the Douglas Reservoir.⁴¹ The Board of Works followed his advice for the most part.⁴² Mr G. Randall was appointed Superintendent of the Douglas Reservoir while the works were in process and was ordered to remain at his post in spite of certain charges against him for the illegal removal of sand from the Reservoir.⁴³ Finally the works were completed in 1873 after the

³⁹G.T.J. 4-12-1871.

⁴⁰C.M.B. 9-12-1871 and 16-12-1871.

⁴¹C.M.B. 27-1-1875 and 3-2-1875.

⁴²C.M.B. 17-3-1875, 24-3-1875 and 7-4-1875.

⁴³C.M.B. 16-6-1875 and 23-6-1875.

tender of William Rogers had been accepted to do the necessary paving at 3/6 per square yard.⁴⁴ The Board of Works fenced the Reservoir with posts and rails⁴⁵ and at long last felt reasonably confident that the Douglas Reservoir was a secure and pure water supply for the city.

The problem of Grahamstown's water supply once again became acute with the severe drought of 1877-78 and Council efforts to improve the water supply were redoubled. Councillor R.W. Nelson had impressed upon the Council the necessity for additional reservoirs in 1874,⁴⁶ but it was not until the proposed railway route into town was fixed on, that the Council saw an opportunity of an additional Reservoir on West Hill which would utilise railway labour and reduce Council expense. Before the construction of this Reservoir the Council had attempted numerous other avenues to ensure an adequate water supply. A feature of the later 1870's was the increasing Council reliance on professional advice from sources such as Mr Gamble, Colonial Hydraulic Engineer. In the sphere of the water supply, the Council was at its most untiring and efficient, though always proscribed, to some extent, by financial considerations and a plethora of opinions and alternatives, with every man his own Engineer. The long cherished plan for a Reservoir at Fort England was revived in 1876⁴⁷ and actually approved by the Colonial Hydraulic Engineer, but once again came to nothing. In the drought crisis of 1877, when memorialists petitioned the Council for a larger water supply,⁴⁸ and the tanneries were almost cut off from their water leadings,⁴⁹ all Grahamstown inhabitants were called upon to observe the strictest economy in their use of water.⁵⁰ The Board of Works was empowered

⁴⁴ C.M.B. 12-1-1876.

⁴⁵ C.M.B. 21-6-1876.

⁴⁶ C.M.B. 4-2-1874.

⁴⁷ C.M.B. 26-7-1876.

⁴⁸ C.M.B. 24-10-1877.

⁴⁹ C.M.B. 7-11-1877 and 14-11-1877.

⁵⁰ C.M.B. 19-12-1877.

to spend £100 in efforts to find new water sources for the city in 1878.⁵¹ Unlike the crisis of 1865-66 when £50 had been wasted on payment to Mr Kohl, the "waterfinder," whose selected water sites had yielded nothing,⁵² this grant was spent judiciously. The Grey Reservoir was excavated, repaired and enlarged, with the approval of the Colonial Hydraulic Engineer, the work starting in 1877 and continuing into the 1880's.⁵³ The rough estimate for the repairs to be carried out in 1880 alone was £1 500, an indication of the continual high cost of ensuring Grahamstown's water supply.⁵⁴ The Hamilton Reservoir also received its share of attention as a result of the drought of 1877-78. The Hamilton Reservoir was repuddled in 1878,⁵⁵ but by 1879 the Council had to decide on the best means to stop various leaks.⁵⁶ During the search for the elusive leaks, the Council received a letter from District Engineer Atherstone which suggested a method for searching for the leak and offered his own services.⁵⁷ This offer was accepted.

Council hopes focussed on the West Hill Reservoir most of all, during the difficult years after 1877. Small though it was, this Reservoir sparked off conflict not only between Town Council and Divisional Council, but among the Councillors themselves and especially between the Railway authorities and the Town Council. The original proposal regarding the West Hill Reservoir, like so many water proposals, came from Councillor R.W. Nelson, in 1876. This motion resolved to ask the Chief Resident Engineer of the Eastern District Railways, Mr Scott, if the Government would consent to the bank and bridge, to be constructed across the gully at West Hill, being used as a dam by the Council.⁵⁸ Apparently there had been a small dam named Graham's Dam next to the site of this proposed railway embankment, used by stock and under the authority of the

⁵¹C.M.B. 17-7-1878.

⁵²C.M.B. 9-2-1866, 23-2-1866, 4-5-1866, 27-7-1866 and 31-8-1866.

⁵³C.M.B. 5-9-1877, 24-10-1877 and 19-12-1877.

⁵⁴C.M.B. 5-3-1880.

⁵⁵C.M.B. 17-4-1878, 29-5-1878 and 16-10-1878.

⁵⁶C.M.B. 25-6-1879.

⁵⁷C.M.B. 9-7-1879 and 5-11-1879.

⁵⁸C.S.B. 19-4-1876.

Divisional Council. Concern for the watering of stock involved the Divisional Council in the works at the West Hill Reservoir, for which the Town Council agreed to pay something.⁵⁹ The arrangements which were finally made between the Railway authorities and the Council, after lengthy counter proposals and negotiations, were that the Railway Engineer and workers would construct the West Hill Reservoir at an estimated Council cost of £1 554.⁶⁰ The problem of Council responsibility for any damage sustained by the railway embankment as a result of the construction of such a dam, had to be resolved by the appointment of a Council sub-committee.⁶¹ At a later stage during the lengthy construction of what was first known as the West Hill Reservoir and then the Cradock Road Reservoir, a proposal was made by the Railway authorities that they take over the Reservoir for their purposes and relieve the Council of the problem of payment.⁶² The Council terms proved unacceptable,⁶³ the Reservoir remained Council property and by 1880 the Council had to pay interest on the amount of £1 554 which was still owed for the completion of the Reservoir.⁶⁴ The most significant aspect of the construction of this Reservoir was the internal conflict within the Council as to whether or not such a Reservoir was to the benefit of all the ratepayers. As with occasional quarrels about the grants of water leads, the division in the Council occurred along the social division of West Hill versus Market Square. A powerful minority proposed that there should be no construction at West Hill because that would not benefit the "general body of ratepayers" and urged that the Board of Works and Lands should proceed with the construction of the Reservoir at Fort England in accordance with the plans of the late Inspector of Works, as approved by the Colonial Hydraulic Engineer.⁶⁵ The amendment was lost and Councillors Watson and Mathews, champions of the working class men, recorded their

⁵⁹C.M.B. 11-9-1878, 2-10-1878, 9-10-1878 and 19-6-1878.

⁶⁰C.M.B. 3-7-1878 and 14-8-1878.

⁶¹C.M.B. 21-8-1878.

⁶²C.M.B. 15-10-1879.

⁶³C.M.B. 5-11-1879, 3-12-1879 and 23-12-1879.

⁶⁴C.M.B. 6-10-1880 and 13-10-1880.

⁶⁵C.M.B. 31-7-1878.

dissent.

In spite of such excessive Council activity and achievement in the provision and improvement of Grahamstown's water supply, 1882 posed the perennial problem of the necessity for yet further extension of the water supply. In April the town's water supply had to be restricted in availability to one day a week.⁶⁶ The only financial avenue open to the Council was a government loan. In August a deputation of Councillors interviewed the Hon. J.X. Merriman, Commissioner for Crown Lands and Public Works, on this subject while he was on a visit to Grahamstown. Merriman approved of a plan to erect another reservoir. He also consented to the Council's application for a loan of £13 000 to relieve their debts and to secure enough money for increasing the water supply.⁶⁷ The Council resolved to apply for such a loan and to obtain the services of the Colonial Hydraulic Engineer for a survey and to advise them on a new water scheme. A Journal editorial underlined the urgency behind such plans as, in spite of fair rains, the water shortage remained. The editor hopefully pointed out what extra demand would be placed on the water supply once the Kowie and Fort Beaufort railway schemes were completed, as already the Grahamstown railway consumed more than a million gallons per annum.⁶⁸ When the Hydraulic Engineer's Report was presented, prudent financial considerations won the day. The motion to ask the Hydraulic Engineer to procure an engineer to survey the "pipe track" with a view to obtaining additional water supply from "Green Hills" and to furnish an overall estimate, was defeated. The amendment to consider the matter of increased water supply only after the following year's estimates were discussed, was carried.⁶⁹ So 1882 ended in stalemate, leaving the water problem unresolved, to challenge future generations of City Councillors.

The scope of public works in Grahamstown encompasses the trivial as

⁶⁶G.T.J. 22-4-1882.

⁶⁷S.C.M.B. 15-8-1882.

⁶⁸G.P.J. 1-9-1882.

⁶⁹C.M.B. 11-10-1882.

well as the vital concerns of civic life. The provision of public works is continuous, to keep pace with the vicissitudes of the growth of the city itself. The heavy burden of public works between 1862-1882 was the responsibility of the Committee of the Board of Works and Lands, first created after Grahamstown's incorporation in 1862. Priority was given to the employment of a competent Inspector of Works, possibly the most important of all municipal servants. In the 1860's in Grahamstown as elsewhere in the Colony, there was a lack of qualified men and many self-made amateurs, qualified through practical necessity, instead. During this period of the 1860's and 1870's the trend towards professionalism is clearly evident in the attitude of the Board of Works towards the employment of municipal servants.

In 1862 the appointment of the Inspector of Works presented several problems, not least of which was the Council record of Mr Hoggar, previously employed by the Board of Commissioners. Hoggar had performed the general duties of a "City Engineer" for the Board of Commissioners, which had included a contract to construct the Grey Reservoir and a commission to survey Grahamstown.⁷⁰ Hoggar was from England and claimed to be a duly qualified surveyor and as such had been accepted by the Board of Commissioners. He had not taken the necessary Cape examinations in order to be pronounced a Government Surveyor, and this factor underlay a certain memorial to the Governor from the Board of Commissioners in April 1861. The memorial requested that qualified Civil Engineers and Surveyors, newly arrived at the Cape, should be allowed to practise freely without the additional Cape examinations.⁷¹ The reply from R. Southey, as Acting Colonial Secretary, was uncompromising. The English term "land surveyor", he explained, often meant competent use of the chain and cross staff only. The Cape examinations were supposed to ensure a high, uniform standard of qualification, entrenched as law, and naturally the Commissioners' request was refused.⁷² Ironically,

⁷⁰G.T.J. 26-3-1861.

⁷¹G.T.J. 30-4-1861.

⁷²G.T.J. 25-6-1861.

Hoggar's survey and plan of the city had eventually, after several delays, been completed some weeks before Southey's official reply was received. The reluctant conclusion of the Board of

Commissioners was that Hoggar's survey of the city would be of much less value as a result of the fate of their memorial.⁷³

Hoggar's monumental work comprised two plans: a detailed plan, scale 44 feet to an inch,⁷⁴ and a reduced plan, 8 foot square, scale 200 feet to an inch.⁷⁵ Hoggar's letter to the Board described this first completed plan as an accurate and useful survey which would be invaluable for improvements in cleaning and draining the city. He stated that he had shown the boundaries of every defined property and their area and extent. Three months later the reduced plan was laid on the table for Council approval. During the early part of 1863, Hoggar, at the Council behest, was still adding improvements to his survey.⁷⁶ In addition he had ordered 200 lithographed copies of his plan to sell privately. The Council ordered 3 copies, which suggests Hoggar's survey was certainly used by the Council.⁷⁷ But its accuracy with regard to the city boundary lines was clearly doubted by the Council because Hoggar was not a sworn government surveyor.

The difficulties inherent in an assessment of Hoggar's plan of Grahamstown, which remains the only one extant for the period under review,⁷⁸ and of the quality of his other Council work, were complicated by the fact that he proved an expensive municipal servant. He took longer to fulfil his contracts than he anticipated and requested further remuneration on completion of his work at the Grey Reservoir and for his survey.⁷⁹ At this stage he offered his resignation as he claimed his remuneration was not enough to support his family. In the financial climate of 1862, when the

⁷³G.T.J. 27-7-1861.

⁷⁴G.T.J. 11-6-1861.

⁷⁵G.T.J. 13-9-1862.

⁷⁶G.T.J. 10-2-1863 and 20-2-1863.

⁷⁷G.T.J. 26-12-1862 and 6-1-1863.

⁷⁸Two copies of one of Hoggar's plans are to be found in Cory Library and the Albany Museum holds a third.

⁷⁹G.T.J. 6-8-1861.

newly incorporated Council faced its first term of office without a rate, this swayed Council balance against Hoggar as the first Inspector of Works. His professionalism having been called into question, a majority of the Council preferred the application of John Hill, already a Councillor, elected in July 1862 as a representative of Ward 8, and one who pursued the occupation of miller in Grahamstown. Well known in Grahamstown, he had the support of John Edwin Wood as Chairman of the Board of Works. It had been decided that the appointment of an Inspector of Works for the modest salary of £200 p.a. was more important than advertising for a post which would include the duties of an architect as well as an engineer, and would need the offer of a higher salary.⁸⁰ Hill, once selected, automatically forfeited his Council seat.⁸¹ The Council choice in 1862 was a candidate well known to them rather than Hoggar with his English qualifications.

The performance of Hill as Inspector of Works was very soon under heavy attack by the vociferous Councillor William Webb, arch-opponent of Councillor John Edwin Wood. In November 1862, Webb accused Hill of using Municipal workmen at Municipal cost on his own property.⁸² This "impeachment" resulted in several highly coloured Council conflicts between Webb and Wood, in which personalities and business deals outside the Council were well-aired within Council debates. All in all, Councillor Penn's melodramatic speech in which he "confessed he had heard the charges

⁸⁰G.T.J. 5-8-1862.

⁸¹G.T.J. 26-8-1862.

Other applicants had been R.S.Hoggar

Fairbank	- Worcester Street
Alex. Macdonald	- carpenter, New Street
Alex. Clarke	no entry in 1862 Directory
Barrable	- mason, Beaufort Street

None of them had pretensions to professionalism except Hoggar.

G.T.J. 19-8-1862 and

Eastern Province Year Book and Annual Register for 1862.

⁸²G.T.J. 25-11-1862.

brought against this man with a creeping of the flesh"⁸³ set the tone for an episode which did not add to Council dignity. Wood's defence of Hill was that he was under the misapprehension that the work on the drift in Beaufort Street, which adjoined his property, was ordered by the Council. He had indeed used 5 convicts for 2 days at a cost of 20 shillings. Webb's defence of his accusation was that he had intended no reflection on Hill's private character, but that he had a duty to investigate any irregularities, especially at the request of ratepayers. The affair attracted comment in The Journal which included a lengthy letter from Equilibrium, giving the past history of the drift in minute detail.⁸⁴ The benefit of the doubt lay with Hill as Inspector of Works, in this tangled affair, as he rendered sterling service for the remainder of the drought and depression-ridden 1860's. He was subject to no more than minor queries from individual Councillors during this time.

It was in 1871 that he again claimed a share of the Council limelight when he pleaded his cause after the massive retrenchment programme passed in the Council estimates. This celebrated retrenchment policy, which attracted comment and even a lampoon from Cape Town,⁸⁵ was a reflection of the extremely low financial ebb of the Council and Grahamstown itself, as a result of the drain of men to the diamond fields. The Inspector of Works was not the only Municipal servant to have his salary cut, but he was the one to make public his grievance and as such, deserves special note. His salary of £200 p.a. had been reduced to £100 p.a. He wrote a letter to the Council, the text of which was printed in The Journal, and defended his position as being far from that of a sinecure. Even after making allowance for the special pleading this letter put forward, it remains a most instructive description of the duties of Hill, as Inspector of Works. In addition, it sketches the state of certain public works at that time. He was responsible for

⁸³ G.P.J. 2-12-1862.

⁸⁴ G.P.J. 25-11-1862, 2-12-1862, 5-12-1862 and Equilibrium in G.P.J. 26-12-1862.

⁸⁵ See Chapter 3: Municipal Finance.

looking after the reservoirs and water houses, 12 miles of the main water pipes and about 700 private water leadings. He had 15 to 20 miles of streets to keep in repair and 16 stone and wooden bridges. He was in charge of all city stock. He had a weekly report of all his activities to lay before the Board of Works and Lands. During the previous 2 years he had been without the assistance of a foreman of works. He had to direct 12 hired labourers and 2 parties of convict labourers, 15 in number, daily, pay them and report on their work to the Board of Works and Lands. He had fallen into the habit of attending the morning market every day to pick up information or complaint about his sphere of activity as, if anything were wrong "in town in my line, I am sure to be informed of it upon the public market". His was the responsibility for the correct expenditure of the Council estimates for public works which averaged £1 000 to £1 500 p.a. His task as Inspector of works was responsible and his conclusion rings sincere: "... my mind is often in a turmoil how to act with the greatest economy, to save expenses, and for the general good of the community."⁸⁶

£100 salary p.a., in spite of his additional sources of income, which Hill claimed were very small, was barely enough for an Inspector of Works who had served the Council faithfully for nearly 10 years. It was not raised as a result of Hill's letter either, fair comment on the desperate financial straits of 1871. In July, a memorial from T. Langford and 53 others, prayed the Council to increase Hill's salary to £150 p.a.⁸⁷ A Council majority refused to grant such an increase and a motion to increase it to £120 p.a. was likewise defeated.⁸⁸ A curious postscript to the memorial came in the form of a letter from one, J.S. Gardner, who declared that, on behalf of Hill, he had taken the memorial round for signature, without payment.⁸⁹ The Council merely ordered this letter to be recorded. Though Gardner does not appear in the

⁸⁶ G.P.J. 13-3-1871.

⁸⁷ C.M.B. 26-7-1871.

⁸⁸ C.P.B. 2-8-1871.

⁸⁹ C.S.B. 2-8-1871.

Directory lists of Grahamstown which are available, it appears conceivable that he was a Municipal workman under the direction of the Inspector of Works. Hill remained Inspector of Works in spite of his meagre salary; he, like other Grahamstown citizens, had to accept the rigours of the early 1870's. But by 1873 he requested that he be superannuated and pensioned from his position.⁹⁰ The Finance Committee expressed its doubts as to the Council's legal competence to grant a pension.⁹¹ The Board of works suggested a compromise which was followed by the Council. Applications were called for the post of Superintendent of Works,⁹² and James Grant was appointed at a salary of £150 p.a.⁹³ As always the question of salary was hotly debated, but Grahamstown's depression had lifted by 1874. In addition, Hill was appointed Supernumerary Inspector with duties he had himself outlined in his letter of resignation, at a salary of £60 p.a.⁹⁴ It is interesting to note that the proposal of a salary of £60 instead of £50 p.a., was moved by the same Councillor William Webb, erstwhile critic of Hill. In spite of such Council largesse, Hill attempted to raise his new salary to £100 p.a. but predictably this was not granted.⁹⁵

John Hill died in 1877 aged 77 and was accorded full Council tribute at his funeral. The Mayor, Councillors and all the municipal

⁹⁰C.M.B. 10-12-1873.

⁹¹C.M.B. 17-12-1873.

⁹²C.M.B. 4-2-1874.

4 applications resulted: James Grant - Bertram Street, gardener,
with 3 testimonials.
G. Randell - builder.
Patrick Maynes - New Street, shopkeeper.
William Pocock - printer, Macdonald Street.

Eastern Province Year Book and Diary 1878.

Commercial Directory and Guide to the Eastern Province 1881.

⁹³C.M.B. 24-12-1873, 14-1-1874 and 21-1-1874.

⁹⁴C.M.B. 11-2-1874.

⁹⁵C.M.B. 18-2-1874.

workmen attended, in addition to large numbers of citizens.⁹⁶ He had been a member of the Albany Brethren Benefit Society and as such had had close links with the working men, mechanics and artisans of Grahamstown. As a former member of the old Municipal Board, and however briefly a Town Councillor, his identification with Grahamstown's interests continued in his service as Inspector of Works. The old Municipal order was changing though, in the renewal of city and Council prosperity in the last years of the 1870's. The post of Inspector of Works was changed to that of Clerk of Works in 1876. John Brislin was appointed at a salary of £250 p.a.⁹⁷ With the increase of the public works in 1879 as a result of the construction of the Town Hall and the massive alterations at Dundas Bridge to provide sufficient access to the railway station, there was a great deal more supervisory work - too much for a single official. Though there was a proposal by James Wood and R.W. Nelson, two of the most forward-looking Councillors of the 1870's, that the solution lay in Council employment of a qualified City Engineer, the majority of Councillors preferred a compromise. Brislin was placed in charge of the Town Hall and Dundas Bridge construction work⁹⁸ and applications were called for a Foreman to take charge of the general public works of the city and oversee the municipal workmen at a salary of £150 p.a.⁹⁹

This compromise solution failed because Brislin and Rose, the Resident Railway Engineer, disagreed over the works at Dundas Bridge.¹⁰⁰ Brislin likewise failed to be amenable to Council

⁹⁶ G.T.J. 15-8-1877.

⁹⁷ C.M.B. 23-8-1876, 18-10-1876 and 25-10-1876.

⁹⁸ C.M.B. 21-5-1879.

⁹⁹ C.M.B. 28-5-1879, 4-6-1879, 11-6-1879 and 22-10-1879.

There were no less than 11 applications for the post of Foreman, a possible indication of how many labourers had been attracted to Grahamstown as a result of the railway works.

M. Hawken, wagonmaker, was elected Foreman by the Council, but resigned soon to have his position filled by C.J.Jones.

¹⁰⁰ C.M.B. 17-9-1879.

discipline over the matter and this strained relationship resulted in Brislin's immediate dismissal. The telling fact that the Council, regardless of the expense involved, paid him his salary for the last three months of the year, indicates how strongly they wished to get rid of him.¹⁰¹ This situation caused the Council to advertise in all 3 Grahamstown newspapers, the Port Elizabeth Herald, Cape Times, Diamond News and The Mercury for the services of a duly qualified City Engineer.¹⁰² A consideration of the importance of the construction of the long deferred Town Hall had tipped the balance in favour of professionalism and due qualifications for the vital acquisition of a City Engineer. The Council hoped that such a professional municipal servant would obviate the problems experienced with Brislin. A special meeting was held to consider the 15 applications for the post of City Engineer.¹⁰³ These numbers of qualified applicants in 1879 give an indication of the increasing availability of professional and semi-professional engineers outside government service. The Council deliberations on this appointment were ponderous, thorough and dignified. The debate of the whole Council in Committee resulted in a select Committee appointed to report on the applications. Finally Arthur H. Reid was selected as Grahamstown's first qualified City Engineer.¹⁰⁴ The Council stipulated that all his time during office hours was to be devoted to municipal business. His starting salary of £400 p.a. was first altered to enable him to maintain a horse¹⁰⁵ and raised after one year's service to £500 p.a.¹⁰⁶ His competency was unquestionable, as the successful construction of the Town Hall demonstrated. But the cost of the Town Hall deprived the Council of their City Engineer: at the Council meeting prior to the triumphant opening ceremony of the Town Hall, the reluctant decision was taken to dispense with his services. Inspectors of Works and City Engineers

¹⁰¹ C.M.B. 24-9-1879.

¹⁰² C.M.B. 24-9-1879.

¹⁰³ C.M.B. 17-11-1879.

¹⁰⁴ C.M.B. 19-11-1879.

¹⁰⁵ C.M.B. 11-1-1880.

¹⁰⁶ C.A.B. 8-12-1880.

could come and go, but the financial problems of Grahamstown's Town Council remained an enduring reality.

The Board of Works and Lands became the largest municipal department of the City Council and employed great numbers of municipal workmen. The Inspector of Works was the head of the pyramid of employees that included the Foreman of Labourers and the groups of ordinary and convict labour. It is interesting to note that the only reference, in the vocabulary of Dickens's Hard Times, to "the hands" rather than labourers or workmen, described convict street labour.¹⁰⁷ The constable in charge of such labour was paid a municipal gratuity of 6d per day. In addition, municipal servants included several carters and the Paver or Paviour. Of more importance were the City Plumber, who was restricted to municipal work without private practice,¹⁰⁸ and the Turncock, otherwise known as the Waterman or Superintendent of Water. When financial need dictated, the positions of Plumber and Turncock were combined. The post of Turncock was unenviable. Numerous conflicts occurred between irate citizens whose water leadings had, unaccountably in their view, been turned off, and the Turncock and Board of Works. The Turncock was not always in the right of the matter and this position saw rapid changeover of employees. William Pocock, one such Turncock, was dismissed in 1867 for his repeated acts of insubordination which had caused improper distribution of water as well as great water loss.¹⁰⁹ On matters of water and finance the Council were usually not prepared to compromise. With the extension of public works to include street lighting, the municipal Lamplighter came into his own. New assize regulations called for the appointment of a City Assizer. And the growth of trees and plantations ensured the employment of a Forester, a grandiose title for what was by 1882 an extensive municipal service.

¹⁰⁷G.T.J. 21-4-1863.

¹⁰⁸G.T.J. 23-9-1862.

¹⁰⁹C.M.B. 15-3-1867.

Grahamstown's Council could not raise the money for that very necessary creation of civic symbol in stone, the Town Hall, until almost 20 years after incorporation. As for the even more essential provision of water, the Council barely managed to supply the fairly modest needs of her citizens because of the same insecure financial tightrope it had to walk. In grappling with the minutiae of public amenities the Council always displayed zest and enthusiasm despite financial limitations. This is most pronounced in the attempts to transform Grahamstown, if not quite into a thing of beauty and a joy for ever, then at least into the "garden city" of the colony. Long before the Tree Planting Act of 1876,¹¹⁰ which provided government subsidy which covered half the tree planting costs of any municipality, Grahamstown, encouraged by the munificence of certain citizens, was renowned for its arboreal enterprise. The most outstanding contributions in planting Grahamstown with trees came from Walter Smith, Charles Watson and C.H. Huntley. The case of Walter Smith is especially fascinating. He was a painter who had emigrated to the Cape from Australia in 1845 and settled in Grahamstown. He became, in due course, a Town Councillor and one of his daughters married George Reynolds who first became Mayor in 1878.¹¹¹ His overwhelming interest in trees and his aim of beautifying Grahamstown, served the Council very well. This was manifest as early as 1863, when, as a private citizen, he wrote to the Council with a proposition of planting trees at the Grey Reservoir and offered specifically 10 Giant Swamp Gum Trees of Tasmania. Councillor Ayliff's motion that the Board of Works report on the practicality of planting trees in and around the City transferred the idea to a Council concern.¹¹² A long and lucrative co-operation between the Council and Walter Smith ensued. The Council supplied the labour and the cost of planting, while Walter Smith furnished the trees and his expertise. Quite how he was able to afford his incredible arboreal donations is difficult to understand, for the numbers he supplied were vast. He circled Market Square with trees¹¹³ and throughout

¹¹⁰ Act No. 4 of 1876: To encourage the Planting and Cultivation of Trees.

¹¹¹ G. P. J. 5-10-1885.

¹¹² G. P. J. 24-2-1863.

¹¹³ G. P. J. 5-9-1864.

the 1860's he planted and tended trees on municipal land throughout the town.¹¹⁴ In 1872 he placed 2 000 trees at the disposal of the Resident Magistrate for planting in the streets of Grahamstown,¹¹⁵ and in 1877 he gave 1 500 fir trees to be planted on West Hill.¹¹⁶ As a member of the Tree Planting Committee of the Council in the 1880's he advised the Council to plant 25 000 trees on the commonage, a venture which by 1885 showed signs of success.¹¹⁷

Councillor Charles Watson, by occupation a gardener, and in his later years a property owner, followed Walter Smith's example in service rather than donation. On a much smaller scale than Smith, various Mayors and Councillor Hoole at times contributed numbers of trees to the Council. But Watson contributed time and talents to tree planting. Watson supervised the plantation of trees round the Grey Reservoir and, in gratitude, the Council called the area "Watson's Grove",¹¹⁸ and left it in his care until it should be well established. A fire in 1870 devastated the Grove and Watson was requested by the Council to re-plant at Council expense.¹¹⁹ No less than 825 trees were replanted, excluding willows.¹²⁰ "Watson's Grove" was several times damaged by fire but each time rose from the ashes, a tribute to Council determination. At one stage picnics were prohibited at the Grey Reservoir as a protection against fire hazards as well as to avoid water pollution.

Councillor Watson's contribution paled into insignificance beside that of the Civil Commissioner and Resident Magistrate, C.H. Huntley.

¹¹⁴ C.M.B. 15-6-1866.

¹¹⁵ C.M.B. 22-5-1872.

¹¹⁶ C.S.B. 7-11-1877.

¹¹⁷ J.F.J. 5-10-1885.

¹¹⁸ J.F.J. 8-11-1867.

¹¹⁹ J.F.J. 11-9-1870.

¹²⁰ J.F.J. 11-12-1870.

He had the means and he certainly used them to beautify Grahamstown, so much so that The Journal proffered Victorian tribute to his efforts when it hailed him as the man to whom so much of the "civic leafiness" of Grahamstown was due.¹²¹ At various stages in his career he contributed 1 500 trees to be planted along Prince Alfred Road,¹²² 1 000 trees for lining the Cradock Road,¹²³ as well as others to be generally distributed throughout the city and in 1882 in the area above the Railway Station.¹²⁴ The Council were duly grateful for such gratuitous service but they themselves attempted to inculcate in all Grahamstown citizens, the desire to beautify the city. A Council motion of 1867 urged all householders by advertisement, to plant trees in front of their houses at their own expense, under the supervision of the Board of Works.¹²⁵ Nothing roused Council ire more than wilful damage to trees, which was a punishable offence in the Municipal Regulations. However many times the Council sought to apprehend such offenders, they usually slipped through the knot of Council vigilance. Rewards were offered in vain. Council control over tree planting and tree removal was meant to be absolute. Anyone who wished even to prune a tree on the pavement had to apply for Council permission, which was not always granted. The importance of trees was paramount, as the Eastern Province Rifle Association discovered when their 1 000 yard range started interfering with the growth of trees in Watson's Grove. Council reaction was that the Rifle Association should discontinue the use of this range, but a consultation averted this decision. The compromise arrived at, to the mutual satisfaction of both parties, was that the 1 000 yard stand should be moved 20 yards to the rear of its former position and that no more trees should be cut without special Council permission. The Council also permitted the old stand to be used at a forthcoming rifle match.¹²⁶

¹²¹G.T.J. 3-3-1882.

¹²²C.M.B. 28-7-1869.

¹²³C.M.B. 15-10-1873.

¹²⁴G.T.J. 3-3-1882.

¹²⁵C.M.B. 9-8-1867.

¹²⁶C.M.B. 13-8-1873, 20-8-1873 and 3-9-1873.
B.V. & L. Report, pp. 524-525.

Trifling concerns, such as these, were as much an important weave of Council involvement in the life of Grahamstown as the provision of water. The Council protection of trees was part of their larger design to enhance Grahamstown's appearance and realise her potentialities to attract more people to live there.

A concern with tree planting was widespread by 1882. Several Journal editorials urged tree planting countrywide and encouraged farmers to consider trees as a form of investment.¹²⁷ These leading articles publicised the service offered by the Botanical Gardens which could supply a variety of seedlings - and indeed was able to do so not only for Grahamstown, but for the entire Eastern Districts. The Botanical Gardens had assisted the Council more than once by contributions of trees and advice on planting and growing.¹²⁸ James Butler, a cautious observer and one interested and knowledgeable in all matters botanical, was full of praises of the Botanical Gardens. But it was Act No. 4 of 1876 which enabled the Council to develop its tree planting activities to the full. Accounts were immediately drawn up to obtain the benefit of the Act from the previous July,¹²⁹ and Grahamstown certainly made the fullest use possible of its provisions. Hence the mellifluous complacency of The Journal assessment of Grahamstown's tree-lined streets in 1882.

A civic amenity rather more necessary to the routine running of the commercial life of Grahamstown than the beautification of the streets, was the provision of a time-keeper. This problem was a compound one for Grahamstown as it was linked to the removal of the troops. While the troops remained in Grahamstown, all was well, as every morning was heralded by the nine o'clock gun from Signal Hill. When the troops left, as they did temporarily in 1862 and permanently in 1870, Grahamstown was bereft of accurate time-keeping. The Council had to solve the problem. At first efforts were made to buy a town gun

¹²⁷G.T.J. 8-3-1882.

¹²⁸C.M.B. 12-10-1870.

¹²⁹C.M.B. 18-10-1876.

from the military, but the particular gun in view was scheduled to return to England, and no others were available. Councillor Birkenruth was highly indignant and felt the Council should not submit tamely to the military refusal, as Grahamstown had had nearly 50 years of marking time by the military.¹³⁰ Though his view was forcefully expressed, there was no way round the military verdict. The Council solution was sensible and cost little: a bell-ringer was hired by the Council to ring a 9 o'clock time signal on the Bell of St Patrick's Cathedral, subject to the Bishop's approval.¹³¹ With the return of the troops in 1864, Grahamstown once again took its time from the nine o'clock gun signal. But with the final removal of the military from Grahamstown in 1870, the city returned to the passage of time marked by a municipal tune of bells from St Patrick's. The payment of the bell-ringer was 10/- a month.¹³² During the financial straits of 1872, the Council neglected to pay the bell-ringer. Bishop Ricards had to approach the Council through the offices of the Civil Commissioner, before payment was forthcoming. The bell-ringer had regular employment until the end of 1873 when Grahamstown attained the distinction of a public clock in the Cathedral Tower.¹³³ But the Cathedral Tower was in such a dangerous state of repair during 1874, that the public clock had to be removed for safe keeping. So the large bell of St Patrick's Cathedral rang at 9 in the morning and 2 in the afternoon¹³⁴ until the public clock was restored to the Cathedral Tower by the end of 1879.¹³⁵

The idea of a public clock, a dignified symbol of civic pride, had been seized upon by The Journal as early as 1863 and enthusiastically canvassed. The idea was mooted that a tower should be built which would dovetail with the future Town Hall building and which would

¹³⁰ G.T.J. 29-5-1863, 21-7-1863 and 18-9-1863.

¹³¹ G.T.J. 21-7-1863.

¹³² C.M.B. 8-5-1872.

¹³³ C.M.B. 10-12-1873.

¹³⁴ C.M.B. 10-3-1875 and 17-3-1875.

¹³⁵ C.M.B. 26-11-1879 and 3-12-1879.

house a public clock.¹³⁶ This clock could be designated, suggested The Journal in lighter vein, "the little Ben or Tom or Alfred (he might be called royal Alfred)" which would "reign supreme over our temporal arrangements".¹³⁷ The depression years of the 1860's led to the postponement of the project. Grahamstown's first public clock was paid for by public subscription. The Council contributed £50 to the Town Clock Fund.¹³⁸ The clock itself duly arrived in Grahamstown during 1873¹³⁹ and was placed within the old square Cathedral Tower. The Council accepted the responsibility of keeping it in order and hired Mr Galpin, at £25 p.a., to do so.¹⁴⁰ No sooner had Grahamstown achieved the civic dignity of a public clock, than the Cathedral Tower was declared unsafe. The old Tower had to be demolished,¹⁴¹ to make way for the present tower and spire, which were completed in 1879.¹⁴² When the Council attempted to have the public clock installed once more, conflict occurred with the Cathedral authorities, who demanded £50 for supervising the installation and fixing the Clock chamber. Some Councillors, notably William Webb, were against this expense but the majority agreed to paying it.¹⁴³ A Council committee employed a Mr Wilcox to supervise the public clock at £25 p.a.¹⁴⁴ By 1880 Grahamstown had finally secured a public clock. Soon afterwards, with the erection of the Jubilee Tower, came the installation of a second public clock in Church Square.

The Council attention to detail in the spheres of what one could

¹³⁶ G.T.J. 11-8-1863.

¹³⁷ G.T.J. 27-10-1863.

¹³⁸ C.M.B. 26-6-1872 and 3-7-1872.

¹³⁹ C.M.B. 27-8-1873.

¹⁴⁰ C.M.B. 3-12-1873 and 10-12-1873.

¹⁴¹ C.M.B. 16-12-1874.

¹⁴² M. Berning, Cathedral of Saint Michael and Saint George
Annals of Grahamstown Historical Society 1978, p. 10.

¹⁴³ C.M.B. 3-12-1879.

¹⁴⁴ C.S.B. 21-1-1880.

loosely term the sporting amenities of the town was at all times thorough. They permitted all reasonable requests from citizens, but Council permission had to be sought, even in such trivial matters as the cutting of municipal turf from the commonage. Requests for sods of turf came thick and fast during the 1870's and were generally acceded to. The reason for these apparently incomprehensible requests, was simple: croquet became fashionable in Grahamstown and numerous individuals were inspired to grow their own croquet lawns with the aid of municipal turf. Every request to cut turf was referred to the Board of Works with power to act. The first such recorded request came from Dr Davies, the Albany Hospital Superintendent, in 1872.¹⁴⁵ Council Regulations made provision for the prohibition of cutting turf without municipal authority. This was necessary, as complaints about illegal cutting of turf in the streets, showed.¹⁴⁶ Croquet was a game of some social dignity and perfectly acceptable to the most straitlaced conscience. Horse racing, though enthusiastically supported by many Grahamstown citizens, yet had its critics. In 1863 a request was made to the Council for a grant of land above Cradock Road to build a Grand Stand on, the better to watch the races. The request came from a representative of the Grahamstown Joint Stock Grand Stand Company. Council debate on the matter reveals the general attitudes to Council involvement in racing. Councillor Watson, on his own admission, an old sporting character, felt delay was necessary until they had ascertained whether this Racing Club was properly constituted. John Edwin Wood, on the other hand, though he objected to racing in his private capacity and had never witnessed a race in his life, stated that he supported the request in his public capacity. The motion to apply to the government for an acre of land for a Grand Stand, was carried.¹⁴⁷ When a certain Henry Peach later requested permission to erect a liquor booth on the municipal land near the race course for the race week his request was refused. This was not so much due to teetotaler sentiment on the Council, as the fact that prior permission had been granted to the Race Committee to erect such booths.¹⁴⁸

¹⁴⁵ C.M.B. 8-5-1872.

¹⁴⁶ C.M.B. 16-2-1876.

¹⁴⁷ G.T.J. 17-11-1863.

¹⁴⁸ G.T.J. 26-9-1861.

Thus nicely were private sentiment, public duty and prior claims judged.

The establishment of Grahamstown City Lords required much more Council time, as cricket was very popular during the 1860's and 1870's. While the military were stationed in Grahamstown, competition between town and barracks was keen. The original land grant in the vicinity of Oatlands and near the graveyard, 220 yards square, was granted in 1861 by the Municipal Commissioners.¹⁴⁹ One of the stipulations was that Custodians of the cricket ground be appointed and their names submitted to the Council, to maintain a tenuous link with Council control if necessary. Cricket Clubs proliferated in Grahamstown. The Exotic Club for many years held sway at the City Lords. In 1875 a request was made to the Council from the True Blue Cricket Club, to plant grass on a part of Market Square for another cricket ground. The Council allowed this request, provided that the Club acknowledged such Council permission gave them no special rights to the ground and that they sod it under the direction of the Inspector of Works.¹⁵⁰ The Livingstone Cricket Club made a similar application in 1880 which was firmly refused on the grounds that sufficient space was available on the official Cricket grounds.¹⁵¹ Clearly the experiment on Market Square had not succeeded, and the rival clubs had to co-operate over the use of the City Lords.

Of even more importance than the establishment of the City Lords, was the provision of sufficient and safe sites for Rifle Butts to be used by both civilians and the military. In the days of the Board of Commissioners, Mr Kennelly advised such municipal provision outside town because of the dangers inherent in the "miscellaneous" way in which Riflemen went shooting wherever they wanted.¹⁵² Soon afterwards a memorial was received from 86 gentlemen, about to form a Rifle Association, for the grant of the land at Oatlands which had been used

¹⁴⁹ G.T.J. 29-10-1861.
C.M.B. 24-1-1872 and 31-1-1872.

¹⁵⁰ C.M.B. 17-11-1875 and 24-11-1875.

¹⁵¹ C.M.B. 15-9-1880 and 29-9-1880.

¹⁵² G.T.J. 29-10-1861.

for the competition for Prince Alfred's Rifle during the Prince's visit to Grahamstown.¹⁵³ The safety of such a practice ground was earnestly debated and the conclusion reached was that a red flag should be placed on the hill crest while such rifle practice was in progress. Prince Alfred Butts were used by the Cape Corps and other military regiments as well as the Grahamstown Rifle Club, for years. At various stages several other Butts were erected, subject to Council approval. In 1869 the Grahamstown Rifle Club erected Butts above the Grey Reservoir.¹⁵⁴ After the imperial troops had left in 1870, the Volunteer Movement gained such ground in Grahamstown that several other rifle ranges were necessary. The Race Course was used periodically from 1877,¹⁵⁵ the range established beyond Fort England became a general rifle range in addition to the Butts above the Grey Reservoir,¹⁵⁶ while Butts were also erected above the Douglas Reservoir for a short while.¹⁵⁷ The Council took a keen interest in the various Volunteer Corps and accorded them due pomp and civic ceremony on their departure and return from active service during the late 1870's. The details of rifle ranges were very necessarily those of Council concern not only for safety reasons but also because of the Council need to conserve commonage. Any alteration in the position of the Rifle Butts needed Council sanction. The most interesting request for such an alteration came from Lieutenant A.E. Nelson, Commander of the Grahamstown Volunteer Horse Artillery, in 1881. He wished to alter the Rifle Range so that the new Martini-Henry carbines could be used for practice by his Corps.¹⁵⁸

Council attention had perforce to span all citizen activity. In 1862 a memorial was received, requesting a grant of land for the use of the Albany Swimming Bath, which was situated near Grey Street and below the Grey Reservoir.¹⁵⁹ This request was not granted, on the

¹⁵³ G.T.J. 26-11-1861.

¹⁵⁴ C.M.B. 15-1-1869.

¹⁵⁵ C.M.B. 21-2-1877.

¹⁵⁶ C.M.B. 1-5-1878 and 8-5-1878.

¹⁵⁷ C.M.B. 1-9-1880.

¹⁵⁸ C.M.B. 2-2-1881.

¹⁵⁹ G.T.J. 4-11-1862.

grounds that the specified piece of land was too valuable and could not, in justice to the city, be granted.¹⁶⁰ This area was clearly considered by the Council as one which had possibilities for future water supply extensions, so the Bath Committee could not extend their pleasurable services to the Grahamstown citizens. During the drought year of 1867, one such citizen recommended the Council to convert the Albany Swimming Bath into a drinking place for stock, clear indication of his priorities.¹⁶¹ Such recommendation was politely declined as the Council had no power to appropriate the Bath for any purpose.¹⁶² Council co-operation was obtained by the Bath Committee in 1880, to erect a dam below the Douglas Reservoir to supply the Bath with water.¹⁶³ In spite of Council wariness at any transaction linked to the water supply of the town, a balance was maintained between necessary and luxury civic requirements.

A measure of the overlap between citizen concern for vital public services and the perennial paucity of municipal finance, can be estimated from the origins of the Grahamstown Volunteer Fire Brigade. In 1865 a requisition signed by T.E. Minto and 25 others requested the Mayor to call a public meeting to form a Volunteer Fire Brigade.¹⁶⁴ The Mayor approved heartily and promised Council assistance. Those most understandably involved and interested were the Fire Insurance Companies who had most to lose, and naturally took the leading role in the formation of Grahamstown's first Fire Brigade. This public service remained out of municipal control until late in the Century when John Willcox was Mayor.¹⁶⁵ The Secretary of the Fire Brigade Committee made the offer of placing fire engines and the brigade under the management of the Council in 1870. The two

¹⁶⁰ G.T.J. 2-12-1862.

¹⁶¹ C.M.B. 8-2-1867.

¹⁶² C.M.B. 15-2-1867.

¹⁶³ C.M.B. 2-6-1880 and 16-6-1880.

¹⁶⁴ G.T.J. 27-3-1865.

¹⁶⁵ The first and new Town Council fire plant arrived in Grahamstown from England in June 1893.
G.T.J. 24-6-1893.

Fire Insurance Companies would thereafter contribute £30 p.a. towards the support of the Brigade. The Council declined to assume any such responsibility for the supervision of the Fire Brigade.¹⁶⁶ The timing was quite wrong as retrenchment was the only watchword of the Council to cope with the pressures of the diamond discoveries. Anything, short of money, the Council were prepared to give. Permission was granted in 1865 for an Engine House to be erected on the Town Hall erf under the supervision of the Inspector of Works, at the request of the Frontier Fire Insurance Company.¹⁶⁷ Practical assistance was given in a Council motion which reminded the chief constable that every policeman should be fully acquainted with the Turncock's residence and that of the chief of the Fire Brigade. The procedure, according to Council interpretation, was to call the Turncock first and foremost. Names and addresses of the watermen and Fire Brigade members were ordered to be posted at the Town office, Court house and the market office.¹⁶⁸ Such Council precautions and policy were only crystallised into words and instructions after several outbreaks of fire in which there was clearly not enough co-operation between the Fire Brigade officials and the Turncock. But more disturbing than the acrimony and blame hurled at close quarters, was the lack of water to put out two fires in Hill Street and Dundas Street in 1869. Such catastrophe was fully investigated and the Turncock was exculpated from any shadow of fault.¹⁶⁹ At times of crisis, Council and the Fire Insurance Bodies attempted to work smoothly in harness, though their priorities were slightly different. In 1880 Council concern was such that a Special Fire Prevention Committee was formed¹⁷⁰ and permission was given to the City Engineer to accept the post of Superintendent of the Fire Brigade should he be appointed by the insurance societies.¹⁷¹ The hazard of fire was a perennial side consideration of the inevitable expensive water problem. William Webb, the Council's stormy petrel, moved, in 1868, that the fire insurance companies be

¹⁶⁶C.M.B. 13-7-1870.

¹⁶⁷G.T.J. 15-5-1865.

¹⁶⁸C.M.B. 23-3-1870.

¹⁶⁹C.M.B. 28-7-1869, 4-8-1869 and 8-9-1869.

¹⁷⁰C.M.B. 19-5-1880.

¹⁷¹C.M.B. 17-11-1880.

requested to pay £25 p.a. to the City water fund, to help pay for the new city reservoirs. Certain Councillors felt this was unfair and proposed that the butchers of the city, who numbered Webb among their number, should pay £25 p.a. for their Council water. The incipient violent discussion was dampened down by the simple proposal to refer the matter of the water supply to the Finance Committee.¹⁷²

Such varied Council concerns necessitated an extremely wide range of municipal regulations to cover the day to day business of the town, particularly with regard to street traffic.¹⁷³ Such regulations are worthy of note for they suggest more clearly than muddled Council debate or a painstaking collection of facts and fait accomplis, the visual, humdrum and essential Council concerns translated into the ordinary texture of life in Grahamstown. The decencies were proclaimed; no liquor was to be sold on a Sunday or anything else except medicine and milk, no gambling was allowed in public and no-one was allowed to appear in public without decent clothing. The street regulations, which cover all kinds of traffic rules, were detailed and rightly so, for wagon traffic in a market town was heavy and cumbersome and animals abounded. Wagons had to be clearly marked with the names and addressed of their owners, and could not stand unattended in any street or remain within the town after dark, but had to be positioned in the municipal outspans. No wagons were supposed to drive through the streets of town with their wheels locked with a drag chain, which would wreak havoc on the painstaking surfacing of municipal work parties. The streets had to be kept free for legal traffic, so the most stringent regulations existed about the encroachment of building materials on the street fronts and any other obstructions to the business of the streets. And naturally, no furious riding or driving was allowed in the streets of the town, or any riding at all on the pavement. Speed is no modern phenomenon; vehicles and performances only have altered. And no unnecessary disturbance was allowed by people who cracked their whips in the streets without due need.¹⁷⁴

¹⁷² C.M.B. 6-3-1868.

¹⁷³ See Appendix B: Municipal Regulations.

¹⁷⁴ Ibid.

The most continuous, thankless and back-breaking Council task was the repair of Grahamstown's streets, roads and bridges. Even a shower, with wagon traffice, was enough to encourage a morass. Requests for repairs and gravel were continual and memorials became quite acid if their signatories felt they had to wait unfairly for their turn, as the Board of Works priority list was always suspect. There were not enough municipal workmen to cover all areas of the city at once and this inevitably led to occasional outbursts, seldom justified, about Council inefficiency and neglect. At one time such attacks involved such notable civic figures as the Woods and ironically, were sparked off by trivial incidents which involved personal inconvenience and expense. J.E. Wood, no longer a Councillor in 1881, though in his time Mayor, demanded through his attorney, £35 damages from the Council, after an accident to his horse and phaeton, due, he claimed, to the bad state of repair of High Street.¹⁷⁵ The Council reply was that the street was in a fair state of repair and that no other complaints had been received and so declined responsibility.¹⁷⁶ The case was duly heard before the Resident Magistrate and judgement was for the Council and J.E. Wood withdrew his appeal.¹⁷⁷ No sooner had this first accusation occurred than another followed hard on its heels. In April, the self same lawyers claimed £20 damages from the Council because of the first Mayor, Geo. Wood Jun.'s accident when his horse stumbled over the fire-plug covering in Bathurst Street.¹⁷⁸ Council verdict after a careful examination of the accident site by the Board of Works and Lands was that there was no cause within its control for the accident and expressed its sympathy for Wood.¹⁷⁹ The Council thus routed Grahamstown's foremost citizens with relative ease and upheld their reputation.

In the naming of streets the Council record was colourful but incomplete. Streets without names mushroomed and angled from Grahamstown's nucleus of 1862, but it was not until the lack of street names assumed the proportions of a public nuisance that the Council reluctantly congregated to assume this delicate responsibility. Well

¹⁷⁵ C.M.B. 2-3-1881.

¹⁷⁶ C.M.B. 22-3-1881.

¹⁷⁷ C.M.B. 27-4-1881.

¹⁷⁸ C.M.B. 6-4-1881.

¹⁷⁹ C.M.B. 27-4-1881.

defined reasons had to be stated for the choice of names of public men and Councillors had very definite and, at times, obstinate ideas. It was only in 1869 that the Board of Works finally presented a report on street names for 23 new streets and a square, leaving 7 or 8 still in abeyance. Categories of names included eminent African explorers, judges, Governors, a Lieutenant-Governor and Colonial Secretary, a Civil Commissioner, Mayors and the Chairmen of the permanent Council Committees.¹⁸⁰ Council debate on this Report made several alterations. After such a Herculean task, the slow growth of new nameless streets was allowed to continue unchecked until they challenged Council ingenuity once more. Apart from such dilatory habits, Council record, and particularly that of the Board of Works and Lands, was impressive. The existing streets were maintained in fair condition, several more were built, and all with limited labour and means. Huge works were embarked on during the late 1870's. The alteration of Dundas Bridge coped with the increased traffic to the Railway Station while the scenic drive of Signal Hill Road was a further asset to the civic beauty of the city. Meticulous, though at times inexpert, care was lavished on both, to their successful conclusion.

¹⁸⁰ B.W. & L. Report April 1869.
 Napier - successful general in the Abyssinian Expedition.
 Galton)
 Anderson)
 Burton)
 Speke) Explorers
 Grant)
 Baker)
 Livingstone Square)
 Hodges)
 Watermeyer) Judges
 Wodehouse)
 Douglas)
 Hay) Governors or Lieutenant-Governors
 Southey)
Dundas Street re-named Huntley Street after C.C. & R.M.
 Wood)
 John)
 Kennelly)
 Caldecott) Mayors and Chairmen
 Roberts)
 Shepperson)
 Mellier)

The story of the failure to light Grahamstown with gas, illustrates more powerfully, than in any other sphere of public works activity, the enterprise and boundless belief in the Victorian idea of progress, of certain Councillors and citizens. It certainly also illuminates the crippled limitations of Grahamstown's depressed financial circumstances. Whereas the municipal takeover of the Birmingham Gasworks provided the financial means for the implementation of Chamberlain's "civic gospel" in the 1870's,¹⁸¹ the municipal plans to pioneer gas street lighting in Grahamstown provided the impetus for the formation of a Grahamstown Gas Company. As it happens neither these municipal plans nor the Company survived, but the case history is significant because its failure is so indicative of the Council's concern for the welfare and civic pride of the city.

The first reference to the possibility of lighting Grahamstown streets with gas appeared in The Journal in June 1862 but nothing more came of it.¹⁸² It was not until the end of 1863 that the enterprising and busy Dr W.G. Atherstone, already a man of some public reputation, raised the matter again. Dr Atherstone, interestingly enough, played the role of colonial representative of a London Gas Company, whose proposals he laid before the Council. These proposals caused quite a sensation. All were agreed that the matter was of such import for the welfare of the city that the proposals should be well investigated. Some analysis of these proposals highlights the problems inherent in the Grahamstown gas situation. Messrs Stephenson, Christie and Lefevre laid down comprehensive stipulations for any contract entered into. They required the exclusive right over the gas mains of the streets for 50 years and stipulated that the maximum price to be charged to private consumers be 20 shillings per 1 000 cubic feet. The gas supplied would be of the same quality as that of the streets of London as laid down by Act of Parliament.¹⁸³

¹⁸¹ Hennock, Fit and Proper Persons, pp. 117-121.
See also Chapter 1: Grahamstown: an Introduction.

¹⁸² G.P.J. 24-6-1862.

¹⁸³ G.P.J. 24-11-1863.

The Journal comment was suitably cautious. The proposed 50 year contract was deplored. Editorial comment optimistically suggested that, in the event of the discovery of coal near Grahamstown, such lengthy contract would be very restrictive. The idea of a local gas company was conceived and the examples of Cape Town and Port Elizabeth, where the only two colonial gas companies were in operation, were noted. The Special Gas Committee, appointed by the Council to investigate thoroughly the nature of the overseas gas proposals, were no less suspicious than The Journal had been of their plausible language. The necessity for expert advice and information was strongly felt by Councillors, many of whom were, in their own right, shrewd businessmen, and well able to drive hard bargains. Councillor Birkenruth was appointed to obtain information from the recently formed Port Elizabeth Gas Company, while Councillor Hoole undertook the Cape Town investigation.¹⁸⁴ Grahamstown, self-designated capital of the Eastern districts, could not afford to lag behind in any field of municipal endeavour where Cape Town and Port Elizabeth had led the way.

The Grahamstown Councillors were meticulous in their investigations. As the gas question became openly discussed out of Council, strongly worded debate on the merits and demerits of the English Gas Company's offer appeared in the Correspondence column of The Journal. What is particularly noteworthy is the comment by readers who clearly had some familiarity with the practice of gas manufacture and supply in England.¹⁸⁵ By the end of 1864 the Council was in a turmoil over the

¹⁸⁴ G.T.J. 27-11-1863 and 1-12-1863.
S.C.M.B. 1-12-1863.

¹⁸⁵ G.T.J. 26-5-1864. Letter from A Friend to the Public "Progression is your motto, Mr Editor - conservative, also, as regards our pockets, if you advocate gas versus tallow."
G.T.J. 3-6-1864. Letter from A Resident quotes prices of gas in Plymouth & Stonehouse Gaslight and Coke Company.
G.T.J. 30-9-1864. Letter from Aletheia who had once worked in a junior position in an overseas Gas Company.

problem of gas. Most Councillors were exceedingly enthusiastic for gas but were very divided about the best means to get it. A few Councillors only, seemed to appreciate that the gas lighting was a luxury that Grahamstown could not afford. Such a one was Councillor Penn who maintained it was madness to consider any gas scheme in their present financial state. He maintained gas lighting would entail a 3d rate and reminded the Council they still had a duty to pay their debts.¹⁸⁶

The prospect of gas lighting in the streets of Grahamstown had so far intoxicated both Council and citizens that there was little support for Penn's very realistic assessment of the Council position. By September 1864, Messrs Stephenson, Christie and Lefevre, the English Company, had accepted the Council's modifications to their original proposals.¹⁸⁷ The Council, after this offer, faithfully relayed by Dr Atherstone, were hopelessly confused as to their course of action. The question of whether or not they were able to grant a monopoly to any Company under the Act of Incorporation, was unresolved, yet there was debate as to how far the Council was in honour bound to accept the English Company's offer. The Grahamstown Gas Company Board of Directors was composed of leading citizens of the town: the Hon. G. Wood, Hon. S. Cawood, W.R. Thompson sen., W. Ogilvie and C.H. Maynard. The offers of the Grahamstown Gas Company had far greater appeal for many Councillors. During an excessively lengthy Council meeting, the Mayor, George Wood jun., so far forgot himself as to enter into a conflict with Councillor W. Roberts as to the paying proposition of local versus foreign gas. Roberts was in favour of the foreign gas company and quoted numerous figures from the scientific work of a certain

¹⁸⁶ G.T.J. 31-5-1864.

¹⁸⁷ G.T.J. 15-3-1864 and 26-9-1864.

Terms: A monopoly of 30 years. They would commence selling at 20/- per 1 000 cubic feet and when their profit exceeded 10% they would reduce their price to 18/6, when 11% - 18/-, when 12% - 17/6, when 13% - 16/6, when 14% - 15/6, when 15% - 14/6 in equal ratio. The Council would have the right of inspection over their accounts and would not be responsible for any of their losses. These terms were proposed by the Council.

Dr Ure to prove his point. George Wood jun., whose father was a director of the local gas company, quoted the cost of Cape Town gas to support his argument. The most sensible suggestion to emerge from this muddled debate came from Councillor King who proposed that the Council themselves draw up conditions and advertise for tenders for laying down gas in the streets of Grahamstown. This motion was carried.¹⁸⁸ The Mayor's conduct in actively supporting the local gas company in Council instead of maintaining his customary imperturbability, was not overlooked by The Journal. Sardonic comment was made that he was in danger of becoming a despot in a small way, and one who appeared to have the monopoly of the mayoralty. The Journal hoped this lapse would be a small one and that he would soon return to his former position as model Mayor.¹⁸⁹

The notion to advertise for tenders placed the initiative squarely on the Council once more. They were aware that their duty, as pointed out by a correspondent to The Journal, was to supply gas at the cheapest rate to citizens, rather than to weigh up where the profits would be going.¹⁹⁰ In such a commercial community as Grahamstown, both were nicely calculated by all and sundry. The Special Gas Committee obtained their information at the cheap expenditure of £9.¹⁹¹ The advertisement for gas tenders was inserted in Grahamstown, Port Elizabeth and Cape Town newspapers, as well as a short notice in the London Times. In addition, 12 copies of the advertisement and accompanying diagram were furnished to four English addresses.¹⁹²

¹⁸⁸G.T.J. 7-11-1864.

¹⁸⁹G.T.J. 9-11-1864.

¹⁹⁰G.T.J. 30-9-1864.

¹⁹¹G.T.J. 30-1-1865 and
S.C.M.B., p. 128.

The Inspector of Works collected the statistics of street lengths and houses for the advertisement while information was obtained from Gentlemen who had had experience with Gas Works overseas.

¹⁹²G.T.J. 3-2-1865.

Mr Robert White No. 1. Riches Court, Lime St., London.

Mr J.S. Wright 106 Crawford St., London.

Messrs Hurndall, Hellier & Wills, Bristol.

Messrs Theophilus, Richards & Company, Birmingham.

The response of the firm Theophilus, Richards and Company to this information was significant in its dourness. It merely acknowledged the documents relative to the gas supply of Grahamstown and in the same breath recalled the attention of the Council to the state of their account current with the firm for the supply of water pipes.¹⁹³ This current account was quite obviously in no state for Grahamstown to anticipate any further investment from the firm of Theophilus Richards and Co. in the affairs of the Council.

The advertisement and a detailed sketch map of the central area of Grahamstown to be laid with gas pipes, appeared as Extras to The Journal of 15 February 1865.¹⁹⁴ The map, which gives street levels in relation to each other and the site suggested for the Gas Works, also gives the length of the principal streets and the number of houses in each, as well as the public landmarks in the area. This is a particularly valuable map for Grahamstown 1865 as it gives the density of houses in the business area of town as also the total number of houses in Grahamstown then - 1 140. It is noticeable that the business area lay around the axis of Market Square-Church Square-High Street. It was anticipated that this area would be the first to be illuminated by gas.

The only Company which pursued the privilege of lighting Grahamstown with gas throughout 1865 was the newly formed Grahamstown Company. After lengthy negotiation,¹⁹⁵ Council and Company failed to arrive at any conclusion, which, in the economic climate of 1865, was just as well for both of them. The Council had enumerated, after February, many more stringent conditions to bind the Gas Company to Council involvement and control over the supply of gas and this was unacceptable to the Grahamstown Gas Company. The further conditions

¹⁹³ C.M.B. 19-5-1865.

¹⁹⁴ See Appendix F: Gas Map and Gas Advertisement.

¹⁹⁵ G.T.J. 21-8-1865, 28-8-1865 and 11-9-1865.

were as follows:

The Council had to approve the Gas Works site. The Company had 18 months to supply the streets with gas after which it was liable to a Council fine or the withdrawal of the licence. It could also be fined for gas lacking in the requisite purity. It had to supply the Council with a map of the gas mains in the city which had to be kept up to date. It had to erect lamp posts at the Council direction and the Council reserved to itself the right to appoint an Inspector who would at any time have free access to the Gas Works.¹⁹⁶ The Council were demanding public control of a private enterprise without paying for it. No businessman could have afforded to accept terms such as this. The Council sabotaged themselves in their demands to control what amounted to a gas monopoly. The Councillors had become so involved in their plans, they had become divorced from reality. C.H. Maynard, Honorary Secretary to the Grahamstown Gas Light Company, declined these additional Council terms and reiterated the Company offer. They were prepared to light the City with Gas at a maximum rate of 20/- per 1 000 cubic feet, with equal gas quality to that supplied in England and they guaranteed to place the streets in the same order as existed prior to the laying down of the pipes. In addition the Company were not disposed to ask for a monopoly but simply "to supply a necessity which has long been felt "¹⁹⁷ These comprehensive conditions were not considered sufficient by the Council and so the matter rested, after two years' unrealistic plans.

At periodic intervals offers to light the streets of Grahamstown appeared from very different sources, but it was not a pecuniary possibility until 1895 when, under the Mayoralty of John Willcox, Grahamstown was lit by gas.¹⁹⁸ In 1871 a certain Jno. Bloxham, gas engineer, approached the Council on the subject of gas. His offer was duly referred to a special committee.¹⁹⁹ The Port Elizabeth Gas

¹⁹⁶ C.M.B. 8-9-1865 and
B.W. & L. Report 29-8-1865.

¹⁹⁷ C.M.B. 13-10-1865.

¹⁹⁸ G.T.J. 2-2-1895.

¹⁹⁹ C.M.B. 15-3-1871, 22-3-1871 and 5-4-1871.

Company likewise made an offer in 1876 and the Council accepted the offer provided the number of street lamps to be paid for by the Council was reduced to 30.²⁰⁰ No doubt this was unacceptable to the Port Elizabeth Company. Finally an offer from Samuel Dawes of the Clevedon Gas Works in Somersetshire, arrived in 1877. The Council returned the necessary information but a letter from Dawes declined to go further in the matter as a result of the unsettled condition of things at the Cape.²⁰¹

A Journal editorial in 1882 considered it was a matter for congratulation that Grahamstown did not as yet have gas lighting.²⁰² For electric light was already proving itself to be a practical and cheaper alternative to gas, even at the Cape. It was first introduced in Kimberley with complete success by a private company and the Diamond News suggested that Kimberley's Town Council should adopt it for civic purposes.²⁰³ By June the electric light was likewise a success in parliament house in Cape Town. Gas-lighting of parliament house had cost on an average 20 shillings per night while the electric light totalled 13 shillings: a considerable saving. The Industrial Exhibitions in London and Paris in recent years had shown many of the initial difficulties in the utilization of electric light had already been successfully overcome. Interestingly enough, the Council received an offer from S. Stent that he should enquire on his visit to Europe, about the experiments being performed in Paris with "the Electric Light." The Council reply blandly stated they "were not prepared at the present time to entertain any proposition with regard to the Electric Light." They were certainly in no position to do so.²⁰⁴ The Journal admitted on this note that "we are prepared to accept that the electric light is the illuminator of the future",²⁰⁵ and suggested that once the Council had resolved its financial difficulties Grahamstown too, might enjoy the benefits of electric light. This hope was not realised until

²⁰⁰ C.M.B. 19-7-1876 and 11-10-1876.

²⁰¹ C.M.B. 24-10-1877, 31-10-1877 and 5-6-1878.

²⁰² G.T.J. 15-6-1882.

²⁰³ G.T.J. 2-6-1882.

²⁰⁴ C.A.B. 19-3-1879.

²⁰⁵ G.T.J. 15-3-1882.

1921.

Instead of gas, paraffin lamps lit the main streets of Grahamstown during the 1870's. This had ironically been proposed in a letter to The Journal while the gas furore was at its height. The correspondent who had labelled himself Earnest, had made a plea for paraffin lamps in the streets instead of gas. Both Durban and Port Elizabeth had quite a number and Grahamstown itself already had several outside Wood's and George's Hotels. Earnest supported local industry; he suggested the lamps be cast in Stead's foundry.²⁰⁶ It was not until 1872 that the Council empowered the Board of Works and Lands to expend not more than £50 for the provision of lamps in the difficult parts of the city.²⁰⁷ Even this modest proposal from a Council emergent from the gloom of 1871's financial straits, was not unanimously supported. Councillor Houston handed in a written protest against such expenditure which had not been on that year's estimates.²⁰⁸ With this sum, 6 street lamps were purchased and the Council spent no less than two Council sessions in debate as to where these first civic lamps should be placed. The final agreement positioned them at what were the most necessary points in town, which included several bridges.²⁰⁹ During the same meeting, tenders were called for the lighting, cleaning and trimming of the 8 public lamps, which would include the supply of paraffin for 7 of these lamps.²¹⁰ 1872 marked the first official appearance of the Grahamstown

²⁰⁶ G.T.J. 18-11-1864.

²⁰⁷ C.M.B. 28-2-1872.

²⁰⁸ C.M.B. 13-3-1872.

²⁰⁹ C.M.B. 11-9-1872 and 18-9-1872.

The final positions were as follows:

Albany Hall Bridge

Bennett's corner

The top of High Street facing the Drostdy

Palmer's Bridge

Post Office

Stanton's Bridge in Hill Street.

²¹⁰ C.M.B. 18-9-1872.

Lamplighter. Mr B.H. Standenmacher was appointed at the rate of £7.10. 0. per month.²¹¹ The following year Mr Geo. Tinkler became Lamplighter²¹² and remained so until 1877 when Ralph Pollett's tender was accepted.²¹³ By then the quota of street lamps had increased so that payment was made at the rate of 9/6 per lamp per month, the Lamplighter to supply the necessary equipment.²¹⁴ Grahamstown's street lamps were to be kept burning from dusk to 12 o'clock midnight each night, except for the week preceding full moon. This regular monthly interruption to the Lamplighter's activities was quite a Council saving in salary.

Councillor James Wood of Wood's Hotel, was noted for his interest in increasing the lamps of Grahamstown.²¹⁵ Lamps were obtained variously from the Port Elizabeth Gas Company²¹⁶ as also Theophilus Richards and Co., Birmingham.²¹⁷ Public-spirited citizens who could afford the gesture, such as Dr W.G. Atherstone, provided street lamps in front of their homes which they handed over to the Council for civic use.²¹⁸ The Benefit Societies likewise indulged in civic gestures such as this, from time to time.²¹⁹ The Council itself requested in 1876 that the authorities of the churches and chapels in Grahamstown allow the Council the use of their street lamps, which included the supply of paraffin and their cleaning by the Lamplighter.²²⁰ But in spite of Grahamstown's pride in its street lamps, the municipal lighting fell far short by English standards. James Butler in his Journal described what was for him an amusing

²¹¹C.M.B. 20-11-1872.

²¹²C.M.B. 12-2-1873.

²¹³C.M.B. 19-9-1877.

²¹⁴Ibid.

²¹⁵G.T.J. 26-11-1880. Supplement.

²¹⁶C.M.B. 4-10-1876.

²¹⁷C.M.B. 21-1-1880.

²¹⁸C.M.B. 11-2-1877.

²¹⁹C.M.B. 13-12-1876.

²²⁰C.M.B. 18-10-1876.

experience to return from an evening visit at Henry Wood's by the light of municipal street lamps which were very few and far between.²²¹ He estimated that they totalled less than 30 and commented that on cloudy nights Grahamstown was very dark because the city was so poorly supplied with street lamps.²²² Alas for the high hopes which had ushered in the thoughts of gas in the 1860's. Yet in the challenge of Grahamstown's situation, her provision of street lamps was more than adequate.

The most impressive public works scheme to be completed during 1862-82, was the Town Hall. The occasion of the formal opening of the Town Hall in May 1882 was not on the scale of the opening of the Jubilee Tower later that month, and not even to be compared with the laying of its own foundation stone twelve years previously. The Journal ascribed this to the popular presence at the earlier occasion of Sir Bartle Frere and said more people came to see the dynamic Governor than the ceremony of laying the foundation stone. No doubt this partly explains the difference, no doubt also the energies of Grahamstown were being reserved for the prospective celebrations of the opening of the Jubilee Tower. The Town Hall opening was intended as a preface to the latter occasion, so the Town Hall could be utilised to its full advantage for the Tower opening. The Municipal officers had been moving in piecemeal before the actual opening. They had finally reached their municipal nirvana after their occupation, since incorporation, of various temporary town offices, lacking the comfort and dignity of a Town Hall. Grahamstown's Town Hall was an edifice of civic dignity which represented the culmination of twenty years of municipal effort against all financial odds.

Its origins lay in conflict. The purchase of the Church Square erf on which the Town Hall was eventually built, was bitterly opposed

²²¹ James Butler, Jim's Journal 11-1-1877 C.L. PR 3482.

²²² Jim's Journal 12-3-1877.

both within and without the Council, because it superseded the plot purchased earlier in High Street for the same purpose.²²³ The concept of a Town Hall in the minds of Councillors in the 1860's was that of civic convenience and civic symbol. The Town Hall should ideally house the municipal offices and, in the Grahamstown context, also the cultural centres of the Library and the Museum. These were conceived as an integral part of Grahamstown's first Town Hall. The delay of twenty years for the erection of this noble edifice, led to conflict between the Library and Museum Committees, for they too, had their problems of housing and space. The problems of accommodating both Library and Museum in the Town Hall and obtaining the approval of both Committees to the plans of the Town Hall and any other decision that the Council felt obliged to make about the Town Hall, led to friction and crises. In 1882 after the opening of the Town Hall it was still not clear whether the Library would move to its new premises or not.²²⁴ The Museum had already started their move, organised by the Town Clerk and the Curator, B.J. Glanville, ably assisted by his daughter.

The cost of the Town Hall had been extremely heavy. Newspaper estimate set the figure at £15 300, which did not include the extra cost of interior decoration. The furniture of the Council Chamber had come to £451.15. 3., the Offices £200, the Venetian blinds £61 and the Lamps £23.²²⁵ And the Council had had to dispense with the services of their first qualified City Engineer, as a result of their precarious financial position. And yet the cost had been worth it. Since incorporation the municipal officers had been in hired rooms, an arrangement which was not satisfactory. In July 1862 Mr Hamilton had offered to let the large upper room of his new store and provide a market office adjoining for £10 a month.²²⁶ Once the Council had taken possession, The Journal celebrated by a lighthearted description which revealed a lack of civic splendour. The Mayor's chair was "all leather, prunella and brass truckles" and

²²³ See Chapter 3: Municipal Finance.

²²⁴ G.T.J. 16-5-1882.

²²⁵ G.T.J. 4-5-1882.
See also Chapter 3: Municipal Finance.

²²⁶ G.T.J. 12-7-1862.

the Council Chamber modelled on Spartan principles. The table had room to seat only 22 Councillors comfortably, the 23rd Councillor had to place himself in the back slums and The Journal reporter had barely enough room. The ventilation also needed improvement. As the reporter pointed out, it was seldom the whole body of the Council met each meeting for "the bloom is off the plum" and only the dedicated Councillors returned week after week, once the excitement of incorporation was over.²²⁷ Be that as it may, these premises sufficed until 1867 when the Council Chamber was moved to what had been Messrs W.R. Thompson's store at No. 68, Bathurst Street, owned by Mrs Estment.²²⁸ These premises were much more commodious and served the Council adequately until the Town Hall was completed.

The Council Chamber of the new Town Hall represented all that was luxurious. The Journal extravagantly dubbed it "the handsomest room in the Colony" for a Municipality. It was spacious; 52 foot by 28 foot, and fitted with costly furniture made from best white oak by English artisans. As Councillors were not allowed to use ink, the hope was expressed that the furniture would not get stained. It had a dark dado and duplex lamps as well as patent Venetian blinds. The reporter deplored the absence of a clock by which Councillors could time their utterances and felt that the arrangement of the portraits was too formal.²²⁹ These were his only criticisms, and there is no doubt that Councillors thankfully hailed the day when the trappings of comfort lightened their task of civic government.

The general effect of the double iron gate at the entrance to the Town Hall, designed by the architect, Stent, and cast in Jolly's foundry in Grahamstown, was much admired.²³⁰ It marked the Town Hall entrance as distinct from the Jubilee Tower Building, which was erected through public subscription funds, in memory of the 1820

²²⁷ G.T.J. 27-9-1862.

²²⁸ C.M.B. 26-7-1867, 30-8-1867 and 22-11-1867.

²²⁹ G.T.J. 1-5-1882.

²³⁰ Ibid.

Settlers. The Council decision in 1870, to vest the frontage of the Town Hall erf in the name of the Mayor and the Resident Magistrate in trust for the Memorial building, was the source of heated Council controversy. Councillors Mathews, Barr and Watson handed in a formal letter of protest which stated that under the Act of 1869 the Council had no legal power to alienate any municipal immovable property except for municipal purposes. They felt that to ask for the Governor's sanction for such a purpose was to establish a dangerous precedent.²³¹ In spite of their determination to block such a move they were powerless in the face of the overwhelming public support for the erection of the Jubilee Tower. A public meeting of citizens ratified the Council decision.²³²

The design of Tower and Town Hall were considered to present a harmonious and impressive facade and the citizens of Grahamstown felt justly proud of such a symbol of civic glory. Yet such beauty was in the eye of the beholder and other opinions had been expressed. James Butler after viewing the proposed plans of the Town Hall in 1877 had the following devastating yet understated criticism to make. "It seems that the ugliest has been selected " and supposed it was because of the cost.²³³ Such disarming candour would not have been well accepted by the Town Councillors either then or in their moment of triumph in 1882. Yet the selection of suitable plans for the Town Hall of Grahamstown had taken years of Council time. For in 1863 in spite of financial considerations, it was felt imperative to start work on the building of a Town Hall worthy of the "first city of the Colony" and so that the Governor could lay the foundation stone on his visit to Grahamstown for parliament in 1864.²³⁴ Tenders for plans were called for, the maximum cost of erection stated as £15 000, to give the architects a sufficient guide.²³⁵ Architects duly sent in plans under intriguing titles, but one firm was guilty of revealing its plans to the press. Messrs Tuppen and Stonestreet of

²³¹C.M.B. 4-5-1870 and 11-5-1870.

²³²C.M.B. 21-6-1870.

²³³Jim's Journal. 5-3-1877.

²³⁴G.T.J. 1-9-1863.

²³⁵G.T.J. 13-10-1863.

Cape Town, formerly of London, refuted that they had made available a photograph of their plans to the press.²³⁶ Whatever the truth, it was a bad start. And worse was to come. The Town Hall Committee reported their choice of plans marked Old England but Council opinion was not unanimous.²³⁷ The Museum and Library Committees had pertinent criticism to make and the debate dragged on for months. Councillor King commented in October, after the Council had received the plans in March, that "the march of intellect is not very rapid in this Council".²³⁸ This comment evoked laughter but the architects themselves became restive at the delay. Finally, in March 1865, the opinion of the City Solicitor was sought, as the Council had realised they could not agree on the issue nor had they the means to grant the prizes or to set the works in hand. On his advice, the Council returned the plans, without opening the private notes of the architects and issued a statement to the press on the subject.²³⁹ The reason for their rejection was that none of them had matched the specifications given in the original tender: a reason which smacks of the spurious.

Despite such early Council errors of judgement, the end result justified all the expenditure. For in Victorian eyes, Councillor Penn's remark, in 1863, that the Town Hall work was for posterity therefore it was justifiably the kind of work the Council could incur debt for, would have been applauded.²⁴⁰ Civic symbol was important.

²³⁶ G.T.J. 26-2-1864.

²³⁷ G.T.J. 31-5-1864.

²³⁸ G.T.J. 17-10-1864.

²³⁹ C.M.B. 10-3-1865.

²⁴⁰ G.T.J. 13-10-1863.

CHAPTER FIVE

PUBLIC HEALTH

CHAPTER 5.

PUBLIC HEALTH.

The Victorian age was pre-eminently the age of great cities and their attendant problems of public health. Increasing recognition was accorded to the fact that public health should be both a civic and community concern. Thinking men, faced with the sheer scale of the problem of public health as a result of the rapid and uncontrolled growth of cities and populous places, realised what a pervasive effect sanitary conditions had on all aspects of life. To a reformer such as Charles Kingsley, the link between sanitary living conditions and the morality of a city's inhabitants was of primary importance. In a lecture on Great Cities and their Influence for Good and Evil delivered at Bristol in 1857 he declared his belief that "the moral state of a city depends - how far I know not, but frightfully, to an extent as yet uncalculated and perhaps incalculable - on the physical state of that city, on the food, water, air and lodging of its inhabitants."¹ During the first half of the 19th Century rate of industrial and city growth, lack of medical knowledge and civic organisation had allowed slum living conditions to develop on an unprecedented scale. The graphic description by G. Kitson Clark of the insanitary hazards of tainted water supplies and lack of sanitation in such overcrowded city slums is no more than unvarnished fact of the common problems of early 19th Century British cities. "Water and sanitation were often not provided at all, and where they were provided there was often a judicious mingling of cesspools and wells with an occasional overstocked graveyard or active slaughter house to add to the richness of the mixture."² Recognition of these problems was followed slowly by legislative action in the alleviation of such conditions. Edwin Chadwick's Report on The Sanitary Condition of the Labouring Population of Great Britain appeared in 1842 and prepared the way for future public health

¹ A. Briggs, 'The Human Aggregate', in H.J. Dyos and M. Wolff eds., The Victorian City. Images and Realities Vol. I, p. 84.

² G. Kitson Clark, The Making of Victorian England, p. 79.
See also J.A. Banks, 'The Contagion of Numbers', in Dyos and Wolff eds., The Victorian City Vol. I, pp. 106-107.

legislation in Great Britain. This process was considerably aided by the growth of concepts of civic responsibility in such populous areas. Any examination and attempted understanding of the Victorian pursuit of the "Sanitary" idea yields tribute to the qualities of Victorian enterprise and organisation in a most essential sphere of human activity.

Grahamstown, on the fringes of Britain's colonial world, possessed certain sanitary advantages over the industrial cities of England. Cape towns, by mid-century, by virtue of their smaller size, less rapid growth rate, vast areas of open land surrounding them, were better situated than the cities of England, overshadowed by Blake's "dark satanic mills". Grahamstown's rate of growth during 1862-82 was outstripped during this period by Cape Town, Port Elizabeth and Kimberley. Because of the advantage of open space surrounding Grahamstown and other Cape colonial towns, they could grow naturally outwards, which did mitigate against conditions of overcrowding, narrow streets and the development of slum areas. A study of early Grahamstown architecture, particularly in those areas inhabited by 1820 Settlers - Settlers' Hill and, what is today designated, the frozen zone - describes houses built close together in styles similar to the English models the Settlers had left behind in England. Later in the 1850's and after, Grahamstown's wealthier inhabitants experimented with building villas with large gardens.³ But architecture and later the concept of town planning, though providing certain environments with positive or negative elements, is not the major influence in the degeneration into insanitary living conditions in slum areas. It is, instead, the human reaction to such architectural, economic and geographic environments and the existing concepts of civic and medical responsibility that provides the key to an understanding of public health. But Cape towns and cities also had certain sanitary disadvantages when compared with English towns, the most vital of which was the lack of abundant water supplies for civic purposes. Cape towns experienced, with the growth of native locations, complexities and challenges to civic and public health concepts which were unique in comparison to

³R. and B. Reynolds, Grahamstown from Cottage to Villa, p. 89-102.

other towns and cities of the Empire.

It is easy for the 20th Century citizen, with his unthinking acceptance of the unobtrusive and efficient processes whereby civic sanitation is controlled, out of sight of the public senses, either to fail to reconstruct imaginatively and understand the very different sanitary world of the 19th Century, or merely to recoil in horror from the obvious differences to our super-hygienic existence. The general sanitary living conditions of Grahamstown in the mid-19th Century presented a variety of "nuisances".⁴ Apart from the discomfort of dust and rubbish in the streets, there were at times accumulated rubbish heaps and manure heaps, dead animals in the streets, washing in public streams, overflowing cesspools which could impregnate wells and streams, and the stench of offal from the slaughter houses. Within this framework of insanitary "nuisances" there was a lack of much modern medical knowledge of the exact nature of causal links between dirt and disease. An examination of how the Grahamstown community reacted to the prevalence of such insanitary living conditions reveals the development of concepts of sanitation and hygiene, which, though largely the property of the medical men and the leaders of the civic community, in time permeated levels of ordinary Grahamstown society. Public health was accepted as a very definite civic responsibility by the newly incorporated municipality in 1862 and this was instituted through Council action. Particularly marked was the overlap of concern in matters of public health between the highly competent medical men of Grahamstown and the Town Council. The resultant voluntary co-operation between civic and medical authorities led to increased efficiency in dealings with problems of public health. In a relatively small civic community like Grahamstown, most notable in this respect was Dr W.G. Atherstone, certainly Grahamstown's most celebrated medical expert, who as a Municipal Commissioner before 1862, as a Town Councillor and a

⁴The Victorian term "nuisance" deserves some further comment. It is used to describe any insanitary circumstances general or particular which needed to be investigated and removed or controlled. The word itself is a typical Victorian blend of understatement with a very wide range of meanings.

member of Parliament. In the latter capacity he attempted to serve not merely as Grahamstown's medical conscience but as the protector of Colonial public health. The Town Clerk, B.J. Glanville, was a close friend of Dr Atherstone. Families such as the Woods served the community meritoriously in the sphere of public health on both Council and the Albany Hospital Board.

This co-operation between the civic and medical authorities in Grahamstown arose in response to the local problems of public health, as was often the pattern in England. Medical Officers of Health in England played a major role in revolutionising concepts and practice of public health in urban local government in the 19th Century. The importance of their function has been succinctly described as follows: "As a group they stood in the forefront of vigorous urban administration and played a critical role in the development of civic government."⁵ Often in matters of public health the necessary lead came from the Medical Officers of Health rather than vested interests of local government bodies. Because problems of public health were on such a compound scale in Britain, it is easier to isolate the role of the professional M.O.H. as bringing much needed medical expertise and the new concept of "preventive medicine"⁶ to bear on traditional Poor Law attitudes of some local government bodies. The 1878 President of the Society of Medical Officers of Health clearly defined their role as that of "preventive medicine". The idea of the M.O.H. had been conceived by Edwin Chadwick in his 1842 Report and had gradually been adopted by a few individual local government bodies⁷ until in 1872 it became compulsory for such bodies to appoint M.O.H.s. An important development occurred within Grahamstown municipal sanitary practice after 1862: the municipal servant, the Streetkeeper, came to be increasingly regarded as the Sanitary Inspector of the Municipality and so, to some extent, the municipal forerunner of the officially appointed and medically qualified M.O.H. The Streetkeeper was the

⁵ A.S. Wohl, 'Unfit for Human Habitation', in Dyos and Wolff eds., The Victorian City Vol. II, p. 603.

⁶ Ibid., p. 606.

⁷ 1847 Liverpool
1848 John Simon became M.O.H. for London
Ibid., pp. 604-5.

officially appointed locator of all "nuisances" and under the supervision of a Council committee of eight members which dealt with matters police and sanitary. This committee also dealt with problems associated with the market and pound. It held various names at different times: the Sanitary and Police Committee, the Police and Market Committee but the name most often used was the Police, Market and Pound Committee. After 1882, the name changed and matters of public health were referred to the Location, Plantation and Sanitary Committee. This committee between 1862-1882 had to deal with all problems and crises associated with the public health of the city. Grahamstown doctors, especially the District Surgeon, were frequently consulted by the Town Council whenever civic sanitary matters demanded. In a crisis such as a threatened epidemic, the entire medical fraternity supported and aided Council measures, as well as initiating their own measures for the protection of public health. The District Surgeon was, to all intents and purposes, the unofficial Grahamstown M.O.H. on call until 1898, when the Town Council appointed the first official M.O.H., as a result of the provisions of the Public Health Amendment Act of 1897.⁸ Dr James T. Bays was Grahamstown's first M.O.H.

It had long been the practice for the old Municipal Board of Commissioners to employ a Municipal Streetkeeper. As the name suggests, he was a sanitary police official whose task was to patrol the town's environs, to maintain a constant watch for insanitary nuisances, to report them and as far as he was able, to organise their removal. The closest English counterparts to such a Municipal official were the Inspectors of Nuisances or Sanitary Inspectors, assistants to the M.O.H. These English officials needed no medical training and very seldom possessed any certificate of competence and by the end of the century such amateurs were giving way to professionally qualified men.⁹ One M.O.H. described the

⁸Dr L.G. Couch, A Short Medical History of Grahamstown, p. 41.

⁹A.S. Wohl, 'Unfit for Human Habitation' in Dyos and Wolff eds., The Victorian City Vol. II, p. 606.

type of man who was employed as an inspector as an "unskilled workman ... an official recruited ... from the ranks of ex-sailors, ex-policemen or army pensioners".¹⁰ The Grahamstown Streetkeeper required no more qualification than his English counterpart. Through his general instructions from the Council and specific directions from the Town Clerk and the Police Committee and through his experience, he was largely self-taught. An examination of the role of the Streetkeeper is a useful index to the attitudes to public health adopted and enforced by the Council.

After Grahamstown's incorporation in 1862 it was felt necessary to define the Streetkeeper's duties clearly as he had on certain occasions appeared loath to obey individual Councillors' instructions. Alexander Adam was the Streetkeeper. The majority on the Council soon realised that the size of Grahamstown in 1863 rendered it almost impossible for one Streetkeeper to carry out the old Board's list of instructions efficiently.¹¹ Councillor Birkenruth pointed out that the nuisance of pigs roaming the city was so great as to demand the undivided attention of a single Streetkeeper. A minority argued against the expense of the employment of another Streetkeeper and proposed that the city police, already furnished with the Municipal Regulations, aid the Streetkeeper in his duties. Councillor Birkenruth in his forthright manner stated that the Council could hardly direct the city police to employ themselves in capturing pigs and taking them to the Pound.¹² The object of the "cleanliness, regularity and order of the City" was important enough to merit the additional expense. When it came to the vote, concern for sanitation defeated financial parsimony by one vote. Of the 12 applications¹³ for the post of Assistant Streetkeeper - indicative of the onset of depressed times for workmen and the security offered by a Municipal position - Allan Stuart was

¹⁰ Ibid., p. 619.

¹¹ G.T.J. 12-5-1863.

¹² G.T.J. 13-10-1863. The word he used was the colloquial "skit".

¹³ G.T.J. 23-10-1863.

appointed at a salary of £7 per month.¹⁴ His duties were understood to include attendance to nuisances on Sunday when required to do so, in addition to his daily weekday duties. The post of Streetkeeper was certainly no sinecure. It was decided to issue the Streetkeepers with appropriate insignia of office.¹⁵ Grahamstown followed Port Elizabeth's example by recommending a hatband round the Streetkeepers' hats, as the easiest mark of recognition.¹⁶ At first this was a silver lace hatband, which was later followed by a gold hatband. During the 1870's the Council allowed the additional expense of providing an entire uniform - separate summer and winter outfits - but no description of the uniform appeared in the Sanitary Committee Minutes. The Council was probably meticulous in all sartorial details.

The Police Committee were given the task of drafting new instructions for the Streetkeepers of Grahamstown. This resulted in a comprehensive draft of 13 instructions.¹⁷ Grahamstown was divided into an Eastern and a Western beat for proper patrolling by the two officials. Each morning both men had to attend the market before it opened, arrange the wagons and assist the Market Master in ensuring that all the Market Regulations were carried out. They were to repair to the Town Office at 10 o'clock to receive any specific instructions from the Town Clerk. Finally they were to patrol their beats and enforce all Sanitary and Police Regulations. In addition to these daily duties, they were responsible for the weekly inspection of all slaughter houses, butcher shops and tanning yards. On the suspicion of any unwholesome provision, especially meat, being offered for sale, they had the power to prevent the sale and report the matter to the Town Clerk. They had also to inspect all night soil deposit pits. They had to keep a check on the use made of outspans, brickfields and quarries leased from the Municipality. In the case of fire it was their responsibility to contact the Water Superintendent

¹⁴G.T.J. 27-10-1863.

¹⁵G.T.J. 3-11-1863.

¹⁶G.T.J. 10-11-1863.

¹⁷G.T.J. 10-11-1863.

and assist him. In the event of a serious public disturbance they were to contact the Clerk of the Peace or the city police and were themselves authorised to help maintain law and order under such circumstances. Finally they were responsible for presenting a weekly written Report of their activities to the Town Clerk who laid it before the Council.

These instructions comprised a most formidable list and covered most of the Sanitary Regulations laid down by the Council and published in the Government Gazette in September 1863.¹⁸ The only controversial instruction, hotly debated, was the authorisation to inspect tan yards once a week, in addition to the usual slaughter house inspection. Councillor Coxen, himself the owner of a tannery, vehemently maintained that this instruction would "seriously infringe on the liberty of the subject"¹⁹ and claimed that the permission of the owner must first be obtained, and referred to customs with which he had been acquainted, in England. The odours of the tan yard were attacked by certain Councillors on health grounds and defended from the charge, by others. Councillor King questioned whether tanneries were unhealthy and cited the odours of the druggist's shop in favourable comparison. The question was raised as to whether the Council wished to drive all mechanics out of town by such stringent regulations which infringed on the rights of certain occupations. An amendment that the Streetkeeper check such premises only on the Council's reception of a complaint, was lost.²⁰ Whatever the relative understandings and opinions of various Councillors on the subject of public health, it seems clear that the majority were agreed on the importance of the principle of civic responsibility and control of the community's public health.

In practice these Streetkeepers' duties were certainly more than one Streetkeeper could possibly perform. The Council was unlucky in its attempts to obtain two equally suitable municipal servants for this

¹⁸ See Appendix B: Municipal Regulations.

¹⁹ G.T.J. 17-11-1863.

²⁰ G.T.J. 17-11-1863.

responsible and unenviable task, vital to the continued public health of the town. The Assistant Streetkeeper, Allan Stuart, resigned at the beginning of 1864.²¹ By that time the Council was definitely feeling the economic pinch and no further applications were called for. William Rousseau, the Council's Pitman, was charged with the inspection of the slaughter houses and butchers' shops in the city, to relieve the remaining Streetkeeper.²² In 1865, by chance rather than design, an Assistant Streetkeeper was again appointed. As a result of the prolonged illness of Alexander Adam, the main Streetkeeper, Robert Fisher was appointed Streetkeeper in a temporary capacity. His marked efficiency at impounding stock and exacting Sanitary fines had, during one month, brought in more municipal revenue than his salary of £7.10.²³ The Sanitary and Police Committee therefore recommended his continued employment as a second Streetkeeper. There was a division among Councillors as to the wisdom of this permanent appointment as Fisher's extreme zeal had brought in not only many fines, but several complaints of "tyrannous" behaviour through his pursuit of his duty far beyond the letter of the law. During the debate the following episode was mentioned: there had been complaints as to his "sharp pouncing" on horses and cattle to impound them. On one occasion though, his officiousness had provoked a woman to take up a broomstick in defence of the "wandering propensities" of one of her pigs.²⁴ By a majority of the Mayor's deliberative vote, Streetkeeper Fisher was installed as municipal official to continue his policing mission with misguided enthusiasm. His career was brief.

Complaints against him increased until the Sanitary and Police Committee were forced to hold a Court of Inquiry into his excessive devotion to duty. The Council Minutes recorded the complaints of the Hon. S. Cawood,²⁵ David Sampson²⁶ and Thomas Brooks²⁷ in suitably bland

²¹G.T.J. 12-1-1864.

²²G.T.J. 5-3-1864.

²³G.T.J. 3-4-1865.

²⁴G.T.J. 3-4-1865.

²⁵Hon. S. Cawood - butcher, Mayor 1880 and member of parliament.

²⁶David Sampson - farrier and Town Councillor at a later date.
See also Appendix G: Councillors.

²⁷Thomas Brookes - Teacher, Market Street.

manner but The Journal gave a more lively catalogue of their wrongs.²⁸ All three complaints concerned three variously successful attempts at impounding pigs. Fisher was accused of illegal impounding, bad language and mishandling of the pigs. The Court of Inquiry, recorded in the usual dignified manner, filled ten pages in the Sanitary and Police Committee Minute Book,²⁹ and gave verbatim accounts, by eyewitnesses, and the Streetkeeper's defence. As with all investigations of complaints about Market, Pound or Police matters, Streetkeeper Fisher's Court was thorough in its procedures and competent in judgement. In two cases Fisher was found to have exceeded his instructions.³⁰ In the event he was not discharged for misconduct but for absenting himself from duty, probably in anticipation of the Council's discharge.³¹

After this somewhat disastrous experiment, no second Streetkeeper was appointed. Instead Streetkeeper Alexander Adam was granted four bundles of forage a day to keep a horse and so facilitate the performance of his sanitary and police duties.³² The episode of Streetkeeper Fisher emphasized the very real problem of the pig nuisance and in general, that of wandering stock through the Grahamstown streets. More important, though, it illustrated that the primary responsibility of the Streetkeeper was supposed to be first, a sanitary concern and second, a police concern. Streetkeeper Fisher had misinterpreted the priorities of his position in his zealous attention to getting as many fines for the Council as possible. In addition the task of the Streetkeeper was formidable in its frequent and often unpleasant contacts with the public. Fisher had neither the firmness and tact nor the ability to interpret flexibly his instructions; all of which were requisite characteristics for a successful Streetkeeper.

²⁸G.T.J. 8-5-1865.

²⁹P.C.M.B. 18 May 1865, pp. 11-21.

³⁰C.M.B. 19-5-1865.

³¹G.T.J. 26-6-1865.

³²G.T.J. 4-9-1865.

The prevalence of typhoid fever in Cape Town and other localities in 1867³³ presented the challenge of extra vigilance in all matters relative to public health. The Governor's Proclamation in the Government Gazette of 20-9-1867 stated that "disease of a typhoid type" had appeared in Cape Town, Pappendorp and other parts of the Cape district and Worcester". This sudden extra concern about public health invariably followed the threat of an epidemic in Britain as well as at the Cape. Britain's terrible cholera epidemics of 1848-49, 1853-54 and 1866 resulted in legislative action as well as frenzied activity at the local government level, to try and control the spread of the disease. Such stringent public health measures lapsed once the threat of an epidemic was over.³⁴ The Grahamstown Council seriously considered ways and means to improve the Sanitary state of the city in 1867. In times of crisis, the Council were well aware of the need for the exercise of preventive medicine in the destruction of insanitary living conditions which could lead to the spread of disease. The Police Committee recommended the appointment of an official Inspector of Nuisances or Sanitary Inspector³⁵ in addition to the Streetkeeper. It is significant that the titles assumed were those in use in England to describe the M.O.H.'s assistants. This Sanitary Inspector would inspect all slaughter houses and tanneries, all meat for sale and butchers' shops. More particularly, under the terms of the tenth Sanitary Regulation the Sanitary Inspector would have the authority to inspect private dwellings on reports of overcrowding and insanitary living conditions.³⁶ From 25 applications, Mr Hurndall was appointed as Inspector of Nuisances at £10 salary per month³⁷ - a higher salary than that of the Streetkeeper. Immediately there followed a rigorous enforcement of all Sanitary Regulations, particularly with regard to the state of tenements, filthy gardens, rubbish heaps and lack of provision of water closets by landlords. Grahamstown citizens appear to have

³³P.C.M.B. 25-9-1867, p. 112.

³⁴M.R.Q. Henriques, Before the welfare State, pp. 120-121.

³⁵P.C.M.B. 20-8-1867, p. 111.

³⁶C.M.B. 18-10-1867.

Specific powers were granted to the Sanitary Inspector by a power attached by the council seal.

³⁷C.M.B. 4-10-1867.

co-operated by acquiescing in the Council's sanitary decisions and in sending in frequent reports of various types of nuisance. The Police Committee decided that the Sanitary Regulations needed thorough revision in view of the emergency and the need for a thorough clean up of various slum tenement Rows, the condition of which they had been unaware. A detailed Report was laid before the Council.³⁸

Council control through the Sanitary Regulations was extended over dustmen for the removal of dust and rubbish. Pigsties, kraals and sheds were open to inspection in addition to tan yards and slaughter houses. Power was given to the Resident Magistrate to remove the licenses of nightmen and dustmen for any failure to keep to the Sanitary Regulations. The most important additions to the Sanitary Regulations were clauses which carefully defined the appointment, in times of crisis, especially when outbreaks of epidemic disease threatened, of a Sanitary Inspector and his duties and powers. Acting on any Report of infectious disease received, the Sanitary Inspector accompanied by the District Surgeon or other qualified doctor, would have the power to enter any house and remove persons suffering from such disease to proper medical attention. The Sanitary Inspector would have the power to enter any house merely on the suspicion of the presence of "noxious or offensive matter" and to Report such finding to the Police Committee. Likewise the Sanitary Inspector had the power to inspect any house on report of overcrowding and supply proof to the Police Committee who would then see to the removal of certain persons from the building. This clause was in effect one of slum clearance but there do not appear to have been any cases on record in which the Council actually evicted Grahamstown inhabitants despite overcrowding. The penalty clause for anyone resisting such removal charged them to appear before the Resident Magistrate. Anyone who obstructed the Sanitary Inspector in the course of his duty or who insulted him, would be liable to a fine of up to £10. This was a remarkably heavy fine compared to other fines within the Sanitary Regulations.

These carefully drawn up Additional Sanitary Regulations extended the Sanitary powers of the Council in order to minimise conditions which

³⁸ P.C.M.B. November 1867, p. 125.

A supplement of 9 pages gives the full text of the Additional Sanitary Regulations.

could lead to the spread of the dreaded fevers of the 19th Century: smallpox, cholera and typhoid. The clauses describing the powers and duties of the Sanitary Inspector, indicate clearly an understanding of the connection between overcrowding and insanitary living, dirt and disease and the necessity of the role of civic responsibility in the protection of public health. Because of Grahamstown's relatively small size compared to English cities, it was easier to inspect and enforce such regulations through the entire city. A factor which resisted improvement of sanitary conditions was the possible reluctance of landlords to provide sanitary necessities for tenants. One must not underestimate either, the reluctance of the said tenants, in the poorer areas of town, to adopt a more sanitary life style. The Additional Sanitary Regulations were formally promulgated as the Sanitary section of the Amended Town Regulations for the Municipality of Grahamstown, in the Gazette of March 4, 1873.³⁹ They remained the basis of Grahamstown's Sanitary legislation beyond 1882.

During this particular typhoid scare crisis which started in September 1867, the services of the Sanitary Inspector Hurndall were retained until all expectation of danger had passed. There were no outbreaks of typhoid within Grahamstown itself and the Police Committee recommended the retention of the Sanitary Inspector until April 1868 when the hot weather would be over.⁴⁰ Once the fever crisis was over, the intense concern about the sanitary state of the city dissipated. The pattern was the same as often occurred in England. The Streetkeeper, Alexander Adam, was left once more tacitly in charge of Grahamstown's public health. The Council, because of financial considerations, did not resolve his dilemma of having too much work to perform as efficiently as his position demanded. It is not surprising that in 1869 one of the medical men of Grahamstown, Dr Knowles, wrote to the Council suggesting the necessity for the appointment of a M.O.H.⁴¹ His disinterested view of the situation is rather blurred by the fact that he, presumably anticipating remuneration from the Council, promptly offered his own services in that capacity.

³⁹See Appendix B: Municipal Regulations.

⁴⁰P.C.M.B., p. 148.

⁴¹P.C.M.B. 5-3-1869, p. 204.

In spite of his dubious personal motives, evidence such as the complaint of the Inspector General of Hospitals, Dr Grant, about the slaughter house nuisances and the general sanitary state of the City,⁴² suggests that more thorough supervision of matters of public health was certainly necessary. Dr Knowles requested an opportunity to address the Police Committee, which was duly granted.⁴³ He was given full occasion to state his specific criticisms of the sanitary state of the city but, though his statements were seriously considered, his services as M.O.H. were not accepted. Instead the Council tried to resolve the ever-present slaughter house nuisances by an attempt to move them outside the city limits. The Streetkeeper was once again formally appointed as the official inspector of slaughter houses,⁴⁴ an admission of some neglect on the Council's behalf, in failing to alert him to the priority of the control of slaughter houses, after the dismissal of the Sanitary Inspector in 1868. No additional help was granted to the Streetkeeper except the forage allowance for his horse. By 1874 this grant had been increased to 200 lbs weight in forage per month, in addition to the samples brought on the market.⁴⁵ Without a horse his task would have been untenable.

It was not until 1877 that the Streetkeeper was himself appointed Grahamstown's Sanitary Inspector under the Sanitary Regulations of 1873. The necessity for the investment of the Streetkeeper with such additional powers followed sanitary concern about an outbreak of diphtheria in Grahamstown.⁴⁶ By designating the Streetkeeper, Sanitary Inspector, the Council acknowledged that the duties of the Streetkeeper had developed into those of the Sanitary Inspector. Though the usual municipal problem of no funds made it inadvisable to appoint and pay an additional full time official, the financial

⁴²P.C.M.B., p. 204.

Dr Grant's letter was referred to the Council from the Civil Commissioner and Resident Magistrate.

⁴³P.C.M.B. 18-5-1869, p. 216.

⁴⁴P.C.M.B. 2-5-1870, p. 234.

⁴⁵P.C.M.B. 16-2-1874 Estimates, p. 83.

⁴⁶F.C.M.B. 10-4-1877, p. 145.

consideration was not the main motive for the Streetkeeper's new appointment. The Police Committee's Report clearly stated that the duties of the Sanitary Inspector were already "to a large extent" performed by "our active Streetkeeper".⁴⁷ The additional title and added responsibility gained the Streetkeeper an increase in salary and the Council concession of an extra forage allowance, enough for two horses.⁴⁸ The appointment was duly advertised to inform the public. Certainly the epithet "active" was apt and would become increasingly more so. It might be more accurate to refer to the Streetkeeper as a Sanitary Ranger with his use of two horses. On this occasion, even after the diphtheria scare was over, the Streetkeeper retained the dual title, increased pay, forage allowance and additional sanitary responsibilities. In any future epidemic crisis this meant that no time was lost in enforcing the additional sanitary regulations attendant on the appointment of a Sanitary Inspector.

After the promulgation of new municipal regulations for Grahamstown in 1881,⁴⁹ specific instructions were again issued to the city's public health official.⁵⁰ This time the functions of Streetkeeper and Sanitary Inspector were seen as distinct. The Streetkeeper's duties were those of a civic policeman in attendance on the market, on the thoroughfares of the town, in control of traffic, able to impound and involved in the general execution of all town regulations especially those to do with slaughter houses, tanyards, quarries and brickfields. The Sanitary Inspector's function was that of Public Health Inspector. He had to inspect all parts of the town, including the Locations, daily, and report on contraventions of the Sanitary Regulations. In

⁴⁷ P.C.M.B. 10-4-1877, p. 145.

⁴⁸ C.M.B. 11-4-1877 and 19-3-1879.

The increase in salary was to be £10 per month and 600 lbs forage was allowed for 2 horses. Until 1879 he received such a forage grant which had increased over the years. In the estimates of 1879 it was decided to rescind his ration of 1 000 lbs forage and instead increase his salary to £150 p.a. He was to provide for his horses from the increase.

⁴⁹ See Appendix B: Municipal Regulations.

⁵⁰ Town Clerk's Letter Book 1881.

times of epidemics these duties and powers were extended to include rigorous house to house investigations accompanied by a duly qualified "medical man". Under the new instructions, the city's health officer was required to record his daily findings. This notebook was not an entirely new departure. Even before 1881 the Streetkeeper had been required to make reports to the Police Committee and Council, but they were apparently not written or recorded in a separate book for the purpose. The Streetkeeper's Diary makes illuminating reading, though many of the entries are repetitive and routine. The Streetkeeper certainly worked long hours of a very varied and colourful nature in the municipal service. The scale of his operations is revealed in the terse, brief entries in the Diary. A typical day included attendance at the morning market, a call at the town offices to receive any special instructions regarding nuisances from the Town Clerk, followed by his regular patrol of the streets, slaughter houses, tanneries, quarries and brickfields, and his checking on all public nuisances. Generally his most important duties were to keep all thoroughfares of town free from public nuisances. Occasionally his duties involved him in more specific public health activities. On one occasion he made an unsuccessful attempt to obtain some men of the hard labour party from the Civil Commissioner and Resident Magistrate, Mr Huntley, to "remove a native from the Location suffering from fever".⁵¹ As there were no prisoners in gaol, he organised a cart in which the fever patient was taken to hospital. These actions appear to have been on his own initiative - fair comment on his awareness of his public health responsibilities. But usually his reports record more ordinary discovery of nuisances. On another occasion, after a visit to the Locations, Mesopotamia and Fort England, his exasperated report recorded, "in spite of warning three times, the washerwomen persist in washing clothes in the streams".⁵² This had been a long standing nuisance at periodic intervals since 1863, which was exacerbated in times of drought when the washing fouled the natural water supply of this area. A more general nuisance was recorded in the Report that cattle were polluting the Grey, Douglas and Hamilton Reservoirs. The Streetkeeper subsequently impounded ten calves.⁵³ His day's work as easily included the

⁵¹ Streetkeeper's Diary 29 November 1881.

⁵² Streetkeeper's Diary Friday 12 May 1882.

⁵³ Streetkeeper's Diary 12 May 1882.

detection of private water leadings running to waste, which he attended to, collecting evidence for a Council court case, attending the Court of the Citizens' Roll and checking that no illegal tree-chopping had occurred.⁵⁴ He even noted on one occasion that he "got well soaked with rain"⁵⁵ after a street inspection tour. Trivia aside, this Diary is a valuable record of the daily fabric of municipal sanitary concerns.

The Streetkeepers of Grahamstown from 1862-82 were men of very different capabilities.⁵⁶ One who served the Council long and efficiently was Alexander Adam. Unlike Robert Fisher, he could generally distinguish to a nicety what action was required from him on very diverse occasions. The Council had a high opinion of his character and the way in which he discharged his duties. This was clearly revealed in a Court of inquiry the Police Committee held as

⁵⁴ Streetkeeper's Diary 25 November 1881.

⁵⁵ Streetkeeper's Diary 13 May 1882.

⁵⁶ Streetkeepers of Grahamstown

1862 Jas. Faircloth - married in St George's Church 1837 - illiterate.
1862 constable, near the Pound.

(1862 Grahamstown Directory)

1863-72 Alexander Adam d. at Somerset East in February.

(G.T.J. Index C.L.)

1864 Allan Stuart - no information.

Assistant Streetkeeper

1865 Robert Fisher - 1862 painter, New Street.

Assistant Streetkeeper (1862 Grahamstown Directory)

1867 Mr Hurndall, Sanitary Inspector

Richard Featherstone Hurndall married
Charlotte Martha Cawood, daughter of the
Hon. Joseph Cawood, in the Cathedral in 1866.

He was a widower and a bookkeeper.

(G.T.J. Index C.L.)

It is not certain whether this is the man who was appointed
Sanitary Inspector or not.

1876 Peter Main - Dairyman, New Street

(G.T.J. Index C.L.)

1879 James Michael Cogan d. 12-1-1905

(G.T.J. Index C.L.)

a member of the Volunteer forces.

1880 Robert J. Daniels - 1862 printer, Chapel Street.

(temporary Streetkeeper) (1862 Grahamstown Directory)

a result of a charge of "habitual insolence" by Justice Fitzpatrick levied against the Streetkeeper.⁵⁷ The circumstances had been as follows. Justice Fitzpatrick⁵⁸ and Dean Williams⁵⁹ had, in contravention of certain Market Regulations, been riding on Market Square among the public. On complaint being made to the Market Master, the Streetkeeper was sent to instruct the two riders to remove to a safe distance. Justice Fitzpatrick then charged him with insolence. The evidence heard at the Court - which Justice Fitzpatrick did not attend - testified to the general civility of the Streetkeeper and expressed disapproval at the frequency and carelessness with which the Dean rode among the people at the market. The Committee fully exonerated the Streetkeeper from the charge of insolence and gave an implied rebuke to Justice Fitzpatrick by regretting that he was not present to support such a serious charge as he had made. In 1869 while the Council was still suffering the effects of the financial depression, Councillor Houston proposed that Streetkeeper Adam be awarded a bonus of £20 to increase his pay to £10 per month "in consideration of his long, good and faithful service to the Corporation of Grahamstown".⁶⁰ The motion was lost. After ill health necessitated his retirement in 1872, the Council voted that £5 per month for three months be paid to him.⁶¹ His death left his widow and children in "poor circumstances", yet Councillor Smith's motion to grant his widow a considerable gratuity, was not even seconded.⁶² The Council's notions on provision for their ex-employees and their dependants were regrettably shabby. Financial considerations were allowed to curtail such expenditure rather more than the former were allowed to affect the general sanitary state of the city. The Streetkeepers who succeeded Alexander Adam did not achieve the same high standard of service. In 1879 Streetkeeper

⁵⁷ P.C.M.B. 11-12-1867, p. 139.

Four witnesses, one of whom was the Market Master, were heard.

⁵⁸ Justice Fitzpatrick - From 1865-69 he lived in Grahamstown as a judge of the Eastern Districts Court. Fellow Irishmen, he and Dean Williams probably had a great deal in common.

⁵⁹ Dean Williams - Dean of the Cathedral of St Michael and St George.

⁶⁰ C.M.B. 12-3-1869.

⁶¹ C.M.B. 6-11-1872.

⁶² C.M.B. 19-2-1873.

Peter Main not only actually appeared drunk in the Council Chamber itself,⁶³ but also on the public market.⁶⁴ The Police Committee having duly inspected the first charge and the Council-in-Committee the second, Peter Main was summarily dismissed. His successor, Streetkeeper Cogan, unavoidably was absent during 1880-1 when he received leave from the Council to fulfil his duties as a member of the Grahamstown Volunteer Corps during the hostilities in Basutoland.⁶⁵ The Council naturally agreed to such a patriotic request and employed a temporary Streetkeeper.

An examination of the changing role and responsibility of Grahamstown's Streetkeepers strongly reinforces the theme that the Town Council, during 1862-82, became increasingly aware of the importance of its function for the maintenance of public health and adapted the office of Streetkeeper to become, in practice, a self-taught amateur M.O.H. Equally clearly emerges the Council's belief in the importance of sanitary health legislation which should be thoroughly enforced. But the Council could not always afford to implement such legislation on the scale which they realised it should be done. The fact that in 1882 there was still only one Municipal Streetkeeper and Sanitary Inspector in spite of the resolution taken by the Council in 1863, is evidence of this. The need for emergency action in cleansing the insanitary living areas of the town every time an epidemic threatened is an eloquent suggestion as to the standards of public health which prevailed in times of no crisis. After each crisis and the strict enforcement of sanitary legislation, the insanitary housing areas reverted to the normal state that indifferent landlords and ignorant tenants allowed to develop. The "slum" areas which are identified in the Council records, appear to have been mostly overcrowded small houses in side streets or "Rows", inhabited by poorer working men, as tenants. It was usually as a result of the fear of infectious disease that such slum areas were discovered during the 1860's and 1870's. The Streetkeeper did inspect the locations but during this period there does not seem to have

⁶³ C.M.B. 22-10-1879.

⁶⁴ C.M.B. 10-12-1879.

⁶⁵ C.M.B. 27-10-1880 and 20-7-1881.

His second application for a further 6 months' leave was forwarded by his commanding officer while he was on active service.

been any thought of slum clearance within the Locations.⁶⁶

In 1861 prior to incorporation and at the end of the smallpox epidemic, a dreadful case of overcrowded and filthy living conditions was discovered where the Streetkeeper reported a case of smallpox in Estment's Row.⁶⁷ Though this report was unfounded, it resulted in a thorough investigation. The details of living conditions were insanitary in the extreme. Commissioner Franklin and Dr W.G. Atherstone inspected the Row and reported thereon.⁶⁸ In seven cottages "recently whitewashed" - an ironic provision by the landlord - lived 45 men, women and children, excluding visitors. The rooms were 8 foot square and were let for half a crown a week. There was only one privy, "choked with filth and stench", attached to a cottage below the row. None of the cottages had any water leadings. The tenants were in the habit of obtaining water from their landlord's water leadings at other points in the town. Estment's Row was indeed a "neighbourhood nuisance". One important recommendation of the Report was that there should be a sanitary law to compel owners to construct privies for their tenants. This was provided for in the 1863 Sanitary Regulations where every owner of a house, intended to be inhabited, was required to provide it with a cesspool or "other satisfactory means of disposing of night-soil without prejudice to the health of the inhabitants"⁶⁹ or be liable to pay a fine up to £5. On the results of this Report, the owner of Estment's Row, Mr Joseph Edkins, a respectable Grahamstown shopkeeper,⁷⁰ was confronted with his omissions as landlord and agreed to clean the premises and improve their sanitation.

⁶⁶ See Chapter 6: Locations.

⁶⁷ G.T.J. 5-2-1861 and 23-2-1861.
cf. K.S. Hunt, The Development of Municipal Government in the Eastern Province of the Cape of Good Hope, with special reference to Grahamstown (1827-1862). A.Y.B. 1961, p. 202.

⁶⁸ G.T.J. 5-3-1861.

⁶⁹ See Appendix B: Municipal Regulations.

⁷⁰ Eastern Province Year Book and Annual Register 1862.

Two aspects of the case of Estment's Row⁷¹ need further comment. Bad though the Report revealed conditions to be, the earliest mention of the "disreputable" state of Estment's Row as reported in The Journal⁷² sounded worse than actual conditions were found to be. This possibly reflected the alarmist tendencies of The Journal as citizens' mouthpiece in a situation which brought back fears of a renewal of the smallpox epidemic. On the other hand Mr Edkins certainly attempted to evade responsibility for the condition of the Row by denying his ownership of all the cottages in a letter to The Journal.⁷³ Whether he was solely responsible for the condition of the Row as owner or, as he claimed, part owner and part agent, is not clear from The Journal. Six years later, during the municipal inspection of the typhoid threat, Estment's Row was again found to be in an unsatisfactory sanitary condition. By then, owners of the property were a Mrs Edkins and the 'Frontier Fire Insurance Company'. The Police Committee on the report of the newly appointed Sanitary Inspector, called upon both owners to furnish their cottages with water closets.⁷⁴ Mrs Edkins had to be threatened with a fine and reminded a second time about her duties as landlady before she complied with municipal instructions. Yet again in 1868 the Police Committee had occasion to inform Mrs Edkins she would be proceeded against under the Sanitary Regulations, unless she provided her tenants in Kowie Street with "decent accommodation".⁷⁵

The next intensive sanitary concern about overcrowded living conditions was generated as a result of the smallpox epidemic which raged in the Colony during 1882. The back premises of Potters' Row,

⁷¹The exact location of Estment's Row has not yet been established.

⁷²G.T.J. 5-2-1861.

The Report that a Hottentot's hut had been built against one of the houses was vehemently refuted by Mr Edkins (in a letter to The Journal) who claimed it had been merely a duck shelter which had since been removed. The numbers of 20 people living in one room as well as the report of a smallpox case were found to be exaggerated.

⁷³G.T.J. 9-2-1861.

⁷⁴P.M.C.B. 30-10-1867, p. 120 and
C.M.B. 1-11-1867.

⁷⁵P.C.M.B. 7-10-1868, p. 193.

which had been in a filthy condition in 1867,⁷⁶ were again found to be in an insanitary state. More disturbing was the state of Mr Jas Roberts's properties in Dell's Row, Scott's Avenue and in Hill Street.⁷⁷ He was instructed by the Council to clean his premises and provide privy accommodation for his tenants within seven days.⁷⁸ He was listed in the Grahamstown Directory of 1882 as a speculator who lived in New Street.⁷⁹ This suggests that his main priorities were number of properties and size of profits rather than the provision of sanitary living conditions for his unfortunate tenants. It is possible that he was the Councillor James Roberts who served the Council very briefly during the 1860's but this has not been definitely established. A further case of insanitary living conditions was discovered during this time. The area called Paradise Row is situated in what is today the frozen housing zone off Beaufort Street and near Kowie Street. Councillor David Sampson and Jos. Edkins were owners of Paradise Row. They received Council orders to "clean up and provide privys (sic)" for the occupants within three days.⁸⁰ This is proof positive that there was an element of vested interest on the Council. Clearly David Sampson did not believe in going to any sanitary expense for the sake of having his tenants housed within the limits of the municipal law. Grahamstown Council had been remarkably free of this type of sanitary hypocrisy, unlike many local authorities in England. There, certain vestries, forced to accept the services of a M.O.H., did their best to discourage any attempts to change the sanitary status quo of large tenement areas belonging to members of the vestry.⁸¹ A.S. Wohl quotes a certain Vestry chairman on greeting the new M.O.H., "Now, Doctor, I wish you to understand that the less you do the better we shall like you." In 1868

⁷⁶P.C.M.B., p. 122.

⁷⁷The exact locations of Potters' Row and Dell's Row have not been established. Hill Street and Scott's Avenue are still well known streets today.

⁷⁸P.C.M.B. 14-7-1882.

⁷⁹Eastern Province Year Book and Commercial Directory 1882.

⁸⁰P.C.M.B. 14-7-1882.

⁸¹A.S. Wohl, 'Unfit for Human Habitation', in Dyos and Wolff eds., The Victorian City Vol. II, p. 607.

the British medical journal, The Lancet, concluded the main drawback of all sanitary legislation was that it entrusted sanitary powers to local government bodies which consisted "largely of a class against whom those powers ought most frequently be exercised"⁸². This was most certainly far from the case in Grahamstown.

The locality, Paradise Row, in addition to its insanitary living conditions, had been notorious as a disreputable neighbourhood. A memorial, signed by 28 ratepayers resident in the Row, was received by the Council in November 1881. It complained of the "overcrowding and disorderly conduct" of certain houses in the Row.⁸³ The Sanitary Inspector duly made report that no overcrowding existed during the daytime but that at night it was "a great resort for bad character"⁸⁴. The Police Committee recommendation had been that it be placed under the constant supervision of the Grahamstown police and had informed the Chief Constable of the Sanitary Inspector's findings. In the search for breaches of the Sanitary Regulations of Grahamstown, the Police Committee at times found more than it expected! Conditions in Paradise Row show another facet of life in mid-Victorian Grahamstown and they accord with the inordinate number of cases of drunkenness, convicted in court during this period. This facet of life was completely in contrast to the sobriety and code of decent living clearly defined by the majority of the inhabitants. It is not surprising that such places as Paradise Row existed in Victorian Grahamstown; rather, it is surprising that so few appear to have existed.

In all matters of public health The Journal reserved to itself the right to pontificate on the general sanitary state of the City and any Sanitary reform instituted by the Council. At times it could be unreliable in its reports of public health nuisances. One instance was in 1864, when a Journal reporter used the letter of a local correspondent as evidence that there were two confirmed cases of

⁸² Ibid., p. 607.

⁸³ P.C.M.B. 21-11-1881, p. 354.

⁸⁴ P.C.M.B. 30-11-1881, p. 360.

cholera in the city.⁸⁵ To this report Councillor Penn responded with great indignation and insisted on a correction being made as the letter had only mentioned two cases of sickness "presenting all the symptoms of cholera⁸⁶". The Mayor refused to demand that The Journal deny such a report. He considered that the damage had already been done and that any other newspaper was already at liberty to quote any such report. The Journal's primacy as a Colonial newspaper was acidly admitted by Councillor Penn whose criticism was that the "country read The Journal verbatim" while Grahamstown "skimmed the cream off if there was any⁸⁷". All of this heated exchange was dutifully noted by The Journal reporter verbatim. But lapses of such an unwitting alarmist nature on the part of The Journal reporters were comparatively rare. Generally The Journal supported both medical and civic authorities in whatever sanitary measures they took for the continued good health of the city and was an upholder of the Sanitary ideal in the most marked Victorian sense. During the smallpox crisis of 1882 Journal editorials made valuable cross references to English attitudes and practices in similar circumstances.

The Council met the challenge of the smallpox scare of 1882 in the same spirit. An epidemic of the disease had been raging in Europe and it spread to the Cape when the Drummond Castle docked in Table Bay after the disease had broken out on board. In May, Grahamstown's member of parliament, Dr V.G. Atherstone, drawing on his experience of the disease in Grahamstown in the 1850's, was very eloquent in parliament about the best methods of quarantine to be followed. Later, on 29 June, the first case of the disease, in Cape Town, affecting an eighteen year old dockworker, was reported.⁸⁸ Grahamstown, in contrast to the mother city, was well prepared to handle the emergency. The Journal was ardent in its support of vaccination as the only reliable means of preventing smallpox. Even before the outbreak of the epidemic in Cape Town, Dr Dillon, the Albany District Surgeon, was available to perform vaccinations to lessen the chances of the

⁸⁵G.T.J. 12-1-1864.

⁸⁶G.T.J. 19-1-1864.

⁸⁷G.T.J. 19-1-1864.

⁸⁸G.T.J. 29-6-1882.

introduction, into the Cape, of the European epidemic⁸⁹. After the news of the outbreak in Cape Town, large scale vaccinations for the locations were organised in Grahamstown. This involved co-operation between Mr Huntley, the Civil Commissioner and Resident Magistrate, the ministers resident in the locations, the Location Superintendent, the District Surgeon and the Council. By 15 July The Journal confidently stated that this mammoth task would be completed within a week.⁹⁰ In contrast to the generally good sanitary condition of Grahamstown and the alertness of the Grahamstown Town Council, the Cape Town Municipality was heavily criticised for not checking the development of insanitary conditions in certain areas of the city. Granted that the Cape Town Municipality had a city rather than a town to deal with, it nevertheless seems clear that there had been carelessness on the part of the Municipality.⁹¹ Slum conditions in Cape Town aided the spread of smallpox within the city. Grahamstown had prudently had large supplies of lymph on hand for vaccination purposes when the crisis occurred. She was able to become the "lymph emporium" for King William's Town and other centres which had run out of lymph supplies.⁹² Grahamstown Municipality wired Cape Town of her willingness to help in the battle of preventing the spread of smallpox over the entire Cape. The Cape Town authorities had been unable to confine it entirely to the City and it spread gradually northwards and eastwards.

⁸⁹G.T.J. 10-3-1882.

⁹⁰G.T.J. 15-7-1882.

⁹¹G.T.J. 8-7-1882.

The Journal talked of "rheim schoen Councillors" who had been elected on a "light tax ticket". These were quotes from a Cape Town paper. G.T.J. 11-10-1882.

The Journal gave figures quoted by The Cape Argus. They were a comparison between the ordinary death rate statistics of certain industrial cities in England and those of Cape Town. According to the survey The Argus had taken, admittedly hampered by the lack of compulsory birth and death registrations, Cape Town's death rate was by far the highest. How reliable these figures are is difficult to say.

London	22	deaths	per	1 000	annually	
Manchester	25	"	"	"	"	
Liverpool	28	"	"	"	"	* the largest in the U.K. according
Birmingham	21	"	"	"	"	to the Registrar General.
Cape Town	36	"	"	"	"	

⁹²G.T.J. 15-7-1882.

"lymph emporium" of Grahamstown.

Further preventive action taken by the Police Committee included the instruction to the members of the Committee to assist in the improvement of the sanitary condition of Grahamstown by the inspection of their own Wards.⁹³ Large quantities of unslacked lime was purchased by the Council and made available to the general public as a disinfectant which could be bought at the Town Hall for 4d per bag.⁹⁴ Grahamstown clearly had more time to prepare for a possible outbreak of smallpox than towns in the western province, but the Municipality certainly utilised such time to the best advantage. Once cases of smallpox had been reported from Port Elizabeth, a Council resolution to authorise the building of a Smallpox Hospital or Lazaretto when cases occurred within 100 miles of Grahamstown, came into effect.⁹⁵ This was completed by November. The cost of £474 to the contractor, William Richardson, was the subject of disagreement within the Council.⁹⁶ In a year of increasing financial difficulty the majority decision had nevertheless been for a more substantial erection than a rough wooden shed.⁹⁷ Headed by Councillor Dr Atherstone, expert on medical affairs, they were determined to ensure more than adequate medical facilities should smallpox reach Grahamstown. The Journal reporter revealed with horror that one Councillor, in criticising the expense, had opined that a mere wooden shed would have been quite suitable and sufficient as the Lazaretto would probably only be used for natives.⁹⁸ The Journal, less

⁹³ P.C.M.B. 12-9-1882.

⁹⁴ P.C.M.B. 26-9-1882.

⁹⁵ P.C.M.B. 26-9-1882.

The Council resolution had been passed on 12-7-1882.

⁹⁶ C.M.B. 1 -10-1882.

⁹⁷ P.C.M.B. 26-9-1882 and 2-10-1882.

This Report laid down the following requirements: the size of the building to be 50' x 25', the roof to be pitched, cieled (sic) inside with wood and covered with corrugated iron; the walls to be 10' high and the building to have 4 rooms for patients, each 20' x 10', 2 rooms for attendants, a 4 foot passage in the centre, and a kitchen. A solid structure; and it was duly completed in spite of a telegram from the Government to the C.C. and R.M. which suggested that tents be erected instead of a substantial building.

⁹⁸ G.T.J. 20-10-1882.

from motives of equality than motives of protecting Grahamstown's general public health, did not approve of this parsimonious and narrow attitude and congratulated the Sanitary Committee on its excellent work.

The site chosen for the erection of the Lazaretto, behind Sugar Loaf Hill and near the site of the old Smallpox Hospital, had occasioned opposition from ratepayers in No. 4 Ward, nearest to the area. A petition signed by 91 inhabitants was received by the Council⁹⁹ and, as with all matters concerning the smallpox, handled with consideration. A meeting was held at the proposed site, and all the doctors of Grahamstown were invited to attend. Doctors Dillon, Greathead and W.G. Atherstone unanimously decided the site was suitable and the Civil Commissioner and Resident Magistrate approved on behalf of the government. Though the Police Committee had been granted full powers to act in the matter, because of the strong opposition to the site, it very properly presented its recommendations to the Council so that a Council majority would finalise the matter.¹⁰⁰ With meticulous care all details connected with the Lazaretto were finalised. The Town Clerk insured the building, a Caretaker was employed, the access to the Lazaretto was improved, a dam was constructed in the valley near the Lazaretto and two 400 gallon water tanks were placed there.¹⁰¹ All the "medical men" in Grahamstown were contacted to ascertain if they would be willing to attend patients at the Smallpox Hospital and what terms per diem they would require.¹⁰²

All the careful preparation was in the end, not utilized. By the end of 1882 Grahamstown was still free from smallpox and the epidemic appeared to be firmly under control in other parts of the Colony. Fears receded so much that Grahamstown wondered whether the long awaited visit from Governor Hercules Robinson could finally take place.

⁹⁹P.C.M.B. 2-10-1882.

¹⁰⁰P.C.M.B. 14-10-1882.

¹⁰¹P.C.M.B. 17-10-1882.

¹⁰²P.C.M.B. 17-10-1882.

Scheduled for earlier in the year, it had been cancelled because of an outbreak of smallpox among the Governor's servants. Grahamstown, having learnt a great deal from the experience of the smallpox epidemic during the 1850's,¹⁰³ had risen superbly to the emergency of the preservation of public health in 1882. The provision of a Smallpox Hospital, the vaccination and the sanitary inspection of the city were prime illustrations of the adherence to the concept of preventive medicine by the medical fraternity and the Town Council of Grahamstown.

The Council proved itself competent to take effectual action over and over again in crises of community health. This applied not least to the nuisance most complained of by the Grahamstown citizens because of its obtrusive nature, that of the Slaughter house. Grahamstown was a thriving centre for the butchers' trade especially during the 1860's when it held the army contract. One of the well established butcher firms in Grahamstown was run by Cawood Bros., a family of local eminence and parliamentary service. The other belonged to William Webb, active Councillor and Chairman of the Police Committee. However efficient their sanitary ideas were, the practical problems of running Slaughter house establishments were very great. Complaints about Slaughter house nuisances were a routine occurrence. To keep the Slaughter house problem under control required the united energies of the Council, aided by medical comment and the co-operation of Grahamstown butchers and citizens.

The main problems were the position of the Slaughter houses, as distinct from butcher shops, within the city itself and the disposal of the Slaughter house refuse. In 1848 the first municipal attempt had been made to remove the Slaughter houses out of the city and in 1855 a special deposit pit had been appointed for the burial of all Slaughter house refuse.¹⁰⁴ These measures were fairly successful in removing the worst nuisances complained of by the townspeople, though they did not obviate the necessity of thorough, regular inspection by the Streetkeeper to check accumulation of filth outside the city. The Slaughter house

¹⁰³Hunt, Municipal Government, pp. 202-203.

¹⁰⁴Ibid., pp. 200-201.

question came up for revision in 1862 under the newly incorporated municipality. Probably as a result of the growth of the city environs and the increased number of Slaughter houses, the municipal provision of four Slaughter houses outside the city was no longer sufficient. Slaughter houses were once again a general public nuisance as many remained within the city boundaries. All owners or prospective owners of Slaughter houses had to apply to the Council for permission to erect such buildings. On the application of a Mr Willows to erect a Slaughter house on Settlers' Hill in 1862, the Police Committee refused permission. The Council adopted the recommendation that "all other applications" to erect Slaughter houses would have to wait until the Council had decided in what locality they should, in future, be erected.¹⁰⁵ The Journal fervently hoped that the Council would give the new Slaughter house establishments "all the enchantments of distance"¹⁰⁶. The Sanitary Committee took their time and Mr Willows grew impatient. Finally a memorial "numerously signed" reached the Council, with a complaint that Mr Willows had hired a house lately occupied by "Jim Chinaman" in Beaufort Street and was slaughtering on the premises, to their great annoyance.¹⁰⁷ The Sanitary Committee duly dealt with the hasty Mr Willows. But no new single site for the erection of Slaughter houses appears to have been decided upon. In December 1863 the Sanitary and Police Committee Report merely recommended that "the sites now occupied by Slaughter houses be allowed to remain for the present on condition that they be kept perfectly clean",¹⁰⁸ This presumably meant that the four Slaughter houses authorised to be erected outside the city by the old Municipal Board were still in use but that sites within the city were acceptable on certain conditions. The 1863 Sanitary Regulations stipulated that no slaughtering was to occur within the city except in suitable buildings on sites "selected or approved of by the Council for that purpose"¹⁰⁹.

¹⁰⁵ G.T.J. 9-9-1862.

¹⁰⁶ G.T.J. 9-9-1862.

¹⁰⁷ G.T.J. 7-7-1863.

¹⁰⁸ G.T.J. 1-12-1863.

¹⁰⁹ See Appendix B: Municipal Regulations.
Sanitary Regulations 1.

It was far more convenient for butchers to have the Slaughter houses within the city as close as possible to their butcher shops, as transport of carcasses required extra expense and time. The Police Committee's tacit compromise with butchers' preferences came about partly as a result of the lack of agreement on a suitable site for all Slaughter houses. Whichever Ward was nearest to such a site would be likely to produce many complaints. Such a compromise did not work for any length of time. Too many Slaughter houses needed far more supervision than the Streetkeeper could afford. Times of drought - frequent during the 1860's and the shortage of the town's water supply meant great difficulties for butchers to keep their Slaughter houses clean. Citizen concern over the meat supply was expressed in an unusual manner in a letter to The Journal in 1864 from Expectations. This epistle's hopeful tone is reflected in the writer's pseudonym. It praised Grahamstown butchers for their cleanliness and efficiency in the transportation of meat from the Slaughter houses to the butchers' shops, in the hope that such praise would continue to ensure the observance of all sanitary measures. The letter ended by requesting The Journal to suggest a suitable "Grace before Meat" as follows: "For what we are about to receive, may the Law make us truly thankful¹¹⁰". Nuisances continued, however, to be reported; not only about the condition and position of Slaughter houses, but also about the deposit pits for Slaughter house refuse. These were located near the night-soil deposit pits. The Police Committee admitted that such Slaughter house refuse was "far more difficult to deal with than any other description of manurial matter¹¹¹". A regulation was even introduced limiting the removal of blood and other Slaughter house refuse to the deposit pits between the hours of 11 p.m. and 6 a.m.¹¹², and all butchers were expected to comply.

The question of the removal of Slaughter houses was raised in 1869 by none other than the Inspector General of Hospitals, Dr Grant¹¹³. He raised the matter on the evidence that during 1868, butchers had been granted permission to erect Slaughter houses within the city. R. Stanton had been permitted to erect a Slaughter house in Hill

¹¹⁰G.T.J. 9-12-1864.

¹¹¹P.C.M.B. July 1867.

¹¹²C.M.B. 22-11-1867.

¹¹³P.C.M.B. 3-3-1869. Letter forwarded from the C.C. and R.M.

Street¹¹⁴, while John Dold had been granted permission on behalf of Thos. Trollip to erect one in New Street¹¹⁵. The Police Committee agreed that it was most "undesirable" to permit the Slaughter houses to remain in the City¹¹⁶ and recommended the Council "to authorise the Committee to frame conditions under which the butcheries may be most judiciously and conveniently removed to the place appointed by the late Board of Commissioners¹¹⁷". This Report was debated in the Council and the motion lost. Even an amendment requesting the Police Committee to Report on the best means of "abating" the nuisances which arose from having the Slaughter houses within the city, was lost¹¹⁸. The reason for the loss of these two motions is not clear. It was probably a combination of reluctance to arrange lease of municipal land, reluctance to face a certain amount of anticipated resistance from the butchers and a general reluctance to acknowledge the insanitary dangers of Slaughter houses within the city. Attempts were made, though, to define more clearly the Sanitary Regulations which applied to butchers' shops. It was felt by the Police Committee that they were too vague, which led to great difficulty in their enforcement¹¹⁹. This extra vigilance naturally uncovered far more nuisances than had already been noted, including the insanitary state of the Slaughter house premises of Cawood Bros.¹²⁰

So the Council continued with this rather unsatisfactory piecemeal policy without bestirring themselves to uncover the root cause of most Slaughter house nuisances until the medical profession became actively involved in the problem. The Council received a statement in 1875 signed by Drs Williamson, Becker and Edwin Atherstone to the effect that the existing Slaughter houses should be removed to some place

¹¹⁴C.M.B. 21-2-1868.

¹¹⁵C.M.B. 4-9-1868.

¹¹⁶P.C.M.B. 10-3-1869.

¹¹⁷P.C.M.B. 10-3-1869.

¹¹⁸C.M.B. 12-3-1869.

¹¹⁹P.C.M.B. 2-5-1870.

¹²⁰C.M.B. 18-5-1870.

"without the City¹²¹". At this decided intervention, supported by the approval of the Sanitary Committee and given weight by renewed complaints about Slaughter house nuisances, the Council was finally jostled into a vigorous campaign for the removal of all Slaughter houses. The site selected by the Sanitary Committee, above the deposit pits, was approved and adopted by the whole Council. The Slaughter houses were to be erected 20 yards apart¹²². Once the decision was taken, there was no longer any vacillation in the implementation of the policy. Three months' notice was served on all butchers in January 1876, as the limit for their continued slaughtering within the city. They were expected, within that time limit, to erect their own Slaughter houses on the Council land selected¹²³. The city butchers were not in favour of such hasty removal. Cawood Bros. requested that the position of the ownership of the land be clarified. The Council decision was quite clear. The land would remain municipal land while the property built on it was to be exclusively that of the constructors to dispose of as they wished; the only proviso was that the buildings should be used only for slaughtering purposes¹²⁴. The Sanitary Committee carefully drew up a Report containing the terms of the lease of the municipal land by Grahamstown butchers¹²⁵. The Council limit of 3 months for the move had been too stringent; their appreciation at last of the urgency of the removal for public health reasons had masked the practical problems of building. It was agreed, on several butchers' applications, to extend the deadline first to 18 July 1876¹²⁶ then an additional month was granted¹²⁷.

¹²¹C.M.B. 24-11-1875.

¹²²C.M.B. 15-12-1875.

¹²³C.M.B. 26-1-1876.

¹²⁴C.M.B. 12-4-1876.

¹²⁵P.C.M.B. 30-5-1876.
Terms of the Lease.

- 1) Lease of 21 years with right of renewal.
- 2) Lessee had the right to dispose of any buildings thereon.
- 3) The land leased was to be used for Slaughter house purposes only.
- 4) The blood and refuse were to be deposited as the Council might direct from time to time.
- 5) The stream flowing past the land leased was to be kept free from all impurity arising from the slaughtering.

¹²⁶C.M.B. 14-6-1876.

¹²⁷C.M.B. 12-7-1876.

After the eventual removal of all Slaughter houses outside the city, letters from citizens with complaints about Slaughter house nuisances ceased almost entirely. The contrast between the haphazard system prior to 1876 and the relative efficiency of the new system was most marked. The Council had learnt their lesson from medical advice. During the closure of Dundas Bridge for extensive alterations to accommodate the railway traffic, requests to slaughter within the city were made by certain butchers¹²⁸, including Councillor Webb. The closure of the bridge meant a great deal more transport and inconvenience for the butchers. The Sanitary Committee this time made a point of requesting advice from all the medical men in Grahamstown. On their decided opposition, the Council refused to allow such a precedent¹²⁹. A further regulation was found necessary to combat a nuisance at the new site for Slaughter houses. Pigs had been allowed to forage round the buildings and had made "offensive effluvia" by "foraging amongst the offal"¹³⁰. All butchers were thereupon directed to dig pits for the deposit of Slaughter house refuse behind the buildings, to be duly fenced in¹³¹. The Sanitary Regulations for the control of the Slaughter house nuisances had become more detailed and thorough in the promulgation of the 1873 Regulations followed by those of 1881. A separate section was introduced in 1873 to prohibit kraals, except in places approved by the Council¹³². The powers of the appointed Municipal Inspector (Streetkeeper) to order the cleaning of Slaughter houses and the deposit of refuse, were more clearly defined. By 1879 the Slaughter house nuisances appeared to be under municipal control for the first time since Incorporation.

The most serious latent threat to public health in Grahamstown, it was gradually realised during the late 1860's and 1870's, was the cesspool nuisance. The Council reacted by an examination of the most effective and most sanitary means of nightsoil disposal which it would be possible to implement to replace the cesspool system. The co-operation

¹²⁸C.M.B. 16-7-1879. W. Webb and J. Webber.

¹²⁹P.C.M.B. 21-7-1879 and
C.M.B. 23-7-1879.

¹³⁰P.C.M.B. July 1879, p. 227.

¹³¹C.M.B. 30-7-1879.

¹³²See Appendix B: Municipal Regulations Sanitary Regulations No. 2.

of scientific and medical men was obtained and research was made into different systems which were in use overseas. The Council's initiative in sanitary matters was never more clearly shown than in this enterprising venture. Two factors made the Council avoid any radical change of system. Financial considerations however played a major part in the curtailment of new plans. The other factor was the lack of co-operation of certain sectors of the inhabitants who failed to understand the principles of public health involved. The Sanitary Regulations of 1863¹³³ stated that public nightmen had to be registered and obtain municipal licenses annually. They had to perform their duties subject to the municipal regulations and nightsoil was to be removed only between the hours of 11 p.m. and 6 a.m.. Nightmen were not, however, employed by the Council. Every house had to be provided with a cesspool or other satisfactory method of the disposal of nightsoil "without prejudice to the health of the inhabitants".

The problem with regard to cesspools was that many had not been constructed properly nor cleaned out periodically as they should have been. Most unhealthy conditions resulted when seepage from cesspools drained into wells, streams and drains. Awareness of the importance of this matter as it affected the public health of the town led in 1868 to a request to the Town Clerk to present a full Report on the "Dry Earth Sewage System".¹³⁴ This occurred at the same time as additional concern for public health had been generated as a result of the typhoid fever outbreak in the Colony. The Town Clerk duly delivered a full and scientific report on the advantages of the Rev. Moule's simple invention which "rendered practicable for ordinary use ... the dry earth method of deodorisation". The invention was a "hopper" which shovelled into the deposit box of a closet. The results the Town Clerk reported were "most marvellous" as the resulting substance was "nothing more than garden soil" and could be used as a valuable manure. The Town Clerk pointed out that most insanitary habits prevailed among some of the poorer classes in Grahamstown who still used the tub system. Because of the expense of "frequent emptying" by nightmen, they were often emptied illegally on the river banks and in other "improper

¹³³ Ibid. Sanitary Regulations Nos. 7, 8, 9.

¹³⁴ P.C.M.B. 14-2-1868.

places". The dry earth system could be used to advantage with the tub system, by the purchase of a shovel. The only disadvantage was that it would make deposits more frequent but the contents could possibly be re-cycled. The "deodorising" properties of dry earth were already being utilised in the Grahamstown deposit pits. The Town Clerk had certainly researched his paper well beforehand, as shown by his references to towns and hospitals in England and India, where the dry earth system had been successfully implemented with beneficial sanitary results. Grahamstown military medical officers had confirmed the Town Clerk's other authorities. Careful reference was made to a paper read by a Mr James at the 'Lanington Sewage Congress' in England. The Town Clerk finally laid before the Committee two pamphlets on the subject which he had obtained from a Mr Court, of Port Elizabeth, and left the information that suitable commodes were available from Port Elizabeth from £4.10. 0. From this competent paper Grahamstown's main disadvantages were clearly stated: a lack of a proper drainage system and the limited water supply which precluded at that time any thought of a water-borne sewage system. The disadvantage of the dry earth system was that the increased problem of the disposal of nightsoil remained. There was a need for both cheap removal of nightsoil and a supply of dry earth. Neither Committee nor Council seriously considered the adoption of Moule's system. But the presentation of such a Report to the Sanitary Committee is important as illustrative of the serious concern felt as early as 1868 about the existing sanitation system in use in Grahamstown.

The cesspool nuisance gradually increased until in 1879 a full scale investigation into the Sanitary Condition of the City and "the necessity for altering the system of disposing of nightsoil and refuse of every description"¹³⁵ was made. A very full printed Report was presented to the Council by the Sanitary Committee which included attached letters from the entire medical fraternity of Grahamstown. The Report had been a long time in preparation - information from Durban and Port Elizabeth had been requested. The only system suitable for Grahamstown's situation was felt to be the introduction of the "pail system" after abolition of cesspools by 1 January 1881. The plan was

¹³⁵ P.C.M.B. June 1879.

outlined in 13 detailed points. Unavoidably, the adoption of the plan would result in considerable municipal financial outlay, but the Sanitary Committee strongly recommended the change, as essential "for the continued well-being of the City". The plan proposed more absolute municipal control over the nightsoil removal system. The recommendations were for suitable nightsoil and rubbish pit deposits to be determined, for the Council to provide all carts, horses, tubs and disinfectant fluid. The post of a municipal officer, the Sanitary Contractor, to be in charge of all nightsoil and rubbish removal under the authority of the Sanitary Committee and the Sanitary Inspector, was envisaged. The City was to be divided into 6 beats, to be checked weekly for the disposal of all refuse matters, and nightsoil pails were to be hermetically sealed. The financial cost would be the initial outlay for the equipment, the salary of the Contractor and his assistants; all of which would be fairly high. There was some estimated return though - the fees were to be paid to the municipality instead of licensed nightmen and tariff rates were listed.¹³⁶ The evidence of the Report points to the meticulous consideration of detail and a determination on the part of the Sanitary Committee to institute change regardless of expense.

The letters of the doctors, particularly the one from Dr W.G. Atherstone, are all worthy of note. Dr Atherstone contributed the most lengthy and learned document. He made reference to his frequent analyses of the dangers of the cesspool system. He expressed his relief that the Council possessed, by the municipal act of 1878,¹³⁷ power to remedy the sanitary situation of Grahamstown. He reported 10 cases of typhoid,

¹³⁶ Discharging of cesspools as long as they existed (per cart)	£1. 0. 0.
A Cart of rubbish	2/6
A Wheelbarrow of rubbish	6d.
A tub of nightsoil	6d.

¹³⁷ See Appendix A: Municipal Legislation.
Act No. 12 of 1878. The clause which defined the powers and authorities of the Council included the following:

"..... by municipal regulations to do any of the following acts, that is to say, to direct the method by which nightsoil may be disposed of with power to abolish any existing practice that may be found prejudicial to health, and to substitute others....."

2 of erysipelas and 1 of diphtheria which had come to his notice during the past month which were the result, in his opinion, of "filth accumulations". His verdict on cesspools, which he designated "disease reservoirs", was that the burial of impurities "only hides the evil from sight and smell" and drew a vivid Victorian picture of the diffusion of infection through air, water and soil. His exposition on the evils of cesspools and the link between typhoid and such accumulation of refuse in the soil he sustained by reference to statistics from the German cities Halle and Hamburg. He cited the evidence of his visit to England in 1875-6 when he had opportunities of studying various sewage systems in operation in 'model' asylum institutions and continental cities. In conclusion he voiced his support for what he considered the "most efficient and economical system" for the Cape climate and the "peculiar circumstances" of Grahamstown: a modification of the "pail" and "dry earth" systems. He commended the Report as the expression of the responsibility realised by "those entrusted with the sanitary interests of the city". As every householder was directly involved in this vital question, he believed that no one would object to additional expense to protect themselves from their neighbours' "carelessness, neglect or ignorance". Dr Becker's letter was terse and pertinent. He reiterated, like Dr Atherstone, his past record of comment on the neglected sanitary state of Grahamstown during the previous 4 years. He suggested certain alterations to the Committee's plan and asserted that if the plan was strictly enforced, the death rate of Grahamstown would fall considerably. Drs Williamson, Dillon and Edwin Atherstone approved the plan but requested that the Council be empowered to abolish such cesspools as were already objectionable before the proposed date of 1 January 1881. The cesspool system at the Hospital was abolished and the "Pail system" substituted in 1879, at the recommendation of the doctors.¹³⁸

Such were the proposals for an entirely new sanitary dispensation and such was the overwhelming approval of the doctors of Grahamstown. But when the Report was debated by the whole Council in Committee, the financial spectre raised its ugly head. Clauses 2 to 13 of the Report

¹³⁸ Albany General Hospital Annual Statement 1879.

were relegated to stand over and were never adopted. The first clause was agreed on: new deposit pits for rubbish and nightsoil would be selected. It was decided to call for tenders from nightmen; by this means it was hoped to exercise more control over the nightsoil removal of the city. If any tenders were accepted by the Council, such nightmen would be strictly under the Municipal Regulations.¹³⁹ Tenders calling for nightmen duly appeared in Grocott's Penny Mail¹⁴⁰ but of the 6 applicants, the Sanitary Committee thought none suitable.¹⁴¹ The old system of nightsoil removal was to continue until the Sanitary Committee submitted an amended scheme for the emptying of cesspools and disposal of nightsoil. The Council had certainly accepted the principle of the abolition of cesspools and the medical evidence for this system's abolition but the majority just could not permit the financial outlay necessary for the introduction of an entirely new system.

The October Report¹⁴² of the Sanitary Committee was followed by a further Report in December.¹⁴³ These were attempts at the estimation of the cost of a possible municipal assumption of total control over the system of nightsoil removal. The Sanitary Committee reiterated the importance of municipal control over the appointment of nightmen. There was not sufficient competition among workmen for this most unpleasant work, for private enterprise to result in efficiency. The Committee's justification of the financial outlay and the added municipal responsibility in the collection of fees and the control of nightmen was that the work would be performed better and cheaper by the Council. This would be especially to the advantage of the "poorer classes" and to the benefit of the entire community. The Sanitary Committee hoped that if the Council provided tubs and an effective system of nightsoil removal, the general public would become convinced of the advantages of the new method over that of cesspools

¹³⁹C.M.B. 22-7-1879.

¹⁴⁰C.M.B. 20-8-1879.

¹⁴¹F.C.M.B. 7-10-1879.

¹⁴²P.C.M.B. October 1879. Town Clerk's Report

¹⁴³P.C.M.B. 9-12-1879.

and so increasingly adopt it. The Council would then not have to enforce the new system through special sanitary legislation. These Reports were debated at length in the Council. Though there was a strong group in favour of the adoption of the December Report,¹⁴⁴ the financial outlay¹⁴⁵ was considered too much, and a minority remained unconvinced of the advantages of the new system.

The solution which emerged was characterised by a similar uneven attitude to that which had resulted in the Slaughter house presence within the city. It was definitely decided to control the abuse of the cesspool system and Council authority was strengthened in this regard in the Municipal Regulations of 1881. All cesspools considered by the Council to be prejudicial to public health were to be closed. No new cesspools could be made unless approved of by the Foreman of Works as likely to present no health hazard. These Regulations were seriously enforced by the Sanitary Committee.¹⁴⁶ But nightmen continued to ply their trade on the fringes of Council control. They were bound by the Regulations and had to have municipal licenses as before but were not under the direct control of the Council as salaried officers. The only material change appeared to be the admission of the cesspool nuisance and the municipal attempt at control. After such prolonged consideration of the question this does not seem much of an achievement. But piecemeal engineering in the 19th Century area of town sanitation though slow, was sure. The "cesspool nuisance" illustrated very clearly how certain medical and civic leaders of the community were far advanced in their experimental and flexible approach to problems of sanitation and public health in contrast to the generality of the community. Time was necessary to adjust to a

¹⁴⁴ C.M.B. 14-1-1880.

¹⁴⁵ F.C.M.B. 9-12-1879.

The Estimate of the Sanitary Committee:

Initial outlay £295.

Expenditure p.a. £261.

Revenue estimated at £267.

A drawback of this system was that the collection of the revenue would be a Council responsibility and would present great problems.

¹⁴⁶ P.C.M.B. 26-9-1881.

e.g. The Foreman of Works had to inspect cesspools constructed by W.B. Shaw and Thos. Futter.

different system of sanitary living; new systems were not always accepted and put into effective practice before the medical reasons for them were understood. As regards the Council, 24 Councillors made the pace of change slow.

The advocates of more rapid change for the protection of the public health of the community returned to the fray in 1883. The whole matter of cesspools and the sanitary condition of the city was raised again by the Sanitary Committee. An extremely lengthy Report¹⁴⁷ made appeal to maintain Grahamstown's primacy in matters of public health and for the future prospects of the city to attract more citizens. It recommended the introduction of the tub closet or the earth system; it achieved little more than the Reports of 1879 but it was a further step on the way to modern ideas on sanitation. Its literary style one can only describe as a perfect example of Victorian bombast:

"Grahamstown has been and will be for all time the most beautiful spot in the whole of South Africa, that is, providing the Custodians and protectors of the City's interests, bestir themselves at once and take in hand that which if longer neglected will prove the most deadly enemy that it is possible to anticipate and ruin for ever the fair prospects of the City. It is now necessary for the Citizens to consider how best to push Grahamstown to the foreground, so that its prosperity may be secured, and retain its character as the sanitorium of South Africa The first evil to be dealt with is the present abominable cesspool nuisance Typhoid and Diphtheria have again shown their Fangs!"

The scope of public health concern of Grahamstown's Town Council was wide and fringed at times on issues moral and religious. Public health was in its most basic definition a concern about the manner of life and death in a community. At the time of the debate on the first Town Regulations of Grahamstown, an issue which attracted much discussion was the proposal that it should be compulsory for all citizens to register births and deaths at the Town Office.¹⁴⁸ The need for such registration was considered by the majority of Councillors as definitely a matter for local government as there was no provision for such registration by Government legislation. Councillor Birkenruth, a

¹⁴⁷ Location, Plantation and Sanitary Committee Minute Book. 11-9-1883. Report on Sanitary Reform.

¹⁴⁸ G.T.J. 20-3-1863.

Jew, forcibly pointed out the necessity for such a regulation as the only registration of births and deaths occurred within the framework of the established churches of Grahamstown. This excluded certain Christian denominations as well as those of Councillor Birkenruth's faith. There was a strong group of Councillors who perceived the importance of the legal and political implications in the keeping of such population records. Others felt it was hardly important enough to warrant the effort of enforcing such a Regulation. It was passed as No. 8 of the General Regulations of 1863. Sample copies of both birth and death certificates to be filled in at the Town Office were included in the Regulations. Some difficulty exists as to ascertaining how long these town registers were kept. The registration clause appeared in the 1873 Regulations¹⁴⁹ but not the 1881 Regulations. The latter omission is probably explained by the difficulties the Council experienced in their attempts to enforce such a Regulation. The only copy which remains of these official town records is a volume entitled *The Registration of Deaths*. It contains entries from October 1863 to December 1865, followed by a single entry in February 1882. It was decided in 1864 that the Town Clerk should report every month on the numbers of births and deaths which had been registered.¹⁵⁰ It was obvious from the first return made that the public were not co-operating. Certain Councillors, as appeared from the debate, wished to ascertain Grahamstown's rate of growth from such dubious figures in a year when, because of the onset of the depression, many people were leaving the Colony.¹⁵¹ An advertisement was placed in The Journal of Regulation No. 8 accompanied by the information that its penalties would be enforced.¹⁵² There was a penalty fine of £1 for lack of compliance with the Regulation. Such effective enforcement of the clause would have necessitated far more time and money than the Council could in practice allow. By October 1864, the Council had apparently given up the unequal struggle. At the monthly figures which were read out - 19 births and 10 deaths - the Mayor evoked laughter by his remark that the only solution was to resort to emigration again.¹⁵³

¹⁴⁹See Appendix B: Municipal Regulations.

¹⁵⁰G.T.J. 15-3-1864.

¹⁵¹G.T.J. 2-4-1864.

¹⁵²G.T.J. 12-4-1864.

One Councillor, Mr Penn, thought that this was merely frittering away the public money by such an advertisement.

¹⁵³G.T.J. 21-10-1864.

The idea was never accepted by even the majority of Grahamstown's inhabitants and the Council had no real way of forcing their co-operation. The clause became a dead letter. But the idea of the collection of reliable population statistics in 1863 showed Grahamstown's Council ahead of both other local government and the central government. The first official census was held only in 1865 and registration of births and deaths did not become part of Cape Colonial law until the 1890's.

Such a Council concern was but part of the wide range of public health and moral and religious concerns that the Council were particularly aware of, in 1862-3, when the consciousness of being the first Town Council sharpened their conception of civic responsibilities. An issue which aroused strong feelings within the community, was the proposed extension of the Grahamstown cemeteries which first was considered in 1862. Each religious denomination had its own cemetery clearly defined. There were several applications to the Council in 1862 for extensions of individual denominational "burial grounds". It was decided by the Council that rather than apply to the Governor for extension of the existing cemeteries, a suitable site for a new general cemetery should be found.¹⁵⁴ Consideration of the possible rate of city growth in the future advised the choice of a site at greater distance from the city than the existing cemeteries. The Council was motivated by praiseworthy preparation for the future and the Sanitary Committee certainly went about their task of the selection of a suitable site with great deliberation. The choice of a general cemetery merited an entire editorial from The Journal which gave the Council much advice by open consideration of the factors which would affect the choice of a site and even possibly be the cause of community conflict.¹⁵⁵ The proposed site, noted The Journal, had to be considered in terms of health and sentiment, distance from the city, soil, drainage, the

¹⁵⁴ G.T.J. 19-7-1862.

¹⁵⁵ G.T.J. 23-9-1862.

The Journal quoted examples of churchyard fights in England: "Almost every church yard has been a battle field on which differences have been fought, though seldom decided" and there was scarcely a parish in England or out "that has not contributed its tale of strife to the chapter of burial disputes."

nearest neighbourhood and the plot divisions between demoninations. Its parting injunction to the Council revealed in the Editor's opinion, what a delicate and important issue was under review. He expressed his "earnest hope that the Town Council will not legislate for burial grounds as if they were quarries".¹⁵⁶

The Council appear to have taken this warning so seriously that the matter was treated with extensive and lengthy care, so that by 1865 they had not formally decided on a site for a general cemetery. The Sanitary Committee of 1862 had chosen a site¹⁵⁷ but it had been regarded as such a possible controversial topic that Council discussion on the Report had been postponed indefinitely. Rev. Merriman, in 1865 Rector of St Bartholomew's, wrote a decided letter inquiring if it were necessary to go beyond the Council's authority to demand a suitable burial place from the government "to bury my dead."¹⁵⁸ This justifiably sharp reminder brought the matter hastily before the Council again. A motion was passed, prohibiting any grants for cemeteries within the city precincts to any religious body except for a general burial ground to be granted under Council Regulations.¹⁵⁹ It was agreed that the land already reported on by the Sanitary Committee in 1862 be selected and that the consent of the Governor be obtained for the land grant.¹⁶⁰ It is difficult to understand why, once this resolution had passed and the Sanitary Committee had been given orders to proceed in the matter, it was again left in abeyance until 1872. What is more difficult to understand is why there were no public reminders or further application from religious bodies until 1872. In that year the Dean of Grahamstown and lawyers Messrs Stone and Son requested the extension of the burial grounds of both the Church of England and the Independents.¹⁶¹

¹⁵⁶G.T.J. 23-9-1862.

¹⁵⁷G.T.J. 23-9-1862.

¹⁵⁸G.T.J. 23-1-1865.

¹⁵⁹G.T.J. 30-1-1865.

¹⁶⁰G.T.J. 6-2-1865.

¹⁶¹C.M.B. 27-11-1872.

The resolution passed in 1865 was revived,¹⁶² but on this occasion led to violent conflict both within and without the Council. A Council majority authorised application to the Government for permission to enclose the land selected for a general cemetery.¹⁶³ The opposition marshalled itself: a Public Meeting was held and decided in favour of the extension of the existing burial grounds, and against the grant of a general cemetery.¹⁶⁴ The Dean of Grahamstown and Councillor R.W. Nelson were active in their protest against the formation of a new cemetery.¹⁶⁵ R.W. Nelson's arguments were most cogent. He argued that the Council had not been asked by ratepayers for the creation of a new cemetery and it was therefore not competent for them to do so. In addition the Council had not sufficient funds for the necessary work to make the chosen site suitable. Finally there were objections to the new site, the opposition of the religious bodies and no real necessity for such a move for an estimated 20 years.¹⁶⁶ The Council compromised. A further application was made to the Governor for his grant of an extension of the existing burial grounds, as had been applied for by the various Churches.¹⁶⁷ Those in favour of the new general cemetery forwarded a Memorial to the Governor on the subject: great capital was made by the opposition of the fact that the Mayor had signed it in his official capacity though it had not been passed by the Council.¹⁶⁸ However dubious its legality it had the desired effect: the Commissioner of Crown Lands and Public Works approved the general cemetery and was unwilling to sanction the extension of the existing cemeteries "unless no other solution of the difficulty could be found".¹⁶⁹ The letter by

¹⁶² C.M.B. 22-1-1873.

¹⁶³ C.M.B. 5-3-1873 and 12-3-1873.

¹⁶⁴ C.M.B. 5-3-1873.

¹⁶⁵ C.M.B. 12-3-1873.

¹⁶⁶ C.M.B. 19-3-1873.

R.W. Nelson's protest was fully entered on the Minutes. The objections to the site chosen were as follows: it was too great a distance from the city, in an objectionable locality which became a "swamp" in wet weather.

¹⁶⁷ C.M.B. 19-3-1873.

¹⁶⁸ C.M.B. 10-9-1873.

R.W. Nelson requested a full explanation of the matter.

¹⁶⁹ C.M.B. 27-8-1873.

Messrs Stone and Son, lawyers, on behalf of the Presbyterian and Independent churches, stating the "extreme necessity for immediate extension" of the burial grounds gave pause to those Council members who on public health grounds, favoured the creation of a general cemetery.¹⁷⁰ In addition the Board of Works and Lands Report stated clearly that time was necessary before the site could be used as a general cemetery. But the Finance Committee Report that without a special rate by the citizens, the Council would have no funds to create a general cemetery,¹⁷¹ was ultimately the deciding factor in the defeat of those who supported a general cemetery. Permission was granted by the Commissioner for the extension of the existing burial grounds in October 1873,¹⁷² the Council approved the division of land between the various denominations in March 1874¹⁷³ and the transfer of title deeds finally occurred in April 1874.¹⁷⁴ Public pressure and public sentiment had won the day.

An assessment of the attitudes to public health in Grahamstown must include comment on the larger community concerns of the Albany General Hospital and the establishment of the Fort England Lunatic Asylum. The Albany General Hospital was established in 1858¹⁷⁵ and performed an increasingly valuable service not merely to the Grahamstown community but the surrounding districts. It made its theme, reiterated time and again in its Annual General Reports, that it afforded relief to "all persons, of whatever creed or colour, who desire to avail themselves of it".¹⁷⁶ The numbers of patients treated in 1859 were 82, 68 of whom were paupers unable to contribute anything towards treatment.¹⁷⁷ This figure had increased to 310 patients

¹⁷⁰ C.M.B. 10-9-1873.

¹⁷¹ C.M.B. 3-9-1873 and
F.C.B., p. 303.

¹⁷² C.M.B. 1-10-1873.

¹⁷³ C.M.B. 18-3-1874.

¹⁷⁴ C.M.B. 15-1-1874.

¹⁷⁵ Hunt, Municipal Government, p. 203.

¹⁷⁶ T.T.J. 24-2-1863. Fifth Annual Report.

¹⁷⁷ Albany General Hospital Annual Statement. February 1860.

treated in 1882.¹⁷⁸ Neither of these figures included outpatients who received treatment. During this period, an increase was particularly noticeable among the coloured and native patients. The medical report of 1881 registered its approval at the increased number of natives who had applied for admission and ascribed this to this loss of "their national prejudices" and the fact that they were beginning to appreciate "the advantages of Hospital treatment".¹⁷⁹ This was a general feature noticeable in other hospitals at the time. The King William's Town Hospital reported in 1882 that it was receiving natives "streaming in" for medical attendance, even from the Transkei.¹⁸⁰ The Hospital Reports provide a useful index to the pattern of Grahamstown health and its changing community situation. The depression years of the 1860's were marked by large numbers of pauper patients, both for indoor treatment and as outpatients. The transport trade to the Diamond Fields necessarily involved the increased admission of accident cases and the building of the Port Elizabeth-Grahamstown railway had similar effects. Each Annual Statement of the Albany General Hospital included details of diet, rules for patients, lists of subscribers and lists any donations of money or books. One feature of the hospital diet provides particularly interesting comment on the medical notions of the period: "All patients are allowed ale, porter, wine, brandy and fruit, when necessary, and at the option of the medical attendant."¹⁸¹ This rule remained until after 1882. The Hospital Library built up through donations, presented an unusually varied selection even in 1860: from the British Workman No. 1 to Spurgeon's Sermons; from The History of Rome to The Heart of Midlothian and Archdeacon Merriman's donation of Village Conversation.¹⁸²

The ever present concern of the Albany Hospital Committee was its financial position. It relied heavily on the Grahamstown subscriptions

¹⁷⁸ Ibid., 1882.

¹⁷⁹ Ibid., 1881.

¹⁸⁰ G.T.J. 29-3-1882.

¹⁸¹ Albany General Hospital Annual Statement. February 1860.

¹⁸² Ibid.

it received and on the yearly donations from the Churches, who set aside one Sunday as "Hospital Sunday" when the collection proceeds went towards the Hospital funds. But such amounts, which varied with the vagaries of the Grahamstown citizens and the climate of the economic times, were not sufficient to cover the running expenses, particularly as so few patients were able to contribute substantially towards their treatment. Without the parliamentary grant of £1 000 annually, the Albany Hospital would have been unable to offer the extent of service which was necessary. From 1863 the Albany Hospital was placed on the same footing as the Port Elizabeth Hospital. As a result of the £1 000 grant, the government wished to secure a voice in its control and insisted that all pauper patients be admitted free of charge.¹⁸³ The latter proviso had already become the accepted practice of Hospital policy. The efforts of the Grahamstown members of parliament had been responsible for obtaining the parliamentary grant: they were the Hon. R. Godlonton, Hon. G. Wood and Hon. C. Clough.¹⁸⁴ In spite of this grant, the Hospital fell into pecuniary difficulties time and again. The extra expense, because of the increased relief of pauper patients, had contributed materially to the financial difficulties of the Council. The small amount contributed by the community towards the upkeep of the Hospital at the height of the depression in 1868, occasioned sharp comment by Dr Williams. His view, forcibly expressed, was that "An hospital lies at the foundation of civilisation - every man's duty was to help in supporting destitute fellow creatures, or they would become like criminals."¹⁸⁵ This view of the responsibility of the community for the public health even of those on the fringes of society, best sums up the attitudes of the members of the medical fraternity, the Hospital Board, the Churches and certain members of the Town Council.¹⁸⁶ Practical schemes for the raising of funds emerged from this heated meeting: a Hospital Fair was held the following year which raised £203.12. 8.¹⁸⁷ During 1882 an

¹⁸³ G.T.J. 19-2-1864. Annual Meeting of the Albany Hospital.

¹⁸⁴ Ibid.

¹⁸⁵ G.T.J. 21-2-1868. Annual Statement for 1867-1868.

¹⁸⁶ G.T.J. 21-2-1868.
Councillor James Wood, a member of the Hospital Board, suggested application to the Council for £100. This was duly granted then withdrawn on the advice of the Council's lawyer.
See Chapter 2: The Economic Position.

¹⁸⁷ G.T.J. 17-2-1869, 19-2-1869 and 24-2-1869.

appeal was made to the Ladies' Benevolent Society which canvassed successfully to the amount of £260.15. 0.¹⁸⁸ This became a regular fund raising effort which eased the acute financial position of the 1880's.

The most valuable public health function exercised by the Committee of the Albany General Hospital during the 1860's and 1870's was undoubtedly their efforts to establish a lunatic asylum in the Eastern Province. As early as 1859-60 the Committee voiced the idea of one established in connexion with the Albany Hospital. Medical opinion did not approve the close proximity of Hospital and Asylum, nor did finance allow the erection of a building. The Government was, however, approached on the importance of such provision for the insane in the Eastern Province.¹⁸⁹ The only lunatic asylum in the Colony during this period was that established on Robben Island. The doctors at the Albany Hospital from time to time during the 1860's from "motives of humanity"¹⁹⁰ accepted several lunatic cases for treatment but were unable to achieve much success because of the lack of proper facilities and the danger to ordinary patients. Many more had to be refused admission. As a result of a legacy of William Wright the Albany Hospital Committee was enabled to build in 1870-71 lunatic wards detached from the Hospital, for two male and two female patients and a padded cell for the "temporary treatment of cases of mental aberration".¹⁹¹ This provision was found to be inadequate for the purposes it was intended for and the following year a strongly worded application to Government and public, was made for the establishment in Grahamstown of a lunatic asylum.¹⁹² Reference was made to the disadvantages of Robben Island as a situation "devoid of every condition" that medical authorities considered essential for the "probable restoration" of lunatic patients. The plight of lunatics in 19th

¹⁸⁸ Albany General Hospital Committee Report. December 1882.

¹⁸⁹ Albany General Hospital Annual Statement. February 1860.

¹⁹⁰ G.T.J. 24-2-1863.

¹⁹¹ G.T.J. 20-2-1871.

¹⁹² Albany General Hospital Report. 1872.

Century Cape Colony was distressing. Apart from Robben Island, violent cases were confined to gaol, where violent means of restraint were the only means of control, administered by men ignorant of any medical knowledge.

Until 1872, applications to the Governor and Parliament for a lunatic asylum in the Eastern Cape had not been successful, though the Grahamstown members of parliament had raised the matter on every suitable occasion. A deputation, Hon. G. Wood, Dr W.G. Atherstone and Hon. R. Godlonton, had waited on Governor Wodehouse before he left Grahamstown after the 1864 session of parliament on the subject of lunatic wards to be added to the Albany Hospital. Wodehouse had assured them the matter would receive his "earnest consideration" but also stated that his preference was for one centre for the treatment of lunatics in the Colony.¹⁹³ In 1867, the Hospital Committee regretted that the Governor had done nothing, ostensibly because of the lack of funds, even though the Legislative Council had recommended the matter for the Governor's immediate attention.¹⁹⁴ But a new element in 1872 was the availability of the Fort England barracks, empty since the final removal of the troops in 1870. The Albany General Hospital Committee emphasized that "at moderate expense"¹⁹⁵ these buildings would easily be convertible to an Asylum. The decision to convert the Fort England Barracks was taken and during 1873 the Albany General Hospital Report stated that "active progress" was being made.¹⁹⁶ The Graham's Town Lunatic Asylum was opened on 9 September 1875, when the first patient was admitted.¹⁹⁷ Chronic sick cases were admitted in addition to lunatic cases, which relieved the Albany General Hospital of the necessity of nursing such cases while there was a shortage of wards. Until the establishment in 1881 of the Chronic Sick Hospital at the old Cape Corps Camp in the charge of

¹⁹³ G.F.J. 8-8-1864.

¹⁹⁴ G.F.J. 22-2-1867.

¹⁹⁵ Albany General Hospital Report 1872.

¹⁹⁶ Albany General Hospital Report 1873.

¹⁹⁷ Graham's Town Lunatic Asylum Report 1875.

John Jackson, Superintendent, lately Head Attendant at the Lunatic Asylum,¹⁹⁸ these cases were cared for at the Asylum.

Dr Robert Hullah was appointed Surgeon-Superintendent at the Graham's Town Lunatic Asylum in 1875. He had had varied medical experience prior to this appointment, including service as Assistant Medical Officer in the City of London Lunatic Asylum, Ship's surgeon and Convict Surgeon at East London.¹⁹⁹ What is most marked in his early yearly reports is his enlightened attitude to the treatment of lunatic patients. His considered opinion was that the practice of restraint on lunatic patients "tends to demoralise both patients and attendants"; and through such restraint, "such reason as the patient has as a rule becomes more debased". Punishments for lunatic patients were, in his opinion, to be mild, such as "the deprivation of luxuries and extras".²⁰⁰ Restraint was only to be justified if a patient showed suicidal tendencies. He discovered that colonial attitudes to lunatics and asylums differed somewhat from those he had become accustomed to in England. He found that ignorance was more prevalent at the Cape about the nature of lunatic disease, and the treatment of lunatic patients. The "natural but most foolish and unreasonable dread of an asylum"²⁰¹ was far more widespread and deep-rooted than he had encountered in England. This dread and ignorance tended to prevent families or friends from bringing lunatic patients to the Graham's Town Asylum in the early stages of such diseases. Dr Hullah deplored this practice, as the recovery of patients suffering from any form of lunacy depended to a large extent on "prompt treatment" which was often impossible under Colonial conditions.²⁰²

The Graham's Town Lunatic Asylum, from its opening, was fully occupied. The demand for such an establishment was clearly justifiable. Because

¹⁹⁸ Ibid., 1881.

¹⁹⁹ G.P.M. 19-2-1890.

²⁰⁰ Graham's Town Lunatic Asylum Report 1875.

²⁰¹ Ibid., 1877.

²⁰² Ibid., 1876.

of the limitations of government financial expenditure on the Asylum, the numbers of patients of all race groups, the, at times, inadequate accommodation, Dr Hullah worked under considerable disadvantages. An additional problem was the difficulty experienced in engaging efficient and humane staff, for the pay was not high. Within this framework of circumstances, it is not surprising that the first Visiting Committee should have had certain complaints to lodge. These were mainly of a sanitary nature. The Committee did note that they should have preferred "to have seen the coloured people separated from the white people" but agreed that the arrangement of the building made this difficult.²⁰³ A "Note" appended by Dr W.G. Atherstone, who together with the Architect, Mr Welchman, had designed the conversion from the Barracks to the Lunatic Asylum, explained that the wing in use at that time for white and black males and females had been designed for the use of white male patients only. He hoped that funds would soon be available for the second wing.²⁰⁴ But in spite of such circumstances, the Visiting Committee was pleased with the work performed by Dr Hullah. They did recommend the appointment of an Assistant, as his responsibility was very great. Occupation for the patients was varied: the women were engaged in washing and in sewing various articles of clothing, the men worked in the garden and were employed with woodwork. Dr Hullah stated that the reward of tobacco encouraged the men who felt disinclined to work. Various town organisations produced entertainment for the inmates of the Asylum, and this was encouraged by Dr Hullah. Bearing all these factors in mind, it is surprising that the charge that "no regular curative system of treatment"²⁰⁵ was practised, was brought by implication against Dr Hullah, several months after his death. As such criticism had not been voiced during his regime, an explanation could be that without his guidance, the staff had succumbed to inefficiency and worse.

Such informed judges as the Hon. G. Wood and Dr W.G. Atherstone had high praise for Dr Hullah. During the frequent parliamentary debates during the 1860's and 1870's on the proposed removal of the Robben

²⁰³ Ibid., 1877.

Report of the Visiting Committee. 21 December 1877.

²⁰⁴ Ibid.

²⁰⁵ I.F.L. 15-5-1896.

Charge made several months after Dr Hullah's death.

Island Asylum to the mainland, both men had held the Graham's Town Lunatic Asylum under the supervision of Dr Hullah, as an example to be admired by the rest of the Colony. The Hon. G. Wood, in the Legislative Council, gave a lengthy exposition on the "legalised cruelty" which he considered was practised on lunatics by their residence on Robben Island and their contact with criminals and lepers. He meant no criticism of the work of the medical officers in charge, but referred to officially recorded facts about the Robben Asylum. His tribute to Dr Hullah and his wife as being "extremely kind to all placed under their care",²⁰⁶ led to his declaration that the Graham's Town Lunatic Asylum afforded all who saw it satisfaction. He appealed for something to be done about the unfortunate position of lunatics on Robben Island in the name of "common humanity". Dr W.G. Atherstone, peripatetic medical and scientific expert of Grahamstown, in a debate in the House of Assembly in 1882, went further and criticised the treatment of lunatics on Robben Island. He gave a sound lecture on the positive results obtained through the friendly treatment of lunatics at the Graham's Town Lunatic Asylum.²⁰⁷

"The men of Grahamstown were ever improving"²⁰⁸ was a tribute which appeared in the Oudtshoorn Tribune and was duly and agreeably noted by The Journal. This rings true in the civic context, especially in the areas of public works and public health. In spite of financial limitations and the opposition of ignorance of some parts of the community, certain leading civic and medical figures pursued the Sanitary ideal with true Victorian determination. The Reports of bodies, such as the Albany Hospital Committee and the attitudes, displayed in debate by Grahamstown's members of parliament, reflect strongly the responsibility felt by these men in serving, not merely the public health interests of Grahamstown, but of the whole Eastern Cape. The establishment of the Graham's Town Lunatic Asylum was largely the result of such conviction. Specifically in the civic context, even The Journal paid tribute in 1882 to the efforts of the Town Council in the creation of the "sanitation and the scenic beauty"²⁰⁹

²⁰⁶ G.T.J. 2-9-1879.

²⁰⁷ G.T.J. 23-6-1882.

²⁰⁸ G.T.J. 27-6-1882.

²⁰⁹ G.T.J. 11-12-1882.

of Grahamstown. The "healthy situation" and "salubrious air" of Grahamstown, listed as one of its main attractions in the 1880's, had been largely the result of painstaking Council effort. There were nevertheless many public health problems which remained to be solved during the 1880's. The public health responsibilities of civic bodies, as certain Councillors were well aware, involved the daily pursuit of the Sanitary ideal.

CHAPTER SIX

LOCATIONS

CHAPTER 6.

LOCATIONS.

An 1882 Journal contribution, entitled Thoughts about Grahamstown, provides a provocative introduction to a study of the community relations of Grahamstown during 1862-82. Its contents have in addition a certain contemporary applicability. The writer claimed to be an old inhabitant of the Eastern Province of no particular town and signed himself simply Visitor.¹ Whereas most published visitors' comments on Grahamstown extolled its virtues, beauties and improvements, praise which matched the Victorian complacency that affected certain of its citizens, this vivid criticism sketches a more realistic picture. The entry into Grahamstown from the interior was marred not only by the stench of the slaughter houses, but by the sight of the tin hovels and ragged huts of the Hottentot Location, whose filth and human inhabitants "in the lowest grade of existence would be a disgrace to the most lawless community". The writer's opinion was that such condition resulted from Municipal negligence. In his critical comment on the locations, he conceded that the streets had been laid out with regularity and with approval, that "sharper superintendency" was being exercised by the Magistrate over the "conduct of the rude inhabitants". Criticism was levelled at the Municipality for doing so little to encourage the erection of buildings and provide a water supply for the locations. The writer noted a larger proportionate increase of the "sable sons of Ham" over the "sons of Japhet" in the pedestrian traffic in the town and commended their "degree of taste and cleanliness of dress". It is unfortunate that the writer remains anonymous. Such telling criticism of lack of municipal involvement with the locations, however spiced with paternalism, is a rare phenomenon and worthy of thorough consideration.

¹G.T.J. 5-10-1882.

A study of Grahamstown's community relations, 1862-82, should assess two major interrelated aspects which shaped the locations. One is the general, pervasive and intangible area of attitudes which encompassed the racial, social and class divisions of town and location. The other is a more specific focus on the development of the locations and the various forms of control, municipal and governmental, exercised over the inhabitants. The nebulous subject of attitudes is hard to piece together because of lack of comprehensive written evidence but mainly because the attitudes within the white community of Grahamstown, with its own social and class divisions, were varied, diverse and for most people not even clearly formulated. This study is, by its focus, white-orientated, particularly municipally so, and does not pretend, on flimsy evidence, to attempt an in-depth study which should involve an examination of the oral tradition within the Fingo Village.² Nevertheless an attempt has been made to place the community relations of Grahamstown between 1862-82 in their context and to explain the shifting white attitudes to the locations and the changing currents of municipal and government ideas of control. Major events which influenced the ordinary Grahamstown citizen's attitude towards the locations and their inhabitants and the Native question in general, were the Basutoland conflicts, the war in Zululand and overwhelmingly, the frontier war of 1877-78. These events towards the end of the 1870's caused some hardening of attitudes within Grahamstown: the attitudes within a war situation.

The amorphous range of attitudes within the Grahamstown community towards the locations and their inhabitants, and natives in general, is as tangled and complex as human nature itself. The gulfs of class and race consciousness, memories of the far-from-peaceful past, contacts at the master-servant level, the dictates of religion, humanitarianism and Victorian paternalism are factors which all played their part in the shaping of men's minds and emotions. K.S. Hunt has stated that it

²See W.A. Maxwell, 'The Fingoes and the Fingo Village' in Annals of the Grahamstown Historical Society 1971, pp. 3-8 and R.A. Moyer, A History of the Mfengu of the Eastern Cape 1815-1865. Ph.D. University of London 1976.

was during the late 1830's after Hintza's war of 1834-35 that "class consciousness merged into colour consciousness".³ This colour consciousness certainly became an important factor in determining certain European attitudes towards the African but it remained only one strand of a much more complex Victorian outlook where ethics had to come to terms with situations vastly different to those faced in England. Often, when complaints of location nuisances and, or the bad behaviour of natives within the town, were addressed to the Municipality, it is not the colour consciousness which pervades the indignant tone, but rather the ethic of decent moral behaviour in the standard of the times, that has been outraged. A certain ratepayer in the Fort England area, no less a personage than Mr Franklin, editor of the Cape Frontier Times, wrote a complaint to the Municipality about persons of "both colors (sic) and sexes "who congregated in the vicinity of his home to swim in the dam nearby. But their worst offence was that they ran around within sight of his home, as Mr Franklin delicately described it, "in puris naturalibus".⁴ Public indecency inspired this letter to the Council rather than an objection to youths of different colour swimming together. The Council decision in this serious matter was prompt: the Mayor was to wait on the Magistrate and ask him to take proper action. Minor complaints of this nature were fairly common. During the building of the railway, the concern generated by drunken navvies was almost as great as that which attended the dances of Oba's Kafirs in the location.

Yet for all this flexibility of attitude, differences ran deep and, in a frontier situation where colour had equalled enemy so frequently already, it would have been foolish to have denied this and ignored it. Prejudice there was, and understandably so. An incident which revealed this clearly and vividly, described the activities of certain black policemen employed by the Magistrate as part of the Grahamstown police force in the early 1860's. William Webb raised the matter

³K. S. Hunt, The development of Municipal Government in the Eastern Province of the Cape of Good Hope with special reference to Grahamstown. (1827-1862) A.V.B. 1951, p. 155.

⁴G.F.J. 3-3-1863.

during a public meeting of Grahamstown ratepayers held to levy the Night Police Rate for the year. He deplored the fact that black policemen were allowed to arrest white offenders, as he anticipated that this kind of situation could lead to trouble and exacerbate race relations, rather than promote peaceful co-existence. He described, with a great deal of unconscious humour, the methods employed by these black policemen when arresting white drunkards. Apparently it was their custom to hover near canteen doors on the look out for any promising white customer who emerged under the influence of liquor; to follow such candidate at a discreet distance until he committed an action which could be construed as drunk and disorderly, whereupon they would make an arrest and lead the way to the "trunk" in triumph. Webb maintained, on the Chief Constable's evidence, that they concentrated on white drunkards, as these were much more likely to be able to pay the necessary fines than their black brethren. All in all this practice had brought about a marked increase in fines for drunkenness so it was clearly a lucrative venture for such policemen. Yet it should be prevented, argued Webb, and his argument is particularly interesting in view of the fact that he later represented Wards which had black and coloured ratepayers. He quoted an example of the sort of danger against which he warned. On an occasion not too long before that, a respectable Grahamstown citizen had been arrested and requested that he be taken to the "trunk" via side streets, so that he be spared the humiliation of being viewed by all and sundry down the length of High Street. His request was refused and he was dragged down High Street, the cynosure of all eyes.⁵ William Webb's attitude is realistic rather than prejudiced. But the very fact that such arrests occurred with impunity and without the consequences feared by Webb, is a statement of the open nature of the society of the early 1860's.

Prejudice and self-interest there was, and a core of citizens felt secure in the separation of town and locations. This was illustrated when the rumour was spread, in 1862, that the Bishop of Grahamstown had made application to use the empty barracks at Fort England for an African mission station. In reality the Bishop's purpose was

⁵G.T.J. 7-9-1861.

educational: to move the "Kafir Institute" from its position on West Hill, that most elite of Grahamstown suburbs, to occupy part of Fort England. The "Kaffir Institute" was run by the Anglican Church and was a school for Africans. One of the aims of its establishment was to further missionary effort by preparing the right pupils for entering the ministry. It had in 1862, a very small group of pupils. The Institute was housed in some rooms attached to Bishopsbourne.⁶ The Journal disapproval was heavy on two counts: "no native location should be allowed in the city" and it feared it would damage the sale of Municipal lands beyond Fort England.⁷ A petition against such a use of the barracks was signed by 50 householders. Amidst a certain amount of confusion it appears it was first intended to be sent directly to the War Office, but was finally sent through proper channels to the Town Council first. The main objection of the petitioners was to the establishment of a "colony of natives" within the city which would depreciate the value of the land at Fort England.⁸ The Journal hastily made clear that the petition was not against "natives, education or missions and not against the Church of England, but against the place"⁹ chosen. The Town Council was in a quandary as to how to handle the situation and appointed a Special Committee to investigate the matter before sending the petition to higher authority.¹⁰

The Report of the Special Committee bears closer investigation as it presented in bland, factual tones the Municipal viewpoint together with Anglican Councillor Ogilvie's protest. The Report recommended that the petition be forwarded to the War Office on several counts. It stated the depreciation of private and Municipal land in that area was "a known fact" as witness the proof of a recent sale of erven since the establishment of the school at Fort England at which no "reasonable rate" had been paid. It stated that the occupation of any part of the former military headquarters of the frontier by natives

⁶G. Mullins, 'The Kaffir Institution', in Annals of the Grahamstown Historical Society 1980, p. 50.

⁷G.T.J. 14-6-1862.

⁸G.T.J. 29-7-1862.

⁹G.T.J. 5-8-1862.

¹⁰G.T.J. 12-8-1862.

"under any circumstances is undesirable". Most significantly, another reason warned with acute penetration that "the existence of such an Institution in the midst of a community opposed to it's (sic) being there, is likely to lead to many unpleasant consequences, and to interfere with some of the objects such Institution (sic) are intended to answer".¹¹ The Report carefully claimed to have remained free from all "sectarian" bias and noted that some petitioners were Anglicans. The Report is realistic, objective within the inevitable Municipal framework of pounds, shillings and pence and the desire to defuse any racial antagonism which could be generated by the situation.

Councillor Ogilvie's protest, presented to the Mayor after the Report had been read, presents a very different perspective of attitudes not shared by the residents around Fort England. The Bishop's purpose, he commented, was merely that of moving the "boarding school for Kafir boys under English clergyman (sic)" which had already, for two years, been established at West Hill. The purpose of the school was to educate future "teachers and catechists". He emphasized that the students were selected for their "good conduct". Finally, he stated in no uncertain terms that he considered it "inexpedient" for the Council to interfere as they would be laying themselves open to the charge of prejudice against "native classes".¹² The debate which followed was lengthy and heated. Though the general attitude appeared to be one of reluctance to forward the petition, because of the delicacy of the subject, others vehemently upheld the traditional right of petitioners to put their viewpoint.¹³ The end of Council involvement in the matter is an interesting comment on how evenly divided opinion was and how reluctant they were to put the seal of Council approval on the petition. At two successive meetings this matter was put to the vote: the first time the decision was made to forward the petition, by a narrow majority of 10 votes to 9,¹⁴ and, at the following meeting, after further debate, the Council cancelled their previous decision and voted against sending the petition by a majority of one.¹⁵ By that stage one Councillor reported that the

¹¹S.C.M.B. Report 7-8-1862.

¹²G.T.J. 12-8-1862.

¹³G.T.J. 12-8-1862.

¹⁴G.T.J. 19-8-1862.

¹⁵G.T.J. 2-9-1862.

petitioners no longer wanted Council help as they were "disgusted" that the Council had not supported them unanimously. Councillor Ayliff pointed out that such an attitude relieved the Council of their responsibility in the matter.¹⁶ This episode reflects faithfully something of the range of opinions and lack of coherent municipal policy on the entire colour issue in the Council.

It is difficult to account for the excessive reaction of the Fort England residents to the presence of the "Kafir Institute" in their midst when West Hill had quietly accepted its presence at Bishopsbourne for the previous two years. A factor which could explain some part of it is linked paradoxically to class attitudes within Grahamstown. West Hill was a wealthy residential area, home of the Woods and other families with strong religious ties. The Fort England area's inhabitants were a much more mixed socio-economic group, and in spite of the Potes and Mr Franklin, definitely less wealthy. This difference, coupled with the fact that the Fort England area was fairly newly established and still sparsely populated suggests something of the insecurity and greater threat felt by the inhabitants when faced with the establishment of the "Kafir Institute" in the former military bastion, Fort England. The "Kafir Institute" remained at Fort England from 1862-64, in spite of the original vociferous agitation against the move. But the outcry appears to have died down as soon as the Fort England inhabitants realised they had failed in their efforts. With the return of the troops in 1864, the "Kafir Institute" returned to West Hill, to be housed in a building on the site of the present St Andrew's College.¹⁷ The difficult situation was finally resolved and the return of the troops unwittingly wrote finis to an unhappy episode.

The influence exerted by religion on white attitudes to community relations was multifaceted, but its active effects differed very much

¹⁶ G.T.J. 2-9-1862.

¹⁷ G. Mullins, 'The Kaffir Institution' in Annals 1980, p. 50.

from group to group and individual to individual. The inculcation of attitudes of charity and temperance were very much part of the Western ethic of religion, and day to day contact with servants or location inhabitants or squatters, for most whites, came under these headings. Yet for many Europeans in Grahamstown 1862-82 the identification of charitable needs was simpler and automatic when white communities were suffering in circumstances of calamity: understandably so, for subconscious ties of society and culture cannot be lightly extended. The outstanding contribution of Grahamstown citizens, in a period of Cape colonial depression, to the Lancashire cotton operatives Relief Fund, is but one illustration of this truism. It is interesting to note that some of the most active workers in this kind of cause, R.W. Nelson, Dr Atherstone and later on Dean Williams, do not give the impression of being ardent supporters of missionary endeavour among the location inhabitants or indeed in general. But within the area of missionary support and activity there were many levels of commitment and human understanding. The Rev. W. Turpin was dedicated in his work at St Philip's in the Fingo village and further afield at Southwell and Manley Flats. Yet he was a man of smaller stature than the austere Bishop Merriman whose lifelong pursuit of the ideals of mission realised an understanding and constructive achievement that few others did. For most men in the Grahamstown community the realities of mission work were not part of the ordinary fabric of life.

Among thinking individuals, a minority in any community, the British heritage of the rights of the individual were held to apply naturally to all coloured persons. Any attack on rights political, municipal and rights before the law was strenuously opposed. Support of rights was one thing in a multiracial Colony with conflict so ever-present a reality, but very few individuals were able to conceive of a slow and gradual integration of individuals and native communities within the bonds of the Victorian concept of society. The generality of mankind did not concern themselves much with the problem; the "Native Question" remained an abstraction, a newspaper topic, and the reality of the problems of the differences of culture and society were only dimly perceived on the fringes of their awareness. The stock

responses of the master-servant relationship from the point of view of the master, whether farmer or businessman, was to preach salvation through the work and temperance ethics. And yet the attempts at a creation of a Victorian society within the Grahamstown locations were not limited to missionary effort. Within the white community of labour in Grahamstown there were numerous Benefit Societies, self-help insurance and protection societies. Some societies were temperance ones (eg. Good Templars) and others, such as the Albany Brethren, enjoyed fellowship and convivial meetings as additional benefits.¹⁸ It is a measure of how far certain white members of the Grahamstown community were concerned with the inculcation of Victorian self-help virtues, that an attempt was made to form a Native Benefit Society during the 1870's. Information on this subject is almost non-existent and the discovery that there was a Native Benefit Society occurred quite by chance, in a minor entry in the Board of Works and Lands Committee Minute Book of 1876. This was a resolution that Mr Jas Reynolds, one of the Municipal labourers, be allowed to take a half-holiday with pay, in order to attend Mr Clough's funeral, "in his capacity of President of the Native Benefit Society"¹⁹. This slight reference is supplemented by mention made in Jim's Journal and also The Journal, of such a Native Benefit Society. In April 1877, James Butler recorded that the Native Benefit Society were going to have a sports day on Sugar Loaf Hill.²⁰ On the occasion of the visit of the Governor to lay the foundation stone of the Town Hall, the grand procession of Friendly Societies were flanked by the "native societies", in The Journal's report.²¹ James Butler added a description of the scene and declared that they looked very well, wearing white waistcoats and gloves.²²

These references pose a host of questions as to the origins of this society, its membership, how long it existed, and how it differed from

¹⁸ J.M. Berning, The United Albany Brethren Benefit Society.
C.L. unaccessioned.

¹⁹ B.W. & L. 4-9-1876, p. 237.

²⁰ James Butler, Jim's Journal 2-1-1877. C.L. PR 3482.

²¹ G.F.J. 31-8-1877.

²² Jim's Journal 28-8-1877.

its European counterparts, none of which can at this time be satisfactorily answered. The lack of research clues emphasizes the possibility that the venture did not last long and was possibly unnoticed by most of the Grahamstown community. The date of the entry 1876 suggests that the war of 1877-78 and its aftermath may well have caused the experiment to fail and the society to disband. It is an interesting speculation as to whether this Society had its origins among black Municipal workmen, encouraged by their white counterparts. The choice of Jas. Reynolds as a white President, in itself a deviation from the pattern of the white societies, whose office bearers were all proudly self-acclaimed working class men, suggests that the creation of such a Society was a result of white initiative and organisation. It seems safe to assume that such a venture, among however small a number of black labourers, would have been earnestly recommended and supported by the missionaries of the locations. However short term this venture probably was, it is a fascinating commentary on how deeply engrained the principles of self-help were among the white working class men in Grahamstown in that they attempted to draw their black counterparts within this community of labour.

The question of how far the leading municipal men of Grahamstown were prepared to go in practice, as opposed to theory, to ensure a totality of equal rights to the location inhabitants, as Grahamstown citizens, was raised in surprising manner in 1868. Prior to the routine Council elections in July, five requisitions, to prospective Councillors of different wards, were rejected by the Mayor on the grounds that they had not been signed by the requisite number of duly qualified voters.²³ The significance, underlying this notice of the

²³G.T.J. 15-6-1868.

Requisitions to the following candidates disallowed:

T.H. Parker Ward 1

S. Mandy Ward 3

J.S. MacKay Ward 6

Klaas Booy Ward 6

John Temlett Ward 7

All these names, except for Klaas Booy, are linked with service as Councillors at different times during 1862-82.

There is no mention of Klaas Booy in the Directories of the period, but all other Booy's listed appear to be coloured - a deduction from occupations and Christian names.

Slinger Booy is listed as living in the Hottentot Location.

Mayor's, lies in the fact that one of the requisitions for Ward No. 6 was addressed to Klaas Booy, presumably a coloured resident of the Hottentot Location. At the next Council meeting, Councillor Barr asked for the Mayor's interpretation of a duly qualified voter, as he had considered the requisitions valid. The Mayor's explanation was that certain of the ratepayers in question were in arrears with their rates. Councillor Barr considered this Mayoral measure one of "sharp practice" as the current financial year was not yet over. He was supported by Councillor Franklin, who considered the Mayor should have given due warning of such stringent interpretation, before it was enforced during an election.²⁴ These pertinent queries raised by leading Councillors and the flimsy nature of the Mayor's defence, though technically within his rights, suggest a Mayoral ploy to avoid the possibility of an election contest between William Webb, retiring Councillor of Ward 6, and Klaas Booy. There is also an interesting lack of newspaper comment on the Mayor's action; a wise tactic perhaps to ignore an issue which could have roused heated discussion.

The most unusual feature of the whole episode was the appearance of no less than two, numerous signed requisitions to William Webb to represent Ward 6 again, published in the same Journal issue as the Mayor's notice of disqualification of the other five. One requisition was signed by 51 resident householders. The second requisition was signed by 78 "householders of the Native Location and of No. 6 Ward" and listed no white names. This requisition tendered sincere thanks for the services William Webb had rendered as their Council representative. In conclusion it stated that "we further trust that these our humble efforts, though ever so small, may have a balance in favour of your re-election".²⁵ Normally if requisitions were published, they displayed only a meagre number of signatures. These two lengthy requisitions appear to herald a political rather than a mere municipal election. Ostensibly, the threatened opposition to William Webb from two candidates, one of whom was a coloured, generated overwhelming support from both communities which he had represented for years as

²⁴G.T.J. 22-6-1868.

²⁵J.F.J. 15-6-1868.

Councillor of No. 6 Ward. The wording of the second requisition makes this patently obvious. If this support was spontaneous and unpremeditated, it offers a tribute of no mean order to William Webb as Councillor and attests to his popularity. But the doubt that this was a clever piece of electioneering cannot fail to intrude. There are some factors to be stated in his favour, to counteract suspicions of undue influence. He was a forceful character who had certainly left his mark on Council debate and decision during his six years in office. He claimed to be the champion of the working class man and, in his official capacity, he did not fail to draw Council attention efficiently to complaints received from any individuals in his Ward, and he certainly presented such cases from location inhabitants. As a Field Cornet he had opportunity to become well known in Grahamstown and district. All in all, he was a figure of some note and some of the support expressed for him could well have been genuine. Whoever had been responsible for Klaas Booy's requisition did nothing further to attempt his legal requisition or election. The Location vote appears to have been squarely for William Webb. One dubious factor is a doubt as to whether all 78 names on the requisition were duly qualified ratepayers or not. In the event, William Webb's election was uncontested.

An illuminating postscript to the episode occurred in October of that year. At a Council meeting, a property qualification of £1 000 for a Councillor, was proposed, and William Webb agreed with the proposal. During the course of the debate, direct reference was made to the averted election crisis by several Councillors, in terms which are most revealing. William Webb referred to the incident as follows:

"It was not long since that a certain inhabitant nominated a Kafir for election as a member of the Council, and although this coloured gentleman was really better qualified, morally and intellectually, to discharge the duties of the office than the gentleman who proposed him, it was not right that the Council should be exposed to the possibility of such an annoyance. (hear, hear)."²⁶

Yet paradoxically he supported the property qualification as ensuring that "good men and true" would be chosen who "would not impose unnecessary burdens upon the poorer classes". Councillor Houston,

²⁶G.T.J. 26-10-1868.

against the property qualification, touched on the election test case by dismissing its importance: "It was true a man might nominate a black, but it by no means followed the ratepayers would be such fools as to elect him (laughter)." The debate needed Councillor Franklin's bland *reductio ad absurdum* contribution, when he opposed the property qualification, by quietly and humorously suggesting it be raised to £5 000, as the possession of landed property granted "wisdom, understanding, learning, intellect gift of the gab" in short all the virtues for public office.²⁷ The property qualification proposal was referred to the Committee for the Revision of the Act of Incorporation but did not appear as an additional clause of the Act in the period under review.

A property qualification of £2 000 had been proposed by William Webb the previous year also, only to be defeated. The debate on this subject had occasioned a division between two groups in the Council, ironically labelled the "Rabble" and the "Poor Man's Friend".²⁸ James Wood, R.W. Nelson and F. Barr headed the "Rabble" group who opposed the property qualification, while William Webb, Charles Watson and King, were the "Poor Man's Friend" group who supported it. The fear of an African standing for the Town Council was one of the reasons given for the proposal: "would any Councillor present sit down with a native, perhaps adorned with his kaross?"²⁹ Yet this appears to have been an attempt to entrench the positions of certain Council members who possessed such property qualification. James Wood accused William Webb of double standards; of allowing his own tenants to live in hovels and pay high rents while as "Mr Prosperous" he remained the "poor man's friend".³⁰ This proposal was also aimed at the wealth and class distinctions within the white community, as such a high property qualification would have excluded several existing Councillors from the Council. James Wood expressed his surprise at a suggestion that would mean the investment of the city's affairs "in the hand of a

²⁷ G.T.J. 26-10-1838.

²⁸ A.A. 2-3-1867.

²⁹ G.T.J. 22-2-1867.

³⁰ G.F.J. 15-2-1867.

monopoly".³¹ This particular episode raises the question of whether or not William Webb was a bad landlord and suggests how anxious certain self-made men were to retain their own civic positions. The proposal was defeated.

These debates highlight certain ambivalences in Councillors' attitudes which were representative of many Grahamstown citizens. While the right to vote politically and municipally was an accepted right of the location communities and acknowledged as such by the white community, the possibility of a location resident becoming a Council member was regarded as absurd. This was, after all, the context of the 1860's, not the 1980's. The disparity in the concepts of local government on the one hand and the circumstances of slow disintegration of tribal custom, within the location, on the other, meant this attitude was understandable. The white community reserved the right to guide and rule both Grahamstown communities, but this situation brought added responsibility to the Town Council. Such paternalism had positive as well as negative attitudes. At its best a paternalistic attitude reflected genuine humanitarian motives; at its worst it was a useful vehicle for prejudice. In the civic realities of Grahamstown's situation from 1862 onwards there is evidence of both positive and negative attitudes towards the locations.

Major responsibilities were the provision of civic amenities such as water and the care of the streets, just as in other wards of the city. There was no special Council Committee which dealt with location matters. These were handled by the Board of Works and Lands and the Police, Market and Found Committee and, as occasion demanded, by infrequent Special Committees appointed to investigate specific issues. At the end of 1882 a new permanent Committee was started: the Plantations and Locations Committee, in response to the increasing municipal supervision necessary for the new Municipal Locations established in 1882. Even then regular meetings dealt largely with plantations business except when there was a location crisis.

³¹ G.T.J. 22-2-1867.

In any matter relative to public health, the Council acted promptly. Apart from crises such as the smallpox scare of 1882,³² there were several occasions when the reported death rate in the locations raised concern. The "unusual amount of sickness"³³ and "rumoured great mortality"³⁴ in the Fingo Location reported by the Sanitary Committee in 1864 was referred immediately to Dr Atherstone, District Surgeon. On that occasion he had been unaware of any unusual sickness in the area but said he would investigate the matter.³⁵ Councillor Shepperson brought to Council notice a similar fever report in 1867 which was also referred to Dr Atherstone.³⁶ His suggestion that certain rubbish heaps in Dundas Street be covered to remove sources of infection was dealt with by the Council,³⁷ but the Police and Market Committee's conclusion was that something more should be done. A letter to the Civil Commissioner enlisted his help in "obtaining the attention of the District Surgeon to any cases (of fever) that may be found".³⁸ Town Council concern for location public health could always be relied on to set in motion any investigation that might be required.

The Council was kept aware of location conditions by the municipal ranger, the Streetkeeper. Whereas he was usually the reporter of miscellaneous nuisances, in 1877 the Streetkeeper was the subject of a complaint by Jan Forchanie of the Hottentot Location: he had burned his hut and all his belongings.³⁹ The resultant investigation sheds some light on the care which the Council expended on serious complaints. The Police, Market and Pound Committee discovered the burning of Forchanie's hut to have been in error for another the Town Clerk had ordered destroyed. Councillor William Webb, as Forchanie's

³² See Chapter 5: Public Health.

³³ G.T.J. 17-5-1864.

³⁴ G.T.J. 13-5-1864.

³⁵ G.T.J. 24-5-1864.

³⁶ G.T.J. 5-7-1867.

³⁷ G.T.J. 12-7-1867.

³⁸ G.T.J. 19-7-1867.

³⁹ C.M.B. 8-8-1877.

intermediary, produced a letter from him which claimed £50 damages, appointed Councillor Webb as his representative and threatened to prosecute unless compensation was forthcoming. Two letters of character reference from Field Cornet Webb and Acting Field Cornet Jas. Darling were laid before the Committee as well. But the Chairman, who had previously visited the site of the hut, had ascertained that it had been located on ground which was Municipal property and that Forchanie had not been granted Council permission to build on it. The meeting adjourned, in order to arrange a proper hearing of witnesses.⁴⁰ "Copious" evidence was heard from Forchanie, the Town Clerk, the Streetkeeper, Joseph Currin and three Africans Hendrick, Cobus and William. The interpreter was William Ayliff, M.L.A., who must have come at the request of one of the Councillors.⁴¹ The Committee's resolution was that Forchanie should be offered £5 compensation, the offer to be made "without prejudice". Significantly, Councillors Webb and Houston were dissentient. The Committee refused to lay their evidence before the Council at that juncture, because of Forchanie's threatened legal action.⁴² The Council decision after lengthy debate, in Committee, left the amount of compensation to be finalised at the discretion of the Mayor and Councillors Wright and Nelson. Councillor Webb agreed on behalf of Forchanie to accept their verdict.⁴³ Two entries in the monthly accounts state that in September Forchanie was paid £7.10. 0. (Councillor Houston still dissentient)⁴⁴ and in October an additional £4.⁴⁵ This was some improvement on the proposed £5 compensation. The episode had provoked such disagreement between Councillors that months later, a proposal was made to order the Town Clerk to refund to the Council the compensation already paid to Forchanie. The seconder was Councillor Houston. The motion was lost.⁴⁶

⁴⁰ F.C.M.B. 13-8-1877.

⁴¹ I.C.M.B. 16-8-1877.

⁴² P.C.M.B. 21-8-1877.

⁴³ C.M.B. 22-8-1877.

⁴⁴ C.M.B. 5-9-1877.

⁴⁵ C.M.B. 31-10-1877.

⁴⁶ C.V.B. 27-2-1878.

The Council received a number of complaints against squatters, many queries about the erf title deeds of the Hottentot Location, complaints from Europeans about noise and nuisances and complaints from location inhabitants about repairs to streets and improvement of the water supply. It is interesting to note that, though the inhabitants, particularly of the Hottentot Location, frequently used memorials to approach the Council,⁴⁷ the missionaries in the Fingo Location very often initiated correspondence with the Council to demand more civic good government in the locations.⁴⁸ There appears to have been no general policy with regard to the upkeep of roads. Repairs were effected only as memorials requested. This was the same pattern as for the rest of the town but naturally the Board of Works and Lands concentrated on the main thoroughfares of town. The location water supply was very much left entirely to itself until drought crises caused complaint. The state of the location water supply was investigated in a Board of Works and Lands Report of 1877, because of severe water shortage in the location, the result of drought, during July 1876. A memorial had been received from a certain Alex Logie and 30 others praying for some attention to the streets of the location and "for a supply of water".⁴⁹ It was not until the Council had received a further communication from the Acting Civil Commissioner, Piers, on the water supply of the Fingo Location in April 1877 that the Council was moved to constructive action.⁵⁰ The sources of the Fingo Location water supply were springs at the north-east side of the location, a Municipal tank placed at Fort England "constantly full from the stream" and "two excellent wells" on either side of the location.⁵¹ The Council recommended that the springs "be opened up" and enclosed by a fence and the wells cleaned and the existing fences put in good condition.⁵²

⁴⁷ C.M.B. 18-10-1867, 20-12-1871 and 29-6-1881. (Examples random.)

⁴⁸ C.M.B. 23-2-1866, 15-3-1871 and 3-5-1876.

⁴⁹ C.M.B. 26-7-1876.

⁵⁰ C.M.B. 4-4-1877.

⁵¹ B.W. & L. Report April 1877.

⁵² C.M.B. 18-4-1877.

From this record it does not appear that there was any deliberate neglect of civic responsibility for the locations. On the other hand there is no evidence of any planned civic improvements for the locations until 1882 when a comprehensive Report was laid before the Council by a Special Committee.⁵³ These later recommendations were not fully implemented. There were occasional suggestions like that in 1861, by the Board of Municipal Commissioners, that the natives should be encouraged to build "commodious dwellings" for themselves,⁵⁴ but such ideas were not put into practice. There was no coherent Council location policy for this period and no single lead from any Councillor to formulate and put such policy into action. The criticisms of the 1882 Visitor to Grahamstown were sharply true: an indictment of Council lethargy rather than conscious neglect.

The problems of provision of civic amenities were compounded by the problems of location control, and Council attitude to such control. The situation in 1862 and the system of location control was relatively flexible. The establishment and control of the locations on a formal basis was still in its early years. The period 1862-82 was one of growth: In 1862 there were two locations with different origins: the Hottentot Village and the Fingo Village, variously referred to as the Hottentot Location and the Fingo Location or the Kafir Location. The terms Fingo and Kafir appear to have been used interchangeably with reference to the location. By 1882 a new Municipal Location had been created adjoining both existing locations, in an attempt to provide for more organised and better supervised living conditions for the increased location population which had congregated near Grahamstown, partly as a result of the aftermath of the war of 1877-78. The two decades after Incorporation were checkered years in which the difficulties of the theory and practice of grants of title deeds were realised. The pursuit of the best means of government for the locations on the part of the Municipality was dogged at times by an attitude of laissez-faire and the usual financial limitations.

⁵³This Report is dealt with fully, later in this chapter.

⁵⁴G.T.J. 20-4-1861.

There would appear to have been uncertainty as to the relative roles of the Civil Commissioner and Resident Magistrate of Albany and the Town Council, in the responsibility for location supervision and government. By 1882 there was not so much an indistinct overlap of authority as a more specific co-operation in a common cause. The relationship between Council and locations was an area of local government authority which had no English guidelines to follow. It was a fairly ill-defined task for the new Town Council and, understandably, not first on their list of priorities, as 1862 presented many more pressing problems within the much larger white areas of Grahamstown. The foundations for the good government of the locations had been firmly laid, though, by the old Board of Municipal Commissioners in attitudes and practices.

Governor Sir Lowry Cole (1828-33) had been responsible for the establishment of what became known as the Hottentot village near the burial ground, in 1829.⁵⁵ The foundation of the Fingo Location was first proposed at a Municipal Board meeting in 1841,⁵⁶ but was only carried into effect in 1848.⁵⁷ The main reasons for the vigour on the part of the Commissioners in their efforts to establish the Fingo Location systematically were the urgent necessity for some control of the squatter problem on municipal lands. Control remained the very necessary motive for the setting up and supervision of the Fingo Location - for, after all, the function of the Municipal Commissioners was primarily to order the civic life of the town in all aspects, to the benefit of all inhabitants. Yet it was hoped through such control to inculcate the civic duties and ensure the rights of municipal householders within the location. Within the context of the times this was a laudable aim and untinged by hypocritical paternalism. The Commissioners' first memorial on the subject of the foundation of a location, expressed their intent "to confer upon them the rights and privileges enjoyed by Resident Householders of the Municipality and thereby inculcating and promoting the principles of civilization amongst them".⁵⁸ The problem posed by this chapter is, in effect, to

⁵⁵ Hunt, Municipal Government, p. 154.

⁵⁶ Ibid., p. 206.

⁵⁷ Ibid., p. 210.

⁵⁸ Ibid., p. 207.

ascertain whether the Town Council managed to master such a balance between control and benefit and benevolence, and whether, by 1882, any significant progress had been made in the involvement of the locations in civic life.

The attitude of the first Town Council, as embodied in the first Municipal Regulations, emphasizes the need for organization and control. Whereas under the Municipal Board the locations had been created a separate Ward, under the Act of Incorporation the locations were included as part of Wards 6 and 8.⁵⁹ Those inhabitants of "any ward" who occupied immovable property "of the yearly value or rental of not less than 10 pounds sterling"⁶⁰ were duly qualified ratepayers. The question of the eligibility of the location inhabitants to vote was lengthily debated and the range of opinions⁶¹ suggests the multiplicity of views on community relations which is still found today.

The origins of the formulation of the Location Regulations indicate the overlap of authority between the Civil Commissioner and the Council, and also the awareness of the Councillors for the need of an assessment of the state of the locations. There was apparently no Report on the state of the locations handed over by the outgoing Board of Commissioners or Mr Cyrus, the Location Superintendent. Indeed it has not been possible to trace what happened to Mr Cyrus, or his office, in 1862 and after. The Council found it necessary to inquire from the Civil Commissioner the existing state of the locations, as they were self-confessedly ignorant as to the numbers of inhabitants and conditions of life within the locations. Councillor Caldecott's motion in August 1862 asked the Magistrate to supply information regarding the "state of the locations" but carefully emphasized that the Council object was "to secure order and not to interfere with the rights of natives".⁶²

⁵⁹ Act No. 29 of 1861 Clause 5
Ward No. VI Bounded south by Beaufort Street, east by the town boundary, west by Bathurst Street, north by High Street.
Ward No. VIII Bounded south by the town boundary, east by the town boundary, north by Beaufort Street, west by York Street.

⁶⁰ Act No. 29 of 1861 Clause 8.

⁶¹ See Chapter 1: Grahamstown: an introduction.

⁶² G.T.J. 14-8-1862.

Councillor Coxen, who seconded the motion, had a rather different viewpoint and vehemently proclaimed that the state of the locations was "disgraceful" with "awful nightly scenes". Councillor Ogilvie's information, that several Hottentots had sold their lands and were squatting on town lands, was also to be laid before the Magistrate. There seems to have been more than a little Council confusion, as to their role vis a vis the locations, compared to that of the Civil Commissioner, but the perennial reminders of squatting and nightly riot and rumpus within the locations, decided action. The Civil Commissioner's reply stated that 315 land grants had been made in the Fingo Location and 83 in the Hottentot Location, each lot held for five years at 5/- tax p.a., after which period it was the personal property of the holder and disposable by him. In addition he stated that the locations were without the "superintence (sic) of any officer at present",⁶³ though he hoped one would be appointed.⁶⁴ It seems apparent that in 1862 neither Council nor Civil Commissioner had any efficient means of control over the locations, and that both authorities felt the need for such control. On the receipt of the Civil Commissioner's letter, Councillor Caldecott moved that it be referred to the new Committee for Rules and Regulations to draw up regulations for the "government of the locations".⁶⁵

Section IX of the Municipal Regulations published in 1863, was entitled Native Locations. These Regulations gave the Council authority to appoint a Superintendent over the locations. His function combined that of registration official, municipal officer of law and rate collector. His duties were clearly enumerated. He was to register all "coloured persons" in the locations and keep a record of their livestock. He was required to lay a monthly Report before the Council of statistics showing the increase or decrease of inhabitants and their stock. He was in charge of numbering each hut or residence and the collection of all rent. All applicants for being located on the town lands, had to go to the Superintendent, who would point out a spot

⁶³ G.T.J. 30-9-1862.

⁶⁴ G.T.J. 23-9-1862.

⁶⁵ G.T.J. 30-9-1862.

on which they could build a hut. Rental for such allotments was fixed at 2/6 per quarter in advance. Not only had the Superintendent to order the town planning of the locations, but also to be acquainted with the means of livelihood of each "hut-holder or other resident". Every stranger to the location was required to report themselves to the Superintendent "on their arrival".⁶⁶ No such stranger was allowed to remain in either the location or on the city lands for more than a week without a license from the Superintendent. This clause was intended to prevent squatting and the infiltration of undesirable elements within the locations. To avoid past nuisances and to regulate the relationship between locations and Council no "hut or erf-holder" was allowed to graze any stock on the town lands without Council permission. If such permission was refused, as was often the case in times of drought, as town pasturage was then reserved for market and butchers' stock, alternative grazing land would have been scarce. Location plots were too small to have offered much grazing so the conclusion is that location inhabitants could not legally afford to keep much stock. This would have been a necessity not recognised by the Africans within the location, as it was contrary to their entire way of life. Within the locations every erf-holder was required to keep their erven in good order, free from rubbish and burr weed. Any contravention of the Location regulations could have been afforded a fine of between 5/- and 20/-.⁶⁷

These Municipal Regulations were in theory the basis of location civic life until 1881 when they were extensively revised as a result of the Grahamstown locations having been placed under the provisions of the Native Locations Act No. 6 of 1876. The revised Municipal Regulations of 1873⁶⁸ were essentially a repetition of the regulations adopted in 1863. But theory and practice in this instance were vastly divergent. In spite of concern expressed about the necessity for the control of the locations and the provision made for the appointment of a Location Superintendent, there is no record of such an appointment being made

⁶⁶ It was apparently the custom on farms in the Eastern Cape, even as late as mid-20th Century, for visiting Africans automatically to present themselves at the farmhouse, introduce themselves and inform the farmer of the purpose of their visit and the duration of their stay.

⁶⁷ See Appendix B: Municipal Regulations.

⁶⁸ Ibid.

after the publication of the Municipal Regulations. There is no reference to the salary of a Location Superintendent until the late 1870's. During the 1860's there would appear to have been no such official appointed. The suspicion that lack of finance lay behind this municipal negligence is reinforced by a Council debate of 1867. Councillor W. Smith proposed the appointment of a "Superintendent of the Native Locations".⁶⁹ The debate was adjourned,⁷⁰ and the motion amended to read "that H.E. the Governor be requested by memorial from the Council to add the office of Superintendent of Natives in this Municipality to that of Field Cornet of Grahamstown and that a sum of not less than £50 p.a. be paid by the Council to such superintendent".⁷¹ Three Councillors objected to the amended proposal because it "involved the expenditure of money"⁷² and when finally put to the vote, the motion was lost. This episode speaks eloquently within the circumstances of the depression of the 1860's. But it would also seem that the locations, served by such an ubiquitous and active municipal servant as the Streetkeeper, did not present the Council with too great a problem of good government. Conversely it could have been that the "nuisance" offences of the locations were not high enough to warrant the additional expense of a Location Superintendent. The channels of municipal business remained open without the mediation of a Location Superintendent. Application could be made through the Councillors for Wards 6 and 8, the ministers resident in the Location and the Grahamstown Field Cornets.

The 1860's, in spite of the specific Municipal Regulations, were a period of haphazard and uncontrolled development within the locations and do not add any laurels to Council efficiency. The problem of Council attitudes to the locations and their development in the 1860's is not only, or merely, a matter of efficiency of control and money, but involves a much more fundamental issue - the right to the land. This most vexed and controversial question, which underlies all South African history, takes on a curious complexity in the Grahamstown

⁶⁹ C.M.B. 19-7-1867.

⁷⁰ C.M.B. 26-7-1867.

⁷¹ C.M.B. 2-8-1867.

⁷² C.V.B. 2-8-1867.

context of 1862-82 which has not yet been resolved. The changes within the Hottentot Location were highlighted, in 1865, by the memorial of David Booy's to the Governor, praying for the title grant of erf No. 35 in the Hottentot Location.⁷³ His memorial was forwarded for the Council's consideration and then referred to the Board of Works and Lands for report. This request for title arrived at the time the Council needed land to raise funds for their new dam, planned to be built at Fort England. In order to assess the validity of his claim, which was far from straightforward, it was found necessary to investigate the original conditions of land grants in both locations. As an annexure to the lengthy Report, the Board of Works presented a copy of the memorial of the Lieutenant-Governor's Secretary to the Deputy Surveyor General on the "Fingoe and Kaffir Locations in Grahamstown" dated 3 March 1855.⁷⁴ The provisions appear to have been generous. All occupants of six months' standing were to be allowed to purchase their allotments at a fixed price of not more than £1. A quitrent of 5/- p.a. had to be paid for the "purposes of education". A further condition of title was that the land was not to be sold for five years without the consent of the Government. Land was to be reserved for schools and places of worship. The Hottentot Location was to be subject to the same conditions of title grant except that one person was allowed to buy more than one allotment, a concession only allowed in special cases in the Fingo Location. These were the conditions for full right of ownership to be transferred to the inhabitants of both locations.

There was an additional clause, though, which attracted the attention of the Board of Works and Lands in 1865 and on which they based their judgement. Clause 6 of the Memorandum deserves full quotation so the nuances of Council interpretation can be appreciated.

"If after the allotments have been disposed of, and the necessary reserves have been made, there are any vacant allotments, these are to be sold from time to time at the discretion (sic) of the Municipality by public auction, the funds realised from such sales being paid over by the Government to the Municipality."⁷⁵

⁷³ C.M.B. 27-10-1865.

⁷⁴ B.W. & L. 12-12-1865.

⁷⁵ Ibid. Clause 6.

Vacant erven were thus clearly considered Municipal property, no different to other town lands, and could be disposed of for any Council purpose. In the case of David Booy's, the Report ruled that, as erf No. 35 had originally been allotted to one, William Jagers, who had failed to pay the "upset price" and who had subsequently died, erf No. 35 had automatically reverted to the Council. No doubt the Council were technically within their rights, as there was no covering clause to dictate the course to be followed in the event of a second application for title, by a second occupant of an allotment. This was an unfortunate oversight, as the case of David Booy's in the Hottentot Location was but one of many. The Council discretion as a rule weighed up the pros and cons to municipal advantage in such decisions. The decision against David Booy's laid the Council open to a charge of self-interest as it appeared to be against the spirit, if not the letter, of the Memorandum of 1855. The reasons put forward by David Booy's for title to be granted to him for, what the Report termed "this piece of Municipal land", were that he had already occupied and cultivated erf No. 35 for several years, he had served in the Hottentot levies during the wars and that he was an "industrious and honest man". His first reason was dismissed on the grounds that he had had no right to occupy erf No. 35 and was thereby guilty of "encroachment and trespass" and his other reasons were dismissed out of hand. This test case of David Booy's came at the opportune moment for the Council. Through the Board of Works and Lands investigation into the whole situation of the Hottentot Location, the Council had discovered what they had been unaware of for years, because of their lack of supervision and minimum of any other kind of contact with the locations. In dire pecuniary straits, the Council attempted to turn the location situation to their advantage.

There had been a great deal of alienation of property in the Hottentot Location since 1862. Of the total 145 erven in the location, 60 had had no title granted by 1862 and the position remained largely unaltered by 1865. Of those inhabitants who had taken up their grants, many had sold them to Europeans, while others had failed to erect houses or had erected such "wretched hovels" that they could not be assessed for rateable purposes. The position in 1865 was that only 61 erven in the Hottentot Location were "assessed to the town rate" and only 36 of

these had "native" owners. The remaining 25 had white owners.⁷⁶ The Board of Works and Lands, in its conclusion, felt justified in claiming "that the original object in granting a Location to the Hottentots has not been realized". On the further recommendation of this Report, the Council passed a motion⁷⁷ requesting the Governor to grant to them all erven in the Hottentot Location which had not been taken up by grantees, for the purpose of a sale towards the erection of the proposed new reservoir at Fort England.⁷⁸ This transfer of land to the Council does not appear to have materialised, just as the Fort England reservoir was never built. The Governor's tacit refusal to grant this land to the Council suggests an attempt to realise the "original object" of the location grants. The Report of 1865 emphasizes how confused the existing arrangements within the Hottentot Location were, the difficulties and delays inherent in the procedure of gaining title and the previous lack of Council involvement.

A request, from the Civil Commissioner to the Town Council, to embody certain rules for the Location in the Municipal Regulations, in 1872,⁷⁹

⁷⁶ B.W. & L. Report 15-12-1865, p. 150.

Second Appendix: Schedule of Rent - assessment roll.

<u>Rent</u>	<u>Native Proprietors</u>	<u>Not Native Proprietors</u>
£36		1
30		1
24	1	
18		3
15	2	5
12	4	5
10	4	
9	4	
8	3	3
7	1	
6	2	1
5	10	3
4	5	
3		2
		1
	32 (sic)	25

⁷⁷ C.M.B. 15-12-1865.

⁷⁸ See Chapter 4: Public Works.

⁷⁹ C.M.B. 6-3-1872.

underlines the further haphazard and chaotic conditions which still prevailed in both locations. There is no evidence that any re-appraisal of the situation occurred between 1865-72. Once again the Civil Commissioner's request was referred to the Board of Works and Lands whose Report is a masterpiece of repudiation of responsibility, for any control of either location. The situation analysed in detail, as regards the Hottentot Location in 1865, had its counterpart in the existent situation of the Fingo Location by 1872. The Report wrote of the "so-called Native Locations", so many of whose inhabitants, after acquiring the right to sell, had sold their lands to Europeans. As a result of this extensive alienation of land, the locations could "no longer" come under the authority of "special municipal regulations". The erf holders, declared the Report, were only bound by the terms of their title deeds. The locations could therefore not be regarded by any as a separate entity without the city, on the contrary

"the dwellers in the Locations are, so far as the Council is concerned, in precisely the same position as the other inhabitants of the city, and the Council has no right to coerce, even for their own good, than it has in the case of any other inhabitants residing in other parts of the city....".

The mute evidence of attempted theoretical control in the Municipal Regulations was explained away in terms which reveal a great change of attitude to 1862. These Regulations, the Report claimed, "refer entirely to a possible future Location, in which the land will remain the property of the Council". It was admitted that when the land of the "present Locations" belonged to the Municipal Commissioners of that time, the Locations were "really Locations" and Municipal Regulations were justifiably enforced. The Report claimed that the change had stemmed from when the municipal authorities "by the direction of government sold, at a nominal price, the land of these Locations to the natives". The Report concluded that the responsibility for the Locations must remain a government instead of a municipal concern.⁸⁰ The Civil Commissioner had apparently no reply to make to this Report.

These reports are important as pointers to changing municipal attitudes towards the locations. In any assessment of attitude though, one must

⁸⁰ B.A. & L. report 11-3-1872, pp. 100-101.

bear in mind changed municipal financial circumstances. The high aims of the 1862 Councillors had had to endure the weathering of the limitations of finance. The depression of the 1860's had only given way, in the early 1870's, to the drain of manpower resources to the diamond mines. This depression of municipal finance is the most important reason for lack of active involvement in the control of the locations. Together with such financial crisis had emerged a hardening of Council attitude. Yet it is only fair to the Council to appreciate the anomalous position of the Hottentot and Fingo Locations.

The ownership of plots was in a muddle, supposedly under the supervision of the Civil Commissioner. The annual rent due for purposes of "education" was paid to the Civil Commissioner's office. The Register of Title Deeds of the Hottentot Location recorded sales and transfers of erven and payments but an examination of certain erf records leads to the conclusion that there were inaccuracies and that erf records were far from complete.⁸¹ Yet conversely, the original grantees of the Hottentot Location in the days of the Municipal Commissioners had to obtain a receipt from the Municipal Board before application for their grant of title deeds from the Surveyor General's office. The Commissioners had appointed Arie Pietersen in 1861 as collector of all money due by inhabitants of the Hottentot Location.⁸² This means of collection was less than adequate as Pietersen's entries of payment in his book did not always tally with the sums he handed to the Town Treasurer.⁸³ This "defective memory" of the collector led to complaints from inhabitants who were unable to receive erf title without a municipal receipt. Arie Pietersen apparently continued in some capacity as a collector, as there is a stray reference to him in a Board of Works and Lands minute of 1876. He was involved once again in a dispute as to whether he had received the purchase money of an erf in the Hottentot Location or not.⁸⁴ It is not clear whether he was employed in this capacity as municipal employee or by the Civil Commissioner's office. It is probably safe to assume that the financial

⁸¹ The Register of Title Deeds of the Hottentot Location.

⁸² G.T.J. 27-8-1861.

⁸³ G.T.J. 3-9-1861.

⁸⁴ B.W. & L. 23-10-1876, p. 256.

responsibility of the locations was shared between the Council and the Civil Commissioner. As regards the Fingo Location, records appear non-existent but a similar confusion to that within the Hottentot Location is most likely. Financial considerations aside, the locations nevertheless remained under municipal responsibility as part of wards 6 and 8, however small their municipal rates amounted to. If the alienation of location property to Europeans was the reason for the Council's refutation of responsibility for exercising municipal regulations, then the locations should have been accorded the same civic privileges and rights as other parts of the city of Grahamstown. The argument of the Board of Works and Lands in 1872 in defining the "so-called locations" situation does not exculpate the Council from sharing the responsibility of control with the Civil Commissioner who clearly felt the Council had an important role to play.

There was clearly an increase of white ownership within the locations. The statistics for the Hottentot Location of 1865 show the ratio of European ownership of original erven to be high. Such ownership was not necessarily paralleled by the same number of whites living within the locations. In many cases white owners probably let the erven to Hottentot and native inhabitants. Possibly some whites bought them for their servants. It seems reasonable to assume though, that there were some white owners resident in the Hottentot Location. The situation in the Fingo Location was similar but more complex, partly because it was far bigger than the Hottentot location. The evidence of the Parliamentary Voters' Rolls from 1872-82 certainly offers proof that there were white residents in the locations.⁸⁵ White missionaries

⁸⁵ A comparison has been made between the Parliamentary Voters' Rolls of 1872 and 1882. An attempt has been made to ascertain how many white persons listed their residence as Location, and how many blacks and/or coloureds lived in the city itself. The numbers have been worked out from the evidence of names and occupations. These findings are tentative. An important point to note is the dramatic decline in the number of blacks and coloureds who resided in the city from 1872-82.

	Location Residents		City Residents
	Whites	Blacks/ Coloureds	Blacks/ Coloureds
1872	44	50	72
1882	40	51	24

such as Rev. W. Turpin and Rev. Davies did not merely pursue their evangelical mission in the Fingo Location but resided there as well. In addition to men of religion and men of small business, there appear to have been numbers of white labourers who resided in the locations. Naturally enough many African servants lived on the properties of their employers in Grahamstown, so the problem of ascertaining the respective numbers of black and white votes in Grahamstown is complicated by a consideration of name and occupation as well as place of residence. The evidence of both Municipal Reports for the 1860's and Voters' Rolls for the 1870's show a blurring of the colour line to some extent within the locations themselves. Many itinerant white labourers, some of them new immigrants, could only afford to live in the locations rather than the town, but how many of these were a floating temporary population is difficult to say. The lines of division between town and location still owed something to occupation and wage-earning capacity in addition to the enormous cultural and racial divisions. There is no doubt that the situation in the locations and among the location population was both complex and flexible.

The ideas behind the foundation of the locations - the prevention of squatting, the protection of Africans and Hottentots by ensuring them a right to the land and involvement in a form of civic initiation - had not been organised or supervised as they should have been. The right to the land translated in terms of small erven, title to which was issued after a complicated procedure, was a clumsy concept to many Africans. Squatting on unclaimed erven and even on town lands still continued. Cases such as that of David Booy's, who had cultivated and occupied an erf for a length of time before application for title, were very common. The lack of municipal and government control allowed for such mushroom growth in the locations and did not encourage the further payment for erven and application for title deeds which still remained necessary in the 1860's and 1870's. The right to sell, for quick profit by original erf holders, left them at the uncertain mercy of rent, proprietors or squatting on municipal land. The state of the locations should have been a much greater source of concern for the Council during the 1860's and early 1870's than it was. *laissez-faire* seemed the easiest way out of an almost

insoluble situation where Council powers were ill-defined and shared with the Civil Commissioner, when finance dictated non-involvement and when title to the land was so confused.

The problem of control remained at this impasse between Civil Commissioner and Town Council, until, during the years 1876-82, it became one strand in the tangled web of rumours of war, the realities of the frontier war of 1877-78 and its aftermath of dislocation and resettlement for frontier and towns, for blacks and whites alike. After years of peace the prospect of the eruption of violence once more sharply re-focussed not merely frontier opinion but Cape opinion, on the native question. The attitudes of The Journal, representative of an amorphous mass of frontier opinion, form an interesting contrast to the comments of the English Quaker, James Butler, on the Grahamstown war situation. A Journal editorial at the beginning of 1877 which critically assessed the parliamentary session of 1876 and the state of the native question, is very typical of the inimitable frontier voicepiece. Of the rumours of war in 1876 The Journal stated "the calm conclusion must be that the idea of war was in the Kafir mind", a fear which had been clearly perceived by the

"inhabitants of the Frontier, who have for years observed with apprehension the increase of population in Kafirland, and the eager desire to possess themselves of firearms, which prevails among the Native races from the Kei to the Limpopo".⁸⁶

The unquestioned arrogance and English superiority of race must be understood as a context of attitude which surrounded the English frontiersman and which often had its own sincere benevolence within its limitations. This is emphasized in a Journal editorial on the results of the Colonial Defence Commission, appointed in 1876.

"The governing race has had to learn, is still learning how to manage the uncivilised tribes committed to its care..... The Kafir comes out of this enquiry not as an irreconcilable enemy but as an over-grown child, the whole force of whose character has been taught to act in a vicious direction, and who, nevertheless, has proved to be recoverable by the imperfect efforts we have put forth, except when the opposing influences have hitherto proved too strong for him.... the half-polished savage has become a greater nuisance than his clay-besmeared kinsman." ⁸⁷

⁸⁶ G.F.J. 2-1-1877.

⁸⁷ G.F.J. 9-2-1877.

A further quotation on the subject of British rule over the native tribes exuded the same complacency which had in many spheres of Empire achieved remarkable success, unaware of its unconscious dichotomy of values and of the much greater complexity of the native question than it made exception for.

"It is well known and admitted on all hands that our conduct towards the natives has been fair and conciliatory, and that the extension of our rule over them has been in the highest degree beneficial."⁸⁸

As regards the possibility of the extension of the native franchise, the principle of which the Editor applauded, the grant of "any power inconsistent with that European supremacy which must always be maintained"⁸⁹ was rejected.

These sweeping and grandiose proclamations of Journal attitude on the eve of frontier war provide the perfect counterpoise to James Butler's observant comments on white attitudes to the native question and the war itself. He was surprised at the general ignorance on the native question "displayed in conversation in good society". He acknowledged it an "intricate one... yet people born and bred here might reasonably be expected to know the names of the different tribes, their chiefs and localities but very often they dont (sic)".⁹⁰ Though he candidly admitted his own comparative ignorance on the subject, he ventured to sketch the factors which he considered underlay the possibility of a further frontier war. His objective, common sense comments reveal him an intelligent observer and display an acute knowledge of human nature. The "Native Question" was complicated by many factors, most important of which were the "vast country", the number of "distinct tribes, chiefs, jealousies and interests". Within the white population he discerned a "vast diversity of opinion" held by "men of different natures, training, principles and prejudice".⁹¹ James Butler's cameo description of a certain episode in 1877, prior to the war, stands as an interesting illustration of the different levels of reaction to the native question within Grahamstown. Great excitement

⁸⁸ G.T.J. 22-1-1877.

⁸⁹ G.T.J. 22-1-1877.

⁹⁰ Jim's Journal 11-10-1877.

⁹¹ Jim's Journal 1-10-1877.

was generated in town, when certain "natives" were summonsed to appear on the Jury, the first time it had happened in the Cape Colony. There were strong objections on the part of the white jurymen, and some were reported as saying they would sooner go to the "trunk than sit on the jury with a native".⁹² Judge Smith remained firm and all duly submitted to his decree. A few days later, James Butler attended a meeting of the so-called "Young Men's Society", fashioned on lines of an improvement society which held discussion and debate on serious matters. The topic that evening was naturally about the "natives on the Jury" and there was sharp divergence between the views expressed by, what Butler termed, the "Exeter Hall party" and those "selfish colonists" who appeared to him to want to make the native condition that of a slave. Butler records, with quiet enthusiasm, that it was the best discussion he had attended, and with obvious satisfaction that the "philanthropic party" had won the day.⁹³

Against this background of newspaper sentiment and Quaker comment, something of the reality of jostling opinions in Grahamstown on the native question, and indeed, of general white-black relations in 1877, may be garnered. The onset of war had been foreshadowed by increasing unrest in the locations. In September, there was a serious fight between the "Kaffirs" and the "Fingoes" in the location, for no clear reason. Sixty leaders were captured by Grahamstown's police, after a fray in which many women had also participated and which resembled a "forest of knob-Kerries". The magistrate duly lectured the offenders and fined them £1 or 14 days imprisonment.⁹⁴ The widespread rumours of unrest, within town and beyond the Kei, were based on a reality exacerbated by the serious drought of that year. Again this was perceived by Butler: "whilst all business will be suffering in consequence, the Natives will be starving".⁹⁵ Towards the end of the same month the news of fighting between the Gaelekas and the Fingos reached town. In discussion with a man in "Native trade", Butler noted that no less than 100 Natives had purchased provisions for a three day journey and left Grahamstown.⁹⁶

⁹² Jim's Journal 16-7-1877.

⁹³ Jim's Journal July 1877.

⁹⁴ Jim's Journal 1-9-1877.

⁹⁵ Jim's Journal 2-9-1877.

⁹⁶ Jim's Journal 17-9-1877.

The following month the Grahamstown Volunteers left for the front.⁹⁷ An enthusiastic meeting in the Albany Hall equipped the Volunteers and the subscribers to the Patriotic Fund even numbered missionaries, such as the Rev. W. Inpey, among them.⁹⁸ Butler, as a pacifist who was prepared to suffer for his conscience in the event of martial law being declared, was able to view the coming conflict dispassionately and with aversion: "I am expecting to hear of barbarous work on both sides".⁹⁹ Yet Butler concurred with the white consensus that the war had not been of the colonists' making. At a special meeting at the Commemoration Church, he applauded the attendance of leading citizens such as W. Ayliff M.L.A., J. Slater and H. Wood "specially when they can honestly say that the colonists had not sought to provoke war but had it forced on them".¹⁰⁰ Spicer, in his thesis on the conflict of 1877-78, considers that economic adversity, dislike of colonial rule, provocation of white colonists and the Mfengu, were all, to some extent, causal factors in the conflict.¹⁰¹

Once war was rife, avowed white frontier opinion was to pursue it to a conclusion which would make it impossible for any further frontier conflict to occur. James Butler's impartial version of the course of the war is much more restrained and reliable than the newspaper reports which, in traditional journalistic fervour, made the most of alarmist reports and patriotic propaganda. An interesting minor point is that Butler suggested The Eastern Star was the worst offender in this regard.¹⁰² James Butler's objective summing up of the course of the war hints at the finality of the Native defeat and the impending changes of future white-black relations. He noted that the entire course of the war had been different, that the Europeans had lost fewer lives and captured more cattle, while the "Kafirs" had lost more lives and destroyed fewer homesteads than in previous wars. The war had taken less time than former conflicts and it had ended

⁹⁷ Jim's Journal 3-10-1877.

⁹⁸ Jim's Journal 1-10-1877.

⁹⁹ Jim's Journal 2-10-1877.

¹⁰⁰ Jim's Journal 3-1-1878.

¹⁰¹ M. J. Spicer, 'The War of Ngqayecibi 1877-8', p. 216
(Unpublished B.A. thesis Rhodes University 1978).

¹⁰² Jim's Journal 11-10-1877 and 1-2-1878.

with the surrender of "more chiefs and men of influence".¹⁰³ White victory was assured. Spicer came to the conclusion that the Xhosa were "left as a totally crushed people by the war".¹⁰⁴ He points out the failure of the blacks to present a united front during the conflict to white superior force of arms, because of their many tribal divisions. The blacks had developed "little sense of racial identity or common interest in the face of colonial rule".¹⁰⁵ The problems of peace-making presented a far greater challenge to the fabric of colonial life than could have been perceived at the time. Beyond the eastern frontier's borders, fresh conflict loomed with the Basutos and Zulus, with an inevitable ripple effect along the Cape borders. But, within the Cape, the dislocation after the war required much greater adjustment from the vanquished rather than the victors, though such adjustment remained largely unrecorded and is hard to reconstruct.

The effects of the war on Grahamstown were not as immediate or as drastic as former frontier conflicts had been, partly because of its position safely behind the widespread front. In spite of this a meeting had been held in the Albany Hall during the war by "a certain party in town" to consider the best measures for the defence of Grahamstown. This was dismissed by Butler humorously as "rather a premature measure".¹⁰⁶ The Grahamstown 1st City Volunteer Rifles, under Captain Sampson, and the Volunteer Horse Artillery, under Lieutenant A.E. Nelson, saw active service during the conflict of 1877-78 but experienced no fatalities.¹⁰⁷ The emotional involvement of the white community in the war must have increased barriers of mistrust between town and locations, masters and servants. Economically, Grahamstown and its farming community benefitted from the sale of captured cattle. James Butler meticulously recorded the sale of 1 200 head of cattle on the Grahamstown market on 7 February 1878.¹⁰⁸ Certain citizens objected to the sales being held on that particular day as it was supposed to be preserved as a day of

¹⁰³ Ibid. 22-7-1878.

¹⁰⁴ Spicer, The War of Ngcayecibi 1877-8, p. 248.

¹⁰⁵ Ibid., p. 241.

¹⁰⁶ Jim's Journal 2-1-1878.

¹⁰⁷ Commercial Directory and Guide to the Eastern Province 1881, pp. 119-121.

¹⁰⁸ Jim's Journal 7-2-1878.

humiliation and prayer for peace and rain. Since municipal facilities for keeping such a number of cattle successfully herded, for another day, were not available, notions of practicality prevailed. The total price fetched that day was £6 000 - a good figure. The subject of war prisoners illustrates Council position at the time. Clearly the government had too many prisoners of war and were eager to avoid extra expenditure on their behalf. The new Secretary for Native Affairs in the Sprigg ministry, a man with Grahamstown connections, William Ayliff, sent a telegram to the Council, offering a number of prisoners of war as municipal labour, the Council to be responsible for guarding and feeding them, the Government to help with their housing. The Board of Works and Lands recommended that the Council agree to the proposal for 50 men, on condition that the Government agreed to feed, house and guard them and, in addition, pay 1/3 per day per prisoner.¹⁰⁹ Ironically, neither Government nor Council could afford to feed, house and clothe their prisoners of war. The Council's reply to the Hon. W. Ayliff's next communication stated the case plainly: the Council had no means to accede to the Government's stipulations and, if these were "indispensable", then the Council would have to "decline the offer with regret".¹¹⁰ That apparently ended the correspondence on the matter. Grahamstown Municipality was, within a few months, to be faced with a more difficult labour, finance and location situation, with the arrival of "Oba's Kafirs".

Oba,¹¹¹ a grandson of Gaika and a chief of some note, remained, to use Butler's pithy phrase, "professedly loyal"¹¹² to the Colony during the war. Mr Theal, later 19th Century Cape historian, was the Government agent resident with Oba's tribe during the war. Opinions as to Oba's character and his loyalty during the war are contradictory, as is only to be expected. Theal's verdict is almost a Victorian accolade: "Good natured, witty, and generous, if he had only abstained from strong drink

¹⁰⁹ B.W. & L. prior to March 1878.

¹¹⁰ B.W. & L. 11-3-1878.

¹¹¹ Oba, Gonyama, Ngonyama, "the lion". Son of Tyhali and grandson of Ngqika. Given the name of "lion" for bravery in the war of 1850-53. He was in the Gaika location until 1871, then he bought two large farms on the western banks of the Keiskama and moved there, though as a result of the drought he couldn't finish payment.

¹¹² Jim's Journal 20-11-1878.

he would have been an ideal Xosa (sic) chief."¹¹³ In 1882, when Oba's claim for land in Victoria East, in lieu of his proposed allocation across the Kei, was reviewed by a Select Parliamentary Committee and debated in parliament, many and varied criticisms were levied at him. A farmer from Alice, in a letter to The Cape Times, violently disagreed with Theal's opinion that Oba was faithful to his promises.¹¹⁴ Oba's presence on the disputed land in Victoria East before and during the war had been felt as a scourge and no stock had been safe from his men's depredations.¹¹⁵ Amidst such conflicting evidence as to his degree of loyalty during the war, he emerges a leader of some stature, determined to obtain his measure of land, situated where he wished, as the price of his loyalty, in spite of all government dictates to the contrary.¹¹⁶ He was eventually granted a small tract of land in Victoria East, where he lived with his principal men. The remainder of his tribe were re-located in the Kentani district.¹¹⁷

During the course of the war in April 1878, it was felt expedient by the Government to remove Oba and his people from their position on the frontier between loyal tribes and those who had altered allegiance. The Journal estimated their number at 1 500 "for whom work and sustenance must be found in the Colony". The Journal significantly described Oba's agreement to this movement as his voluntary surrender,¹¹⁸ which adds Journal weight to the rumour of Oba's tribe having defected in March 1878. Oba's tribe was divided and settled in various districts: Graaff-Reinet, Grahamstown, Port Elizabeth and Uitenhage. The first small group of 20 men, women and children, to arrive in Grahamstown, were made the responsibility of the Town Council. The Council, as always in an emergency, acted promptly and efficiently as the party had no means of sustenance or subsistence. The Mayor himself provided supper and breakfast for them until their future course was decided. A

¹¹³ G.M. Theal, History of South Africa Vol. 7, pp. 211-212.

¹¹⁴ Ibid.

¹¹⁵ G.T.J. 20-2-1882.

¹¹⁶ Theal, History of South Africa Vol. 7, p. 212.

¹¹⁷ Ibid.

¹¹⁸ G.T.J. 23-4-1878.

special meeting of the Board of Works and Lands was held to consider what measures should be taken. It was decided to accept the services of the men and employ them at the Grey Reservoir and the water works generally. Their wages were to be 2/- a day, the advance for their food to be deducted.¹¹⁹ Theal, Oba and about 530 of his people arrived in Grahamstown later that month. In consultation with the Civil Commissioner it was decided to leave about 48 men, 70 women and 126 children at Grahamstown, a relatively small number, as it was so near the frontier. On the journey into the colony about 60 of the young men were reported to have fled to join Sandilli in the war, more evidence to the official mind, that the move was very necessary. Oba himself remained the rest of the war in the Wynberg military barrack.¹²⁰ The Journal hailed the movement of Oba's people as a matter for satisfaction.¹²¹ The Town Council remained responsible for the additional 50 men and employed them all as an additional municipal labour force.¹²² This venture was not only costly to the Council but resulted in municipal inefficiency. Some of the men were too old and infirm¹²³ to manage more than the lightest tasks, so the Board of Works and Lands ordered that they be employed only in "sweeping gutters and other light work".¹²⁴ No doubt the majority of the younger men had been further removed from frontier temptations. From the Board of Works and Lands records it appears that "Oba's Kafirs" remained employed by the Council until the following year when 25 of them, on the recommendation of the Clerk of Works, were dismissed.¹²⁵ The reasons for their dismissal are not clear and any number of factors could have played their part: labourers' inefficiency, financial burden, availability of work on railway construction or Council responsibility was no longer felt. It is difficult to assess how many of "Oba's Kafirs" settled down in the Grahamstown location after the war, when it became Government policy to move the Gaiikas across the Kei. Of the group

¹¹⁹ B.W. & L. 6-1-1878.

¹²⁰ Spicer, The War of Ngcayecibi 1877-8, pp. 177-8.

¹²¹ G.T.J. 23-1-1878.

¹²² B.W. & L. April 1878.

¹²³ B.W. & L. 11-6-1878.

¹²⁴ B.W. & L. 24-6-1878.

¹²⁵ B.W. & L. 17-2-1879.

which had been settled at Grahamstown in April 1878, Municipal evidence seems to suggest that enough stayed to retain their group identity within the location, certainly until 1882.

The presence in the locations of "Oba's Kafirs", unused to location life and unsettled by their separation from their tribe and enforced exile, became a nucleus for nightly disturbances and riotous living within the Fingo Location. Complaints about the misbehaviour of "Oba's Kafirs" from worthy Grahamstown citizens¹²⁶ and from unimpeachable sources such as the Rev. W. Turpin of St Philip's,¹²⁷ realised only a major symptom of the aftermath of the war. The influence of the war was felt in ways more general and insidious, in addition to the impact of "Oba's Kafirs" on location life. Location population had increased through the months of uncertainty, especially after the war ended, and so had a measure of unemployment. Employment of labourers, on the construction of the railway, attracted more labour than it necessitated, in the uneasy days of reconstruction on the frontier. There was also the additional factor of white "navvy" labour. The canteens of New Street and elsewhere were host to many uproarious and heated drinking congregations. These were, at times, the subject of outraged reaction from abstemious Grahamstown residents who lived close enough to be disturbed by the mingled noise of "navvies" and Hottentot and African labourers, wending their uncertain way homeward to the locations.¹²⁸ The after effects of war also increased the already serious problem of Kafir beer-making and selling, within the Locations.

The annual missionary reports of the Rev. W. Turpin of St Philip's mission clearly sketch the growing change and unrest within the Fingo Location during these years. He detailed the first mention of the sale of Kafir Beer, mixed with brandy, "especially on Sundays", as being on a large enough scale to be one of the "greatest hinderances to his work

¹²⁶ eg. C.M.B. 17-9-1879.

¹²⁷ eg. C.M.B. 11-8-1880.

¹²⁸ eg. C.M.B. 17-9-1879. Complaint of J. Wedderburn.

among the heathen natives".¹²⁹ By 1879 though, these circumstances had been made worse by the "great influx of utter heathen" into the location, many of whom were from Oba's and another tribe. These newcomers were employed by the Municipality and on the railway but Turpin was distressed by the marked differences in behaviour between these "heathen" and the "Christians" of the Location. The tone of this Report suggests that he felt that his years of work in the location were being threatened by the changes. Beer-drinking was carried on to "an alarming extent" and the newcomers "made life hideous by their dances and drunken brawls".¹³⁰ The Rev. Turpin's residence in the Location ensured that he was exposed to the disturbances at first hand. The contrast between cultures, beliefs and circumstances is painfully obvious but the root causes of location disturbance were much more complex, than Victorian religious morality could at times perceive. By 1880, Rev. Turpin could report that the "disgraceful" scenes at the location had been successfully stopped by action, on the part of the Municipality and the Resident Magistrate, to whom he had complained.¹³¹ But the missionary situation was far from satisfactory as he perceived a "great falling off in spiritual" concerns. The location disturbances, however, were not yet at an end, and Rev. Turpin's satisfaction was premature. The revival of illegal beer-drinking and selling had yet to reach a climax which erupted in a court case and the re-appraisal of Location control by both Civil Commissioner and Town Council.

Location control, prior to 1876, was a very different matter to location control, during and after the war, for both Civil Commissioner and Town Council. Financial considerations had not altered but the state of the locations was such in the late 1870's, that the Council was forced to action, though slow to start. The initiative once more lay with the Civil Commissioner who, in his capacity as Resident Magistrate, was only too well aware of the problems implicit in the unsupervised growth of the locations and his own limited resources. In 1876 he invited the Council to co-operate with him in placing the Native Locations on an "improved footing"¹³² but this request passed unheeded. Outside impetus

¹²⁹ Grahamstown Diocesan Archives Missionary Minute Book 1866-1883.
31-1-1877.

I am indebted to M.M. Goedhals for these Diocesan Archives references.

¹³⁰ Ibid. 1-10-1879.

¹³¹ Ibid. 29-9-1880.

¹³² C.C.C. 9-8-1876.

for action, during the war, came from the 'Grahamstown Vigilance Committee' who requested that the Council make use of the powers, vested in it by the recent passage of the Native Location Act of 1876,¹³³ to control the locations. This Act was a measure which reveals the need felt by parliament for more efficient means of controlling the foundation and development of native locations. There appeared to be very little debate on the provisions of this Bill in its passage through parliament.¹³⁴ The formation of native locations was seen as a solution to squatting, particularly in the area that had been British Kaffraria. The principle of the Bill was considered sound and the details "unexceptionable".¹³⁵ The 1876 session of parliament also produced a Select Committee for the investigation of Native Affairs which emphasized the general concern at the state of native affairs throughout the Colony. The Location Act of 1876 enabled Municipalities, on application, to fall under its provisions for the better government of locations. The Police, Market and Pound Committee promptly recommended that the Municipal Regulations be adapted to match the requisite clauses of the Act in order to save time and admit immediate application of Council control over the locations.¹³⁶ But this recommendation met with some opposition within the Council. The Council debate on the motion, that the adapted Regulations and the additional curfew regulation, "excluding natives from town at night", be forwarded to the Governor, was adjourned.¹³⁷ The hesitancy of Council reaction is explicable only in terms of the vexed problem of erf title in the locations and the question of finance. Since 1872 the Council had rightly or wrongly taken its stance on the facts of the situation as they had interpreted them: without a Municipal Location no municipal control could be exercised.

In 1878, the two problems became two sides of the same issue and one

¹³³ Act No. 6 of 1876.

An Act to provide for the Better and More Effectual Supervision and Management of Native Locations.

¹³⁴ HANSARD was not printed for the House of Assembly debates between 1854-1883, so newspaper sources for the debates on this Bill had to be used.

¹³⁵ G.P.M. 6-6-1876 and 16-6-1876.
E.S. 4-7-1876.

¹³⁶ F.C.M.B. January 1878, p. 173.

¹³⁷ C.M.B. 16-1-1878 and 23-1-1878.

which had to be resolved in the immediate future. Further pressure, on the way to this realization, was delivered in July 1878, by an application from the Superintendent of Natives, for the formation of another Location.¹³⁸ This official must have been appointed by the Civil Commissioner, though it is not clear exactly when he was appointed nor what exactly his duties were. The first mention, of such an official's existence, in the Council minutes is made in connection with this request. The Board of Works and Lands entrusted the investigation of the request, to that most efficient and capable Municipal servant, the Town Clerk. This indicated the measure of its importance. Mr Glanville duly interviewed Mr Barrett, Superintendent of Natives, and presented his findings to the Board. Mr Barrett identified himself as "Government Superintendent of Natives in charge of the Native Locations in Grahamstown". He stated that the increase of location inhabitants was a result of "natural causes and an increasing influx of natives from without". The most suitable land for an additional location was the land to the south of the existing "Kafir Location"; 1 800 ft long by 300 ft wide.¹³⁹ Unfortunately this land was wanted by the Council as part of their security for Town Hall debentures. The full Council decided to refer the matter to the Police, Market and Pound Committee for Report.¹⁴⁰

It is in the Report of the Police, Market and Pound Committee that the necessity for a Municipal Location, under Municipal control, is first definitely advocated.¹⁴¹ The request for another location, the limited extent of commonage belonging to the Council and the fact, that, in the original location, many lots had either not been granted or had not had the conditions of grant fulfilled or had been alienated to Europeans, were all factors which were dealt with in this Report. The Council resolution was that a memorial be sent to the Governor, praying for a restoration, to the Council, of the land in the locations to which no legal claim could be made, "with a view of forming the said lands into locations for the natives under the control of the Council".¹⁴² The

¹³³ C.M.B. 24-7-1878.

¹³⁹ B.W. & L. 5-8-1878.

¹⁴⁰ C.M.B. 7-8-1878.

¹⁴¹ F.C.M.B., p. 493.

¹⁴² C.M.B. 11-8-1878.

Council was clearly determined to have the best of both worlds without footing the bill. Granted, there was little commonage and what there was, was desperately needed by the Council, as security for loans, debentures or sale, for special municipal projects. That does not obviate the fact, that the lands within the location, to whom no-one had legal claim, were for the most part occupied, so municipal control, though it might solve one problem, could not secure the space necessary for the increased location population. Overcrowding would not be conducive to easier location control, however many rules and regulations governed such Municipal Locations. Yet the resolution of August 1878 does mark a positive advance in Municipal policy and the best the Council could do, under their usual heavy financial burden.

Negotiation with the government took time and, in September, the Civil Commissioner again requested that the Locations be placed under the provisions of the Act of 1876, as amended by the Location Act of 1878.¹⁴³ The Council finally showed itself more amenable to the Civil Commissioner's request. Their reply outlined the plan for the establishment of new locations, within the old, and stated there was no objection to placing the locations under the Location Acts, provided it could be done.¹⁴⁴ The Council left the matter in abeyance, until politely reminded by another letter from the Civil Commissioner, that the next step needed was the simple one of a Council request to the government, to put the said Acts into force.¹⁴⁵ The reason for such apparent Council reluctance was the hardy perennial one of finance. The Report of the Police Committee blandly stated, that the Inspector of Native Locations who would have to be appointed, if the Regulations, outlined in the Act of 1876, were enforced, would require a salary of £100 p.a., half of which was payable by the Council. The Report was hesitant about whether "the benefit to be derived from this appointment will be equal to the expenditure incurred", but concluded that "as no other method of keeping the locations in order presents itself", the Council might "venture" to adopt the course recommended by the Civil

¹⁴³ C.M.B. 26-9-1878.

¹⁴⁴ F.C.A.B., p. 201.

¹⁴⁵ C.M.B. 9-10-1878.

Commissioner.¹⁴⁶ This exceedingly non-committal Report caused a division and deadlock in the Council.¹⁴⁷ The debate was eventually adjourned for 6 months, which was tantamount to shelving the matter indefinitely.¹⁴⁸ This Council evasion of the issue, involving a paltry sum of £50 p.a., reveals several things about Council attitudes at the time. The financial consideration is self-evident. It is a comment, also, on how high the priority of the Town Hall, as opposed to how low the priority of well-governed locations, was, in the majority of Council minds. Another point is the question of whether increased Council control would interfere with the rights of the location inhabitants.

Long before the 6 month adjournment was up, another letter from C.H. Huntley, Civil Commissioner, presented an unexpected development as fait accompli, to the Council. He stated that the Government had already placed the Grahamstown locations under the Native Locations Act and requested an interview with the Mayor, or a deputation, to settle the matter.¹⁴⁹ This progress would appear to have been on the initiative and responsibility of the Civil Commissioner, rather than the Council. The reaction of the Council, and the succession of steps by which the Council acknowledged this fait accompli, appointed an Inspector of Locations and finally implemented the new Municipal Regulations of 1881, is confused, and the sequence difficult to untangle. There is a delay of almost a year between the next letter of the Civil Commissioner on this subject, with a proposal, that a salary of £75 be granted to the Inspector of Locations, to be appointed,¹⁵⁰ and the Council meeting which finally appointed Mr Barrett, already the Government Superintendent of the Locations, the official "Inspector of Native Locations within the Municipality". This appointment at the lower salary took three Council meetings to finalise.¹⁵¹ The compromise salary of £75 no doubt helped the decision-makers but a more powerful argument, for such an appointment, was the creation of new Municipal Locations in the interim period. Though a letter from the Assistant Land Commissioner, in November 1878, stated, that steps would be taken to

¹⁴⁶ C.M.B., p. 205.

¹⁴⁷ C.P.B. 13-11-1878.

¹⁴⁸ C.M.B. 20-11-1878.

¹⁴⁹ C.M.B. 8-1-1879.

¹⁵⁰ C.M.B. 11-5-1879.

¹⁵¹ C.M.B. 11-3-1880, 21-3-1880 and 7-4-1880.

cancel the grants in the Locations which had not been taken up,¹⁵² the Government delayed concluding the matter. This was to the Council's advantage. It supplied the Commissioner's office with a full history of the Hottentot Location, "a statement of the increase in value of these lands", and indicated a Council resolution to give equivalent land elsewhere to those who had neglected to pay the nominal price for title deeds.¹⁵³ But Government delay dragged on. The Council had resolved that any recent applications, for permission to pay for title in the Hottentot Location, should stand over until the Government gave its decision.¹⁵⁴ More than a year later, a request, via Attorney Stone to pay the balance due on Lot 115, was deferred, until the Council should know the Government decision.¹⁵⁵ No reference is made to any final Government decision by 1882.

This delay necessitated a complete change in Council policy. In August 1879, a Special Committee of the Mayor and four Councillors was appointed to recommend to the Council,¹⁵⁶ a suitable site for a new Native Location. They duly visited the existing Locations with the Town Clerk, to point out the blocks of land available and decided on land adjoining the Hottentot and the Fingo Locations. The new Municipal Hottentot Location was a strip of land "the other side of the river, opposite what has been called 'The Mechanic's Retreat'". The new "Kafir" Location was a piece of land on the south side of the existing location. The size of the plots was recommended to be the same as those in use in the "Kafir Location" viz. 150 ft by 75 ft, and also to admit of extension.¹⁵⁷ The Civil Commissioner was duly informed and approval of the Government obtained through his offices.¹⁵⁸

¹⁵² C.M.B. 6-11-1878.

¹⁵³ C.M.B. 2-4-1879.

¹⁵⁴ C.M.B. 2-4-1879.

¹⁵⁵ C.M.B. 14-7-1880.
C.M.B. 21-7-1880.

¹⁵⁶ C.M.B. 20-8-1879.

¹⁵⁷ S.C.M.B. 2-10-1879.
On founding the new Hottentot and Kafir Locations.

¹⁵⁸ C.M.B. 15-10-1879.

These new Municipal Locations fell under the new Municipal Regulations published in the Government Gazette of January 1881. The section for Native Locations is almost exactly the same as that laid down by the enabling Native Locations Act of 1876, as amended by the Act of 1878. In essence the intention behind these Regulations is the same as behind those published in 1863, except that the powers of the Inspector of Locations are more clearly defined. This in itself is significant - the emphasis lies more heavily on the necessity for control over the Locations and the need for the Town Council, as well as the Civil Commissioner, to be kept aware of changes within the locations.

The Powers of the Inspector are simply defined as "the same powers and authorities..... as if he were a Field-cornet or Police-constable".¹⁵⁹ His duties were those of registration of all huts and persons living in the Location, and of their livestock. But it was the responsibility of the location inhabitants to report any new hut or building, the acquisition of any further livestock, and deaths, to the Inspector. All unregistered stock was to be impounded by the Inspector and the Magistrate was the authority to decide any complaints in cases of impoundment. Any person who obstructed the Inspector and anyone who failed to furnish him with necessary information, was liable to pay a heavy fine. The clauses, to do with the registration of stock, were intended also, in some measure, to protect the ownership rights of the Location inhabitants, as the Regulations in cases of theft charges make clear. The clauses relating to rent collection, Inspector's salary and the removal of persons illegally resident in the Locations, make clear that the responsibility, for these locations, remained understandably divided between civic and government authorities. The Resident Magistrate was responsible for removal orders for anyone with "no right or authority to be in the Native Location", but only after such cases had been summoned before the court and thoroughly investigated. Once such an order had been served, it was the duty of the Inspector, or any Police Constable, to remove summarily anyone disobedient to such an order. As regards finance, the Town Council had the power of charging 2/6 rental per erf, per quarter, in addition to the Government tax on each erf and the contribution of erfholders towards the Inspector's

¹⁵⁹ See Appendix B: Municipal Regulations 1881.
Section VIII The Native Locations.

salary. This salary was to be determined by the Town Council who contributed half his salary; the other half, a contribution from the location inhabitants, provided that no hut was taxed more than 10/- p.a. The salary was to be paid quarterly. The location inhabitants were required to pay three different taxes, which made it rather more expensive to live in the municipal locations in 1881; a reflection of the general increase in cost of living in Grahamstown, as a whole, as well as a more organized system for the collection of such increased rates.¹⁶⁰

It is difficult to ascertain how efficiently and with what zeal Mr Barrett, Inspector of Locations, carried out his duties. He certainly made a point of demanding his financial due from the Council from the start. He presented the Council with an account for £45.18. 0. for "services rendered" regarding the "arrangements of the new Locations".¹⁶¹ The Council seemed to make a concerted effort to become acquainted with the growth of the locations and to check that the new Regulations were being enforced, as they should be, in 1881. In June, the Council demanded, from the Inspector, a return to be furnished, detailing the number of erven let in the new Municipal Location, the revenue derived from it, the number of persons resident, the number of persons employed in regular service resident there and the number of cattle owned by each resident householder in the locations.¹⁶² This was duly furnished by Mr Barrett,¹⁶³ though only after he had attempted to demand additional remuneration for his appointed task.¹⁶⁴ It is in the municipal and community crisis of the beer-drinking scandal of 1882 that the entire location system once more came under re-appraisal and conscientious review. After the years of non-involvement, the Council was active in coming to terms with the complicated situation in the Locations during the early 1880's.

¹⁶⁰ Ibid.

¹⁶¹ C.M.B. 29-6-1881.

¹⁶² C.M.B. 15-6-1881 and 29-6-1881.

¹⁶³ C.M.B. 24-8-1881.

¹⁶⁴ C.M.B. 6-7-1881.

Concern had been generated for some time over the making of an excess of Kafir beer, with the added ingredient of brandy, which was sold illegally in the locations. This was the cause, it was generally felt, of the riotous behaviour and degenerating moral tone of the location inhabitants. Feelings ran high on both sides. An advertisement appeared in The Journal signed with the marks of 36 Kafir women, self-proclaimed drinkers of Kafir beer and "loyal subjects of the Queen", declaring that they would resist forcefully any police entry, without permission or a warrant.¹⁶⁵ As a result of certain hut inspections, and the subsequent destruction of certain quantities of Kafir beer, discovered by the Police and Mr Barrett, Inspector of Locations, charges were laid against Constable Simpkins. The resultant court case, *Shlashla v. Simpkins*, had a packed hearing. It ended with the Resident Magistrate's paternal address to the assembled crowd, enjoining them to adhere to the teachings of their missionaries, to obey their headmen and to abjure the evils of illegal beer-making and selling.¹⁶⁶ There were two illegal aspects concerning the beer-making and selling: the addition of brandy which made the beer extra potent and the fact that liquor could not be sold without a licence. An aftermath to this episode, an address from three headmen and 47 other natives, written by Mr Barrett, was received by Mr Huntley, Resident Magistrate.¹⁶⁷ It thanked him for his handling of the situation and asked for the appointment of more headmen to help restore order and moral living to the native inhabitants of the locations. Mr Huntley's reply contained further measured exhortations to good behaviour, stated the matter of more headmen was under consideration, and signed himself "Your faithful friend and magistrate".¹⁶⁸ A Victorian paternalistic attitude certainly: sincere and within the context of the times but none the worse for that, as he displayed a genuine concern for their well-being.

The attitudes displayed by the editor and Journal reporters are definitely ambivalent and unconsciously so. While heavy moral concern

¹⁶⁵G.T.J. 16-3-1882.

¹⁶⁶G.T.J. 17-3-1882.

¹⁶⁷G.T.J. 24-3-1882.

¹⁶⁸G.T.J. 24-3-1882.

is expressed for the way of life in the locations, an arrogant and superior attitude of expediency is implicit, within this concern. The irony and double standard of this kind of moral strain is quite openly revealed in comments such as this: "The moral well-being of our Native Location affects to a very large extent our own domestic comfort."¹⁶⁹ This attitude is tempered by acknowledgements such as the following: "It is an indisputable fact that there are very worthy people living upon our location, who have been residing there for many years; who in their humble way are useful members of society." Sympathy is expressed for their plight in having had to cope with bad neighbours during the beer-drinking episode. It is interesting to note The Journal's remedy for improving the location, as it is similar in idea to certain of the measures taken by the Town Council. The supervision of the locations should be extended so that undesirables could be expelled from the municipal boundaries but at the same time "beneficial municipal measures" should be held out "towards the well behaved families".¹⁷⁰

That the state of government in the locations was inadequate seems clear and the request for more headmen reveals some dissatisfaction among the location population itself. Similar beer manufacturing and selling offences occurred in other Eastern Cape towns during this year, notably in Port Elizabeth, which experienced even more marked unrest than Grahamstown had.¹⁷¹ Unrest after the war of 1877-78 was widespread over the frontier and followed a similar pattern from location to location. Municipal investigation into the government of the locations began long before the climax of *Shlashla v. Simpkins*, as a result of numerous complaints about the drunken behaviour and "evil practices" prevalent, particularly in the area of the new location, south of St Philip's church. The Special Locations Committee, after a thorough investigation, was satisfied with the validity of these complaints and recommended stricter supervision within the location.¹⁷²

¹⁶⁹ G.T.J. 28-3-1882.

¹⁷⁰ G.T.J. 28-3-1882.

¹⁷¹ G.T.J. 1-6-1882.

¹⁷² Special Locations Committee Report 8-2-1882.

Conflict arose between the Council and Mr Barrett, as, in the Committee's opinion, well substantiated, Mr Barrett had not succeeded in the kind of supervision that the Council considered necessary and had submitted incorrect returns. The Committee's recommendations which were finally adopted by the Council in March were as follows: to abolish the location below St Philip's gradually, to decrease the size of the plots leased north of the Wesleyan Mission and grant further plots to the inhabitants moved from the new location, to appoint "an intelligent Native man" to be Superintendent of the Location, to build a house for him in the Location, to fence the Location, to construct a dam for its water supply, to offer an annual price for the best house erected in a year and to formulate a set of Regulations for the government of the Location. These recommendations are an interesting and carefully thought out attempt at a balance between "stricter control" of the Location, with more municipal benefits offered, though the latter had to be paid for in a small measure by the inhabitants. The innovation of the recommendation of a Native Superintendent employed by, and solely responsible to the Municipality, appears to have been intended to supplement the deficiencies of the Inspector of Natives, Mr Barrett, whose position was both that of Government official as well as municipal employee. It is interesting to speculate whether the conflict between the Council and Mr Barrett explains, in part, why, in June 1882, Mr Barrett was promoted to the Magistracy of Outhing.¹⁷³ His successor as Inspector of Natives was Mr S.H. Roberts, the son of a Grahamstown man.

The most positive idea of the Special Locations Committee was one which they regretted could not, at that stage, be implemented, though they hoped more favourable circumstances would arise later for putting it into practice. This was the formation of a "Native Model Village" to which men of standing would belong, on the recommendations of their religious teachers. In this Model Village special inducements would be offered for the building of solid brick or stone houses and the cultivation of gardens. Such an experiment might well have become an avenue for the development of a community which would have been in a position to be granted more civic rights and responsibilities by the

¹⁷³ G.T.J. 20-6-1882.

Council, as time progressed. It seems a pity that the Council, having conceived of the idea, considered the time was not yet ripe for it to be tried out. There is no doubt, that the thorough Report of the Special Locations Committee showed the genuine concern, of a group of Councillors, about their responsibility for the local government of the locations. The pity is that so little had been done in twenty years before which were vital to the pattern of location development. Ideas were not enough unless consistently carried out in action.

The native question was very much on men's minds during the 1880's, from august debates in parliament to heated discussions in each town and farming community of the Eastern Cape. The frontier war, the Zulu war and the Basuto conflict were still alive in recent memories and still posed their problems of peaceful resolution.

The Basuto war had provoked a particularly bitter reaction in Grahamstown against John X. Merriman, Western politician and son of Bishop Merriman. When the news reached Grahamstown of the action at Mafeteng, in which many of the Cape Yeomanry forces lost their lives,¹⁷⁴ The Eastern Star described it as the murder of the innocents.¹⁷⁵ This editorial deliberately made capital out of the news, by accusing John X. Merriman of being solely responsible for the deaths of the Yeomanry. This was but part of The Eastern Star's campaign against Bishop Merriman. In an exaggerated, inflammatory style, the readers of The Eastern Star were reminded that John X. Merriman had opposed, in parliament, the Cape Yeomanry's being supplied with swords and referred to the men as dying, defenceless and weaponless. The effect of this emotional propaganda was heightened because some of the fallen had come from the Lower Albany area and were known in Grahamstown.

This caused an unprecedented attack on what many people must have regarded as a white traitor. A crowd assembled in Market Square to

¹⁷⁴ G.T.J. 22-10-1880.

¹⁷⁵ E.S. 22-10-1880.

condemn John X. Merriman's conduct and "to declare open and perpetual hostility to all lovers of black skins and so-called philanthropists".¹⁷⁶ The procession, carrying an effigy of John X. Merriman, and accompanied by a band, paused outside the Deanery to show the effigy and continued to Bishopsbourne, with the intention of burning the effigy in the drawing room. Luckily the Bishop was away. Frustrated, the crowd returned to the "Kaffir Institute" at which they had already thrown stones as they passed. They broke more windows, yelled "Burn out the Niggers!" burnt the effigy and attempted to burn the Institute.¹⁷⁷ The Journal reported that this attempt at arson was "happily frustrated". The crowd finally dispersed outside the Deanery, having played "See the conquering hero".¹⁷⁸ The Journal put the numbers of this crowd at 1 200. This episode reveals how easily racial tensions flared under the pressures of war and unscrupulous tongues. And yet there is another facet to this incident: large though the mob had been, the majority of Grahamstown citizens had not been part of it. Many actively showed their concern and sympathy for the "Kaffir Institute".¹⁷⁹

Bishop Merriman remained in Uitenhage about five months after this incident, desolate and bitter at the attacks on his son and himself. In a letter to the Editor of The Guardian, he revealed his reaction to the incident.

"I am cursed and execrated by a howling wind and smashing rabble who burn my son in effigy before his fathers (sic) door hounded on by the inflammatory lies of the Newspaper of which you speak so complacently."¹⁸⁰

The powerful effect of the oratory of The Eastern Star on certain groups of Grahamstown citizens, is highlighted in this unfortunate incident.

¹⁷⁶ G.T.J. 29-10-1880.

¹⁷⁷ G. Mullins, 'The Kaffir Institution', Annals 1980, pp. 51-52. He quotes an account written by Jennie Mullins, whose husband was the Anglican minister in charge of the Institute at the time.

¹⁷⁸ G.T.J. 29-10-1880.

¹⁷⁹ G. Mullins, 'The Kaffir Institution', Annals 1980, pp. 51-52.

¹⁸⁰ Grahamstown Diocesan Archives, L.V. 227. Bishop Merriman to the Editor of The Guardian. 2-11-1880. I am indebted to M.M. Goedhals for this reference.

Without The Eastern Star, it is highly unlikely the effigy-burning would have occurred. For, when the news reached Grahamstown of the death, in action, of six of the 1st City Volunteers, several days afterwards, there was no similar reaction.¹⁸¹

Any alteration in native policy anywhere in Southern Africa had inevitable repercussions along the Cape Eastern frontier. Grahamstown, in self-concept and attitude, still the bastion of the frontier, though no longer so in reality, was very concerned about shifting native policy in parliament. The Journal, always free with pungent political criticism, at times showed penetrating insight into the impact that responsible government was beginning to have on native policy. It deplored the fact that native policy would more and more become subject to party considerations.¹⁸² This is a continual fear throughout 1882 - a fear which was realised and has become an ever increasing reality in South African politics. But The Journal ignored the uncomfortable and unflattering contribution, by The Visitor of 1882, on the appearance of Grahamstown, particularly its locations, as beneath its dignity to counter. Yet a statement made by that Visitor had as many implications for the future as party politics and the native question. This remark is as pertinent today of the Grahamstown locations, particularly with regard to the recent assessment of the Fingo Village position, as it was then.

"Men cannot be supposed to invest money in bricks and mortar unless they can obtain clear and sufficient title to the land."¹⁸³

¹⁸¹ Eastern Province Year Book and Commercial Directory 1882, pp. 262-263.

Colour-Sergeant Wood)	
Sergeant Byrnes	)	Killed in
Corporal Carroll	)	action 31-10-1880
Privates J. Milne, W. Jacques and A. Webb)	
Captain Sampson and Private F. Brookes were wounded.)	

¹⁸² G.T.J. 10-11-1882.

¹⁸³ G.T.J. 5-10-1882.

CHAPTER SEVEN

GRAHAMSTOWN'S INFLUENCE IN COLONIAL POLITICS 1862-1882

Grahamstown Members of the House of Assembly 1862-82.

	<u>Sessions</u>	<u>Years in House</u>
George Carver Clough	1859-76	18
Stephen Mundy	1859-63	5
*George Wood (jun.)	1864-68	5
John Cyprian Thompson	1869-71	3
Thomas Burt Glanville	1872	) 2: 1 year Victoria East
Jacobus Petrus De Wet	1873	
Henry Charles Ross-Johnson	1871-76	3
Richard Southey	1877-78	2
*Samuel Cron Wright	1877-80	4
*William Gayborn Atherstone	1881-83	3
*Jonathan Ayliff	1879-85	) 10: 3 years Victoria East

*Town Councillors of Grahamstown: both George Wood (jun.) and Samuel Cron Wright were Mayors.

Grahamstown men who represented other Eastern constituencies in
the House of Assembly.

	Albany	Victoria East	Fort Beaufort	Uitenhage
1850	*Samuel Cawood			
1854		John George Franklin		
1855	*G.J. Shepperson 1855-57			
1859	) Charles Slater			
1860)			
1861)			
1862	) J.G. Franklin			
1863)			
1864	) *J.E. Wood	) *Jonathan Ayliff	) William Ayliff	J.G. Franklin
1865))))
1866	)	) T.B. Glanville	)	) *Reuben Ayliff
1867)
1868)
1869)
1870)
1871)
1872			) William Ayliff)
1873			1872-88)
1874)
1875)
1876)
1877)
1878)
1879	) *J.G. Wood)
1880	1879-87)
1881))
1882))

*Town Councillors of Grahamstown. J.E. Wood and Reuben Ayliff were also Mayors.

Grahamstown men who represented Eastern Districts/South Eastern
Circle in the Legislative Council 1862-82.

	<u>Sessions</u>	<u>Years</u>
Joseph Cawood	1859-63	5
Samuel Cawood	1860-78	
	1883	20
Robert Godlonton	1854-57	) 21
	62-78	
George Wood	1854-57	) 25
	62-78	
	1879-82	
Charles Pote	1859-68	10
D.H. Kennelly	1860-61	) 10
	66-73	
J.C. Hoole	1866-68	) 7
	70-73	
C.H. Caldecott	1868	1
Edward Hughes	1874-78	5

CHAPTER 7.

GRAHAMSTOWN'S INFLUENCE IN COLONIAL POLITICS 1862-1882.

An investigation of the politics of Grahamstown and the extent of her political influence in the period under review needs to focus especially on the men who entered political life. Their family, religious and business connections add to an understanding of their political ideas and affiliations and explain in some measure their political success. Such details certainly help to explain the mechanics of electioneering during this mid-Victorian period. Character and context studies, when fitted to the changing pattern of parliamentary government at the Cape over the years 1862-1882, yield evidence for an assessment of Grahamstown's political importance. It is necessary to be able to distinguish between Grahamstown's real and imagined position of political importance and to trace how and why Grahamstown's political influence changed during this period.

The years immediately following 1872 saw far-reaching changes in the structure of government of the Cape Colony, as a result of the granting of Responsible Government. This laid the foundation for the emergence of cohesive party politics, foreign to the parliamentary experience of Representative Government and the early years after 1872. The emergence of clearly defined parties after 1872 was slow, until the Afrikaner Bond¹ gradually polarised politics within and without parliament during the 1880's and 1890's.² Even the great cause of the Eastern Districts, Separation, failed to unify all Eastern members into a consistent, united pressure group, to be classified "a party" in the late 19th Century definition of the term. Le Cordeur, in his recent study of Eastern Cape Separatism has concluded that the Separatist movement was "seldom truly eastern, rarely separatist and almost never a movement".³ The history of separatism during 1862-82 continues this

¹T.R.H. Davenport, The Afrikaner Bond.

²J.L. McCracken, The Cape Parliament 1851-1910, Chapter 8.

³B.A. le Cordeur, The Politics of Eastern Cape Separatism, p. 281.

theme. It was only when a crisis situation developed that the Easterners worked together. Such a crisis was the frontier war of 1877-8. In frontier opinion, Molteno's ministry had mismanaged the war. Differences were put aside and the Easterners drew together, until the crisis subsided, when differences again were highlighted. At other times life in the House was governed by local concerns rather than subject to the whip of a political party. The members of the Cape parliament were vociferously, though often boringly independent, much of the time. Even during the 1864 Grahamstown parliament, an Eastern triumph, there was insufficient co-operation of Eastern members to justify naming them a political party. The Journal reporter observed,

"There is no such thing as party in Parliament. At all events, if there be some loose, flabby, ill-jointed thing called party, its claims to consideration are but little attended to.... as far as I have an opportunity of judging, each member considers himself to be paramount."⁴

While Responsible Government and further legislation such as the Seven Circles Act of 1874, presented their own challenges and exacted different responses from the parliamentarians of the day, the changing political pattern was not very clear at the time. And naturally the inhabitants of constituencies did not always see as clearly as their politicians; their concerns were even more local and immediate than those of their elected representatives. In Grahamstown the concept of the city as being one of prime political importance in the Cape had such complete acceptance that the economic and political changes which reduced her actual influence took a long time to change this concept in the minds of Grahamstown citizens.

All things seemed politically possible to Grahamstown in the early 1860's. The city still claimed the proud title of capital of the Eastern Districts, with Port Elizabeth her only real rival. To ardent Easterners the efforts of the Separation League, founded in 1860,⁵ seemed bound to ensure political success in the near future. Sir Philip Wodehouse's decision to hold parliament in Grahamstown in 1864, appeared to seal Grahamstown's future triumph and to herald political equality

¹G.F.J. 21-5-1861.

⁵G.F.J. 1-1-1861.

with Cape Town. But the Grahamstown parliament was a move of political expediency from an already over harrassed Governor, who sought Eastern support for the introduction of drastic retrenchment measures to cope with Colonial office demands and the onset of the depression of the 1860's. In addition, Wodehouse was attempting to secure Eastern support for the annexation of British Kaffraria to the Cape. The Grahamstown parliament was a solitary triumph. And the Separatist movement could not achieve enough unity and co-operation between the Midlands, led by Port Elizabeth and Graaff-Reinet, and the Frontier districts, led by Grahamstown, to become a powerful enough pressure group in parliament to achieve their aims. Yet it must be said that even as a fragmented minority, the Separatists remained a force to be reckoned with, even after the introduction of Responsible Government. The same might be said of Grahamstown's political influence in the Eastern District, even after the political restrictions imposed on her during the 1870's.

After the political triumph of 1864 came the effects of the depression, the development of the diamond fields, the increasing growth of Port Elizabeth and East London, the final removal of the military headquarters from Grahamstown in 1870, and the dubious benefits of a branch line railway to Alicedale in 1879. Together with this devastating drain of men and money away from Grahamstown to other centres, came the political developments which followed Responsible Government. The most notable in its effects was the Seven Circles Act of 1874⁶ which truncated Grahamstown's remaining powerful political influence during Legislative Council elections in the surrounding Eastern Districts. The purpose of this Act was to break the political predominance of the cities of Cape Town, Port Elizabeth and Grahamstown clearly shown by Legislative Council membership. No longer was the Colony divided almost evenly between the Western and Eastern Districts during Legislative Council elections, but rather into seven constituencies each returning three members for seven years. The South Eastern Circle included Uitenhage, Port Elizabeth, Grahamstown, Albany and Victoria East. The North Eastern Circle consisted of Fort Beaufort, Somerset, Cradock, Albert and Colesberg, while the Eastern Circle was

⁶ Act 18 of 1874.

drawn around the axis of East London, King William's Town and Queenstown.⁷ In 1878 the South Eastern Circle had 7 242 electors, several thousand more than the North Eastern with 4 211 electors and the Eastern with 3 971 electors.⁸ The measure was very carefully designed to contain the influence of Port Elizabeth and Grahamstown.

The political pattern of the 1870's was thus very different to that of the 1860's. Against this political pattern two factors need to be considered. The nebulous factor was that the gradual changes in Grahamstown's political position took even longer to be accepted by many of Grahamstown's champions. The old order changes slowly in the minds of men and this factor shaped and re-created responses to Grahamstown's changing circumstances with surprising effect. The second and more measurable factor to consider is the effect of individual men during the gradual relinquishment of Grahamstown's former political primacy in the East. Grahamstown's political life continued, rich in diversity and vitality, though increasingly local, into the 1880's. In numbers of inhabitants it could no longer compare with Port Elizabeth, but its politicians exercised imagination and retained something of the grand manner reminiscent of Grahamstown's former position. This produced amusing results at times.

Dr W.G. Atherstone, member of the House of Assembly for Grahamstown, moved, in May 1882, that the House go into Committee to consider the desirability of the Governor's residing part of the year in the Eastern Districts, in a suitable residence, presumably to be provided by Grahamstown.⁹ This does not appear to have been a serious motion though it was definitely intended to highlight the fact that Sir Hercules Robinson had not yet visited the Eastern Districts since becoming Governor in early 1881.

The reality of Grahamstown's political power and influence during the 1860's in both houses of parliament, but more especially in the Legislative Council, is undoubted. The extent of her influence and the reasons for it are important factors to ascertain. Grahamstown was

⁷ McCracken, The Cape Parliament, p. 23.

⁸ Eastern Province Year Book and Diary for 1878, p. 53.

⁹ G. F. J. 31-5-1882.

frequently charged with having undue influence in the Legislative Council, particularly at election times. According to the 1853 Constitutional Ordinance, the Eastern Districts had to vote together for their seven Legislative Council members, while the Western Districts did the same for their eight members.¹⁰ With the annexation of British Kaffraria to the Cape Colony in 1865, these provisions were changed to the disadvantage of the Eastern Separatists and not to their advantage, as they had vainly hoped. The Legislative Council numbers were raised to twenty-one: Western Districts elected eleven, while the Eastern Districts elected ten.¹¹ Grahamstown candidates were certainly more numerous in offering their services and the proportion of Grahamstown men who succeeded in Legislative Council elections for the Eastern Districts is indeed impressive.¹² One reason why so many Grahamstown residents were in a position to stand for Legislative Council elections, was, that with the exception of Port Elizabeth, Grahamstown had more wealthy property owners than any other electoral division in the Eastern Districts. The immovable property qualification of £2 000 or the possession of movable unencumbered assets to the value of £4 000 was high.¹³ Grahamstown as an old, well-established trading centre on an expanding and developing frontier, boasted many successful businessmen who possessed clear-cut concepts of public duty, as well as the consciousness of the lure of power inherent in becoming political figures.

Not only was the monetary qualification high for the Legislative Council, but it was an exceedingly expensive affair for Easterners to attend Cape Town parliamentary sessions. Personal inconvenience aside, there was the enormous cost of the lengthy journey to Cape Town and the loss of business caused by the months of absence there. Provision had been made by the Constitution Ordinance of 1853, to assist with such costs. Members of parliament residing more than ten miles from where the session of parliament was to be held, were to be paid £1 per day for the time they spent going to, at, and returning from meetings, up to a

¹⁰ McCracken, The Cape Parliament, p. 18.

¹¹ Ibid., p. 20.

¹² See accompanying List of Grahamstown men who represented the Eastern Districts.

¹³ McCracken, The Cape Parliament, p. 18.

limit of fifty days. In addition, there was a travel allowance of 1/- per mile.¹⁴ In spite of this, the inconvenience was very real, as Western politicians discovered to their cost, in 1864. Not even the acumen of Grahamstown businessmen, when put to the severe test of the depression of the 1860's, was proof against the times and this cost several political careers. Charles Pote, a well known public figure in Grahamstown and an Eastern Districts Legislative Council member for ten years (1859-68),¹⁵ experienced such financial disaster that he could no longer continue his parliamentary career. Such was the esteem in which he was held, that the matter of his long overdue municipal rates caused hot debate in the Grahamstown Town Council: should he be prosecuted or not?¹⁶ An unfortunate choice of business partner and the pressures of the depression likewise resulted in the end of Geo. Wood jun.'s promising career in the House of Assembly.

However, wealth and property qualifications alone are insufficient explanation for the extraordinary number of Grahamstown men who offered their services, nor does it account for their overwhelming success in elections. The Grahamstown Journal, anxious to defend the political pre-eminence of Grahamstonians, commented that,

"It may have been the case that Grahamstown has been more active than other communities, but there is another way in which that statement may be put, namely that other places have been less active than Grahamstown. But if so, whose fault is that?"¹⁷

The editorial, with unconscious irony, confidently predicted that Grahamstown, on becoming the seat of Government, would not become a tyranny. A more telling editorial appeared in 1868, on the eve of both Legislative Council and House of Assembly elections. It admitted that Grahamstown should not cherish unrealistic political ambitions. However, a gentle reminder was made that "what is called Grahamstown means in politics a considerable portion of the Eastern Province".¹⁸ This statement, though no doubt hotly refuted by Port Elizabeth and the indignant Midlands, deserves to be weighed. It is interesting to consider in this regard the import of an editorial which appeared in

¹⁴ Ibid., p. 20.

¹⁵ He had also served 5 years in the House of Assembly.

¹⁶ See Chapter 3: Municipal Finance.

¹⁷ G.F.J. 6-11-1863.

¹⁸ G.F.J. 28-12-1868.

The Fort Beaufort Advocate on this subject, during the same preparation for an election. Fort Beaufort had closer economic and political links with Grahamstown than Port Elizabeth and the Midlands, on the count of distance, so her support of Grahamstown is partly to be anticipated. In a very lengthy editorial, the reason for Grahamstown's influence in the Legislative Council was explained as being part of the "social condition of the colony". Port Elizabeth was accused of political indifference in the Eastern cause. That The Advocate was a Grahamstown partisan is clear from this special passage of Victorian oratory.

"Grahamstown has, up to this time, made greater exertions, and greater sacrifices, than any other place in the Eastern Province for the common benefit; and shall she be abused because her aspirations - unfortunately they have as yet been nothing more - should be in harmony with her position?"¹⁹

Such sentiments were an echo of many areas of Frontier opinion.

A major reason for Grahamstown's success in Legislative Council and, even in a small measure, House of Assembly elections during the 1860's, was that she remained the political focus for many Easterners. Grahamstown's influence in certain Eastern constituencies during the House of Assembly elections of the 1860's, surprisingly evoked little contemporary comment, as far as can be ascertained. Yet through a consideration of which Eastern constituencies accepted and elected candidates connected with Grahamstown, a pattern of Eastern political support for Grahamstown emerges. Albany, Victoria East, and Fort Beaufort had very close political links with Grahamstown during the 1850's, 1860's and early 1870's. Uitenhage, which elected J.G. Franklin and Reuben Ayliff, was rather different to the other constituencies. It did not have close links with Grahamstown and was part of Port Elizabeth's sphere of influence. Franklin's election for Uitenhage is perhaps explicable in terms of his stand as an Eastern editor, often in opposition to Godlonton, and one who did not consider Grahamstown's interests as always paramount. The election of Reuben Ayliff, well known as interpreter to the Eastern Districts Court, could have been a personal, rather than a political election.

The successful election of Grahamstown men in the largely farming communities situated close to Grahamstown, can be partially explained in

¹⁹G.T.J. 7-12-1868.

terms of the economic situation of the times. During this early period, particularly during the depression of the 1860's, the farming communities looked to the public men of the cities for a political lead as there were fewer farmers with means enough to offer themselves as candidates. The ubiquitous Bowker family must be an illustration of the exception rather than the rule. Wealthy farmers, they have an impressive record of parliamentary service. Their political themes were to promote and protect the Eastern farming interests and to support a strong frontier policy. In addition many city merchants had farming interests, while professional men such as lawyers, served several communities, not merely the city. These factors cannot explain the whole pattern, without a consideration of the personalities and political affiliations of the actual candidates.

One would expect to find that the constituency of Albany, closest to Grahamstown, had the closest political links with the town. At various times in the 1850's, Albany returned Samuel Cawood and Benjamin Mathew Shepperson to the House of Assembly. Both were merchants of Grahamstown and later Town Councillors. They were followed in the 1860's by Charles Slater, John George Franklin and John Edwin Wood. Franklin was a very well known and respected figure, as editor of the Cape Frontier Times. He was an Anglican among a very Wesleyan group, and not part of the circle of the Samuel Cawood, George Wood and Robert Godlonton triumvirate. John Edwin Wood was well known as one of the Hon. George Wood's sons, and in his own right, as a shrewd merchant and Town Councillor of Grahamstown. The early 1860's saw Grahamstown's influence at its greatest. Thereafter, George Slater served Albany while a farmer, to retire to Grahamstown in the 1870's and remain a public figure as a Town Councillor. Then much later, in 1879, Joseph Garbett Wood, another son of the Hon. George Wood, who followed a farming career in Albany, while retaining close links with his family's merchant business in Grahamstown, became one of Albany's representatives in the House of Assembly and retained his seat until 1887. Thorough Easterners, all of them, and with the exception of Franklin who pursued his own way in parliament, they generally supported the political ideas of the Wesleyan triumvirate of Grahamstown politics.

The Victoria East constituency, with numerically fewer voters than Albany, had returned John George Franklin briefly in 1854 as their member for the House of Assembly. This was his initial attempt as a member of the Assembly, to be followed by service for Albany and finally for the Uitenhage constituency. In 1864, Jonathan Ayliff, a Grahamstown lawyer held in high regard throughout the area, was returned as one of Victoria East's members for the House of Assembly. He was the son of the Rev. John Ayliff and married to a daughter of the Hon. George Wood. His first session in the Assembly lasted until 1866, to be followed by a second term of service as a member returned by Grahamstown from 1879-1885.²⁰ During that time he accepted the position of Colonial Secretary in Scanlen's ministry in 1884. With typical modesty he accepted the change in his position.

"It certainly is a strange turn of the wheel of fortune that places me in this office and whether I stay in it a long time or short, it is gratifying to know that the leading men of our side thought me worthy of the position."²¹

Ill health followed and his death in 1885 necessitated a very short term of office. Jonathan Ayliff was followed in 1866 by Thomas Burt Glanville, member for Victoria East for only one year. He was none other than Godlonton's successor as editor of The Journal during the 1860's and 1870's, and adhered, in less colourful vein, to Godlonton's political views.

The third farming constituency, that of Fort Beaufort, did not return any candidates who lived on a permanent basis in Grahamstown. But for twenty-three years William Ayliff, another son of the Rev. John Ayliff, was Fort Beaufort's representative in the House of Assembly. His Grahamstown connections were very strong. Two of his brothers lived there and he had married Robert Godlonton's step-daughter, so he too was a politician on the fringes of the Grahamstown triumvirate. He owned a house in Grahamstown, though when he bought it, is not certain. The Grahamstown Directories of 1878 and 1882 list his address as

²⁰ The list of members of the House of Assembly in Annexure E of Ralph Kilpin's The Romance of a Colonial Parliament, is inaccurate with regard to Jonathan Ayliff. It is stated there that he served both terms as a member of the Assembly for Victoria East, and gives only one Grahamstown member for the period in question. The Journal correctly reports his terms of service G.T.J. 24-10-1885 and during parliamentary comments from his election in 1879.

²¹ G.T.J. 24-10-1885.

Lawrence Street, but do not give any occupation next to his name. It seems probable that he bought the house during the 1870's and spent a considerable time in Grahamstown, combining his farming and marketing with provision trips to the Diamond Fields.

The Ayliff family produced remarkably energetic, enterprising and public-spirited men. William Ayliff was offered the position of Secretary for Native Affairs in Sprigg's ministry of 1878 and after some hesitation, duly accepted. Curiously enough, James Butler noted some interesting details about this episode. During February 1878, he had heard in Grahamstown that William Ayliff was planning a trip to the Diamond Fields with his wagons²² and promptly secured lifts for himself and a friend. The day they left Grahamstown for the Fields, the news of the resignation of Molteno's ministry reached them. Among the speculations as to the successors of the retiring ministry, Ayliff's name had already been mentioned in connection with Secretaryship for Native Affairs. They continued on their journey until Jonathan and Reuben Ayliff arrived post-haste in a cart, to take William Ayliff to Grahamstown on urgent political matters. On his return to the wagons, left in James Butler's care, they learned that he had first declined the post in the new ministry but had subsequently been persuaded to accept by Sprigg. The trip to the Fields was cancelled as Ayliff had to consult with Sprigg at King William's Town.²³ The Ayliff brothers were clearly held in high political standing. Sprigg represented all Eastern hopes during the war of 1877-78.

Reuben Ayliff, a third brother, was returned to the House of Assembly by Uitenhage from 1836-73. He lived in Grahamstown and was by occupation an interpreter of the Eastern Districts Court. He was an energetic Town Councillor for Grahamstown and Mayor from 1869-72. In spite of these heavy public duties he spent lengthy and lucrative periods at the Diamond Fields during the early rush days. So lengthy were they that he forfeited the office of Mayor on one occasion, though he was immediately

²²No doubt like many well-to-do farmers he organised wagons with provisions to the Fields.

²³James Butler, Jim's Journal, 2-2-1878, 4-2-1878, 5-2-1878, 6-2-1878

voted back into office on his return.²⁴ His fellow member for Uitenhage was represented in parliament by two Grahamstown men, for the measure of three years during the depression of the 1860's. This is an illustration of the high regard in which these two men were held in Uitenhage, rather than an illustration of Grahamstown's influence there.

This brief resume of Grahamstown's political connections in the Assembly elections of Albany, Victoria East and Fort Beaufort, suggests certain conclusions. There was strong support for Grahamstown in the farming areas closest to it, based no doubt on their commercial focus on Grahamstown as a market and supply centre. Grahamstown candidates generally were most successful during the depression of the 1860's and the early years of the 1870's. This coincides with the period of her continued strong influence in the Legislative Council elections. It is also a measure of how much the depression resulted in a turning to Grahamstown candidates. And finally the successful Grahamstown candidates reveal portraits of individuals in their own right, successful in their own careers and with the added enterprise of entering into the uncertainties of political life, with no material advancement as a reward. These individuals reveal also some of the ramifications of family connections which underlay the political connections of Grahamstown, particularly those linked to the Grahamstown triumvirate.

Perhaps the most important factor responsible for the success of Grahamstown's Legislative Council candidates, was not merely loyalty to Grahamstown as a political focus, but more particularly a measure of the leadership qualities of certain individuals, and also their family connections. The most obvious examples are the triumvirate: Samuel Cawood, George Wood and Robert Godlonton. These figures dominated the Grahamstown contingent in the Legislative Council for most of its history. They finally resigned from office because of the demands of old age, not because of the restrictions of parties or elections. These elder statesmen of Grahamstown, a merchant butcher, a merchant

²⁴See Chapter 2: The Economic Position.

and a newspaperman, were tough politicians whose shrewdness had developed during their early days in the Colony when they earned a precarious living. They were all three Wesleyans of firm conviction who took seriously the tenets of devout worship and abstinence exacted by their religious code.

As is to be expected, the core of their political belief revolved round the ideal of Separatism, with Grahamstown the worthy capital of the Eastern Province. They were not necessarily brilliant in debate - Samuel Cawood was dubbed 'Samuel the Silent' because of his very infrequent utterances in the house. His soundness as a thorough Easterner returned him at every election between 1860-1878. As evidence of his widespread Eastern support, prior to the 1869 Legislative Council elections, he received requisitions from Grahamstown, Cradock, Fort Beaufort, Adelaide, Alexandria, Alice, Queenstown, Bedford and the Kat River Settlement.²⁵ His requisitions were far more numerous than those of Godlonton and Wood. When the election returns were printed, Hon. George Wood earned more votes than Cawood and Godlonton, which might be a comment on who had the most efficient campaign methods. McCracken states that this lead was because of the support of the registered Fingoes for Wood.²⁶ Samuel Cawood was well known throughout the Eastern Cape, partly because of the family's early ventures as interior traders, dangerous yet lucrative, and later because of the commercial success of their firm, Cawood Bros. Prior to 1840, Samuel Cawood himself lived in the Albany and Uitenhage districts, between elephant hunting trips. The first branch of Cawood Bros. was started in Fort Elizabeth in 1840. The Grahamstown branch followed soon afterwards, together with another at Cradock and several smaller branches. Such a network of commercial enterprises made Cawood a household name in the Eastern Province. These remained highly successful businesses and provided the basis for the political careers of Samuel and his brothers Joseph (in Grahamstown)²⁷

²⁵ G.T.J. 15-1-1869.

²⁶ McCracken, The Cape Parliament, p. 71.

²⁷ Joseph Cawood was M.L.A. for Grahamstown 1855-58 and a member of the Legislative Council for the Eastern Divisions 1859-63.

and Joshua (in Port Elizabeth).²⁸

Samuel Cawood chose to live in Grahamstown as a merchant and also opened a Butchery. He attempted, by every means he could devise, to promote new industries for the Albany area and Grahamstown in particular. His most notable effort was encouraging the growth of cotton as a paying proposition. Largely through his experiments and promotion, cotton was hailed, towards the end of the 1860's, as the crop on which Albany's future prosperity would rest. It was not until after the Diamond Fields rush and ostrich feather farming had altered the commercial climate, that cotton promotion faded. Samuel Cawood had the financial backing and made the leisure to become a public-spirited citizen. He was not content to serve only in parliament: he was elected a member of the Albany Divisional Council and the Grahamstown City Council. He served the latter body briefly as Mayor in 1880. He would have appreciated his Journal epitaph: in his political, commercial and social life, he left an "unblemished name".²⁹

Like Samuel Cawood, George Wood had come out with the 1820 Settlers as a boy, but they were very differently circumstanced. The Cawoods were a numerous family who combined their efforts to become influential in Eastern Province commerce and politics. George Wood became possibly the richest inhabitant of Grahamstown. His sons inherited his habit of large scale enterprise, both in commercial and political fields, though not all of them had inherited his acute business sense as well. The Hon. George Wood is a prime example of a Victorian self-help success story. The doctrine of self-help as preached by Samuel Smiles in the mid-19th Century, does not openly advocate qualities of ruthlessness and sharp business practice. Yet these were no doubt necessary qualities in George Wood's achievements, as they were for many other

²⁸ Joshua Cawood was M.L.A. for Port Elizabeth 1860-1863.

²⁹ G.T.J. 15-6-1887.

Victorian businessmen. May Bell,³⁰ his great-granddaughter, in her family history, They Came From a Far Country, related an incident from George Wood's early frontier trading days which suggests why these ventures were soon remarkably lucrative. As he had no more cooking pots to sell to the Africans at one of the frontier trade fairs, he persuaded his customers to accept buckshot as cooking pot seed. May Bell related this incident in all good faith, in the light of later family tradition, smoothed over with later Victorian morality and nicety. George Wood had promised to return with more pots if the seed did not come up and redeemed his promise.³¹ This incident, which has the ring of truth except for the conclusion,³² and its re-telling, is an interesting commentary of how times and moralities had changed from the hard exigencies of a first generation settler to the relatively cocooned existence of his descendants. Attempts have been made to locate personal documentary sources, relating to George Wood and his family and their commercial ventures, but with little success.

George Wood's career was characterised by his personal shrewdness, his assessment of men and his business acumen. He was completely ruthless in his own interests. Le Cordeur has shown that during the frontier war of 1835, Wood, then only 28, was one of the Grahamstown merchants who turned to war profiteering. He made a profit of £7 000 on his contract to clothe the "Hottentot levies". He supplied inferior, cheap cloth because he thought the uniforms would not be needed for a long period. After the uniforms had disintegrated from hard wear in the field, Wood obtained his second contract to supply the levies; this time with moleskin, a more durable fabric.³³ George Wood clearly had an eye to the main chance of any business contract into which he entered.

Within Grahamstown, wood was highly respected but hardly popular. His characteristic of shrewdness was freely, if at times, grudgingly,

³⁰ May Bell's mother was a daughter of George Samuel Wood, eldest son of the Hon. George Wood.

³¹ M. Bell, They Came From a Far Country, pp. 96-97.

³² W.A. Maxwell and R.F. McGeogh eds., The Reminiscences of Thomas Stubbs, pp. 206-7.

³³ Le Cordeur, Eastern Cape Separatism, p. 70.

acknowledged. Mrs Merriman, wife of the Anglican Bishop Merriman, commented privately to her son, John X. Merriman, a thorough Westerner in politics, that no-one "has a longer head or keener apprehension" than "old" George Wood.³⁴ But he lacked the ease of manner which endeared many to his more amiable colleague, Samuel Cawood. His parliamentary nickname, 'Wood the Crusty',³⁵ was peculiarly apt in every sphere of his activity and he developed an abruptness of manner as part of his stock in trade. He was a man of great determination and strength of will who never spared himself in the pursuit of his aims. This is most clearly illustrated by the personal courage he revealed in pursuing his parliamentary career after a fall, while he was overseas, had left him partially paralysed. His crustiness, determination and prejudices frequently caused conflict and commotion in the Albany Divisional Council on which he served for many years. Though he never served on the Town Council, leaving that area of local government politics to his sons, he was highly critical of Town Council affairs, particularly of Councillors' use of public money. This led to his challenge of the Town Council over the matter of the additional police rate, where he eventually gained a signal victory.³⁶ He served on every possible committee of commercial, banking and cultural undertaking in the city of Grahamstown and made his presence felt from the Chamber of Commerce to the Botanical Gardens Committee. He and Godlonton, both strict abstainers, were particularly difficult judges to satisfy, when they served their term of office on the Licensing Board. On one occasion the moral criticisms George Wood had levelled at all hotels and canteens, so infuriated Walter Smith, Town Councillor, that he made most pungent reply through the press. He asked the public whether it would not be better for the moneyed men of Grahamstown to ask themselves whether all their transactions would bear the light of day before wrongfully accusing the licensed victuallers of Grahamstown. His pronouncement that "hypocrisy and cant run the round of our miniature city"³⁷ is a very telling barb against such wealthy political arbiters of Grahamstown as Wood and Godlonton.

³⁴ S.A.L. Merriman Papers. Letter No. 64 of 1874, Letter from Mrs Merriman to John X. Merriman, 29 December 1874. I am indebted to M.M. Goedhals for this reference.

³⁵ G.T.J. 30-4-1869.

³⁶ See Chapter 3: Municipal Finance.

³⁷ G.T.J. 23-12-1868.

A hard bargainer and uncompromising, the Hon. George Wood was a redoubtable Eastern politician. The foundation of his political standing in the Eastern Province had been laid during his early trading days but it was as a Grahamstown merchant and wool broker that he became well known among farmers. As his prosperity increased, so did his highly successful land speculation deals both in town property and farming land. It has not been possible to discover the extent of his property ownership, but an indication of the scale on which he and his sons entered into land investment ventures can be obtained by listing the properties owned by his eldest son at the time of his bankruptcy during the depression of the 1860's. George Wood (jun.) owned in 1869, a farm in the Transvaal territory near Rustenberg, an erf at Bathurst, four plots and an erf at Port Alfred, one erf on the outskirts of Port Elizabeth and two erven in Sir Lowry Street, Cape Town. In addition he and his brother J.E. Wood had entered into other farming, land and share undertakings.³⁸ If George Samuel Wood,³⁹ a commercial failure by comparison with the other members of his family, had entered into such wide-flung property investments from the Transvaal to Cape Town, then so many more successful investments must have been made by his brothers and especially his father. By the 1860's though, Hon. George Wood's merchant firm had been named Wood Brothers and his two eldest sons were the active commercial partners. On his return from overseas in the early 1860's, he refused the offer of a house designed specifically for him by his son J.E. Wood, on the elite West Hill, and moved to a mansion of his own requirements in spacious grounds, in Beaufort Street. From here, within easy reach of Robert Godlonton in the same street, he continued to tyrannize as many Grahamstown local institutions as possible, in the months when he was not occupied in the Cape parliament.

The Wood family achievements and influence in Grahamstown matters of commerce, local government, politics and education were phenomenal for more than half the 19th Century. The Hon. George Wood, his sons and

³⁸ G.T.J. 10-9-1869.

³⁹ George Samuel Wood or George Wood (jun.) was the eldest son of the Hon. George Wood.

See Chapter 1: Grahamstown: an Introduction.

family connections represented a most vital circle of political influence in Grahamstown and the Eastern Districts. When the Grahamstown parliament met in 1864, the Hon. George Wood was in the Legislative Council, while George Samuel, then Mayor of Grahamstown, and John Edwin, Town Councillor, were members of the House of Assembly for Grahamstown and Albany respectively. Jonathan Ayliff, their brother-in-law, represented Victoria East. Small wonder that the Woods were anathema to true Westerners. On the return of the Cape Town members of parliament from Grahamstown, a banquet was held to welcome them, at which toasts and political speeches flowed freely. Mr Haupt devoted a large amount of time to the Woods. He drew a picture of Grahamstown as completely ruled by the influence of "one family clique" and claimed that they had all expected a parliament in Grahamstown to be Wood's parliament. His speech had a rousing Western conclusion: he triumphantly declaimed that the Woods "have been accustomed to govern the whole Eastern Province, and they tried to govern the Parliament, but the Parliament could not be governed".⁴⁰ His speech, which was loudly cheered, was a pardonable exaggeration of Western post-prandial sentiment, but remains nevertheless a reflection of certain Western attitudes towards what seemed to them the growing political influence of the Wood faction in Eastern politics.

The 1860's saw the height of the Wood influence in the old representative parliament. The triumvirate were reinforced during 1866-68 and 1870-73 by the election to the Council of another Wood connection, James Cotterill Hoole. A Grahamstown Town Councillor, until his election to the Legislative Council, he did not endear himself to many Grahamstown citizens by living mainly in Cape Town by choice. His detractors suggested that he had adopted a Western outlook, yet there is no foundation for this in his parliamentary record. George Samuel Wood had to give up his parliamentary career because of his commercial failure,⁴¹ while ill health removed John Edwin from political life temporarily in the 1860's. That left Hon. George Wood, an indomitable figure in the Legislative Council, together with Cawood and Godlonton,

⁴⁰G.T.J. 24-8-1864.

⁴¹See Chapter 3: Municipal Finance.

until their retirement in 1878. The Hon. George Wood⁴² and the Hon. Robert Godlonton⁴³ both died in 1884, and their passing brought to an end an era in Grahamstown's history. The Hon. George Wood's sons continued to serve Grahamstown in local government and politics, but the political framework was very different to that in their father's heyday.⁴⁴

The third member of the triumvirate, though not necessarily its kingpin, was Robert Godlonton. His name was synonymous with The Journal long after he had relinquished actual editorship in the late 1850's, first to go overseas and then concentrate on his political career. The Journal, under the control of Godlonton's family firm, continued to express his political themes of Separatism, the protection of frontier farmers, a clearly defined native policy, divorced from the influence of party, anti-Responsible Government, the promotion of Eastern railways, particularly to Grahamstown, and the development of the Kowie Harbour. For The Journal was above all else, Grahamstown's newspaper and sought to imprint Grahamstown's influence, as a self-conscious outpost of the British Empire, on the Eastern Province and much further beyond. Thomas Burt Glanville was Godlonton's successor as editor, having been groomed for that office from his appearance in Grahamstown in 1856.⁴⁵ W.A. Richards, Godlonton's step-son, worked

⁴²G.T.J. 3-11-1884 and 4-11-1884.

⁴³D.S.A.B. Vol. 2, pp. 263-267.

⁴⁴Political record of Wood's sons.
George Samuel Wood M.L.A. for Grahamstown 1864-68.
John Edwin Wood M.L.A. for Albany 1864-66
Grahamstown 1886-1900.
Henry Richard Wood M.L.A. for Grahamstown 1902-07.
Joseph Garbett Wood M.L.A. for Albany 1879-87.

⁴⁵G.T.J. 29-5-1878.
The obituary of T.B. Glanville states he was first associated with The Journal in 1865, but this is, I think, a misprint as G.T.J. 23-6-1882 (Obituary of B.J. Glanville) gives the date of his brother's arrival in Grahamstown as 1856 and that tallies with the evidence of his earlier connection with The Journal gleaned through a thorough reading of The Journal during the early 1860's. The brothers came out together as far as can be ascertained. T.B. Glanville is listed in the 1862 Grahamstown Directory as editor (Journal) Bathurst Street. This clarified matters as The Journal itself seemed loath to print its editors' names - no doubt because they were common knowledge at the time.

closely with him, mainly in charge of the firm's printing business but also for the promotion of Journal interests whenever opportunity presented itself. Glanville's brother was Town Clerk, reputedly the "brains of the Council" and Museum Curator, so The Journal very clearly had easy access to local government politics. T.B. Glanville himself served briefly in parliament for Victoria East in 1866 and Grahamstown in 1872 but pressure of work meant these were short-lived attempts to be part of the Grahamstown parliamentary contingent, as well as present her case through the pages of The Journal. W.A. Richards managed only a brief period of service as a Town Councillor in 1862, otherwise he too found the demands of Godlonton's firm too exacting to permit of public service.

The extent of The Journal's influence on the shaping of Eastern opinion is difficult to assess during these twenty years, and in a real sense, beyond the scope of this thesis, though some hypothesis needs to be made even if the evidence to support it is nebulous. Le Cordeur's study, Godlonton: Architect of Frontier Opinion, has clearly assessed the influence of Godlonton and The Journal during the period of his personal editorship when The Journal did create a focus of frontier opinion. During the 1860's and 1870's, The Journal continued to claim to be the first newspaper of Eastern consequence. But with the movement of the frontier away from Grahamstown and the opening up of the Diamond Fields, the whole pattern of development and thinking of the Colony was affected. In this period of change, The Journal's management pursued, with almost missionary zeal, the aims of Godlonton to establish newspapers in other centres, to keep pace with and channel public opinion. The achievements in Godlonton's period and afterwards were remarkable. The Friend, Eastern Province Herald, King William's Town Gazette, Queenstown Free Press, Natal Courier and Pietermaritzburg Advertiser, The Uitenhage Times, The Kaffrarian Watchman, The Diamond News, The Empire and the East London Dispatch, all owed their origins, to a greater or lesser extent, to the enterprise of Godlonton and his

firm.⁴⁶

The Diamond Fields attracted more than one journalist and several newspapers were started within the kaleidoscope of humanity which congregated at the diggings, but T.B. Glanville had been first on the scene. He established The Diamond News and a branch of the Grahamstown printing firm which had first been Godlonton, Richards & Co. then Richards, Glanville & Co. The development of the Diamond Fields gave the company a further opportunity to expand its business. With the exodus of so many Grahamstown citizens to the Fields, their particular brand of Eastern opinion had some effect, together with The Diamond News, in shaping opinion.

The firm's enterprise in the Diamond Fields finally cost T.B. Glanville his parliamentary seat and an opportunity of joining Molteno's ministry after the introduction of Responsible Government. He had naturally opposed Responsible Government, as most Easterners had, seeing therein the probable defeat of their cause. Despite his opposing vote in the Assembly, he realised what the outcome would be and so attempted to add his suggestions to the general debate on the necessity of the creation of a Secretaryship of Native Affairs. The follow up to this was that he was offered the portfolio of Native Affairs by Molteno, which he felt he had to decline because of the pressure of Journal work.⁴⁷

⁴⁶ D.S.A.B. Vol. 2, p. 264 and G.T.J. 30-9-1884.
E.P. Herald Started on 7-5-1845 (Godlonton purchased it in 1857).
The Friend Started 10-6-1850 as The Friend of the Sovereignty and Bloemfontein Gazette (name changed 5-8-1854 to The Friend of the Free State).
King William's Town Gazette and Border Intelligencer Started 14-8-1856.
Queenstown Free Press Started 19-1-1859.
Natal Courier and Pietermaritzburg Adviser Started 9-11-1859 (incorporated in Natal Mercury 18-2-1865).
The Uitenhage Times Believed to have started in Dec. 1864.
The Kaffrarian Watchman Started 1-1-1866.
The Diamond News Started 16-10-1870.
Empire Started in 1870 (as London Colonial News) and ran until 1904 under various titles.
East London Dispatch Started 10 Sept. 1872.

⁴⁷ G.T.J. 29-5-1878.

The most interesting extension of this journalistic fervour, was the establishment in 1870 of The Empire newspaper in London itself. The purpose of this newspaper was, in the rather pompous Victorian terms of the day, to present the colonial point of view to English readers, and more important, to facilitate trading and commercial links between English manufacturers and Cape merchants and consumers. Later known as The South African Empire, it built up a large number of subscribers within South Africa as well as in England. The establishment of The Empire was considered by The Journal's management to supply a need which had long been felt. This assumption was proved correct by the success of the venture. The establishment of The Empire was significant in that it emphasized the strong links which many Grahamstown citizens still had with Great Britain, and it heralded the new period of enthusiastic, later jingoistic, support for the Empire which was nowhere more vehemently expressed than in Grahamstown.

Godlonton no doubt approved this continuation of his policy. It must have given him a great deal of satisfaction to see the tentacles of his newspaper business reaching to London itself. And though T.B. Glanville was sometimes accused of colourless political opinions compared with Godlonton's oracular pronouncements, he faithfully followed the pattern of Eastern politics laid down by Godlonton. Godlonton stated his own position with regard to The Journal and Journal policy very clearly in 1864 when he had been accused of using The Journal to discredit Samuel Cawood in the eyes of the electorate during an election campaign. Godlonton admitted,

"It is quite true that my name still stands associated with The Journal, and I must plead guilty also to the impeachment of having done my utmost to dot the Province with newspapers"

but he affirmed his belief in the free expression of individual opinions in these newspapers even if these opinions were opposed to his own. He concluded his letter of defence in The Journal by a high sounding declaration in support of the freedom of the Press as being the surest bulwark of the liberty of the subject.⁴⁸ Godlonton's sincerity was patent, but editorial Journal policy remained in line with Godlonton's own policies, because of his careful choice of successor. Nevertheless, part of Journal policy had always been and continued to be, the freedom

⁴⁸G.T.J. 26-1-1864.

to print selected violent and scurrilous opposition material. Such material provided a useful contrast to the well reasoned editorial articles.

The Journal had always been Godlonton's and the triumvirate's best election platform, but their wide Eastern support depended very much on their network of family, friends, religious and business connections. The Legislative Council elections, particularly before the restrictions of the Seven Circles Act, were vigorous contests, and the methods of raking in votes, are reminiscent of English 18th Century practices. The influence the candidate's supporters wielded and their enthusiasm in campaigning, took the place of today's rigid party machine. Godlonton was supported in the Cradock district by the indefatigable James Collett and his family of sons and sons-in-law.⁴⁹ The task of canvassing in such a rural district was time-consuming and required a great deal of travelling. It often met with apathy on the part of voters who were farmers. Collett let Godlonton know, in 1869, that a canvasser had found that most of the young farmers in the area had not bothered to register as voters.⁵⁰ Just getting to the appointed polling place was hard enough for dedicated supporters such as the Colletts. In 1864 the Collett family were drenched when travelling to vote in an open cart and the journey in 1869 was most uncomfortable because of bad roads.⁵¹ Though seventy-three at the next election, in 1873, James Collett made the effort of several days' travel in easy stages to vote and returned "full of pain".⁵² In spite of the occasional expenses which Collett's canvassing on behalf of Godlonton entailed, he did not expect reimbursement.⁵³ James Collett was one of Godlonton's most consistent supporters, and continued to write to The Journal on matters political and matters farming when in his seventies. After the 1870 Jubilee, he wrote in tribute to both The Journal and Godlonton as "Father of the British Settlers". In contrast to this

⁴⁹ McCracken, The Cape Parliament, p. 106.

⁵⁰ Ibid., p. 35.

⁵¹ Ibid., p. 36.

⁵² Ibid.

⁵³ Ibid., p. 42.

pretentious title he reminded readers that Godlonton had been derisively called 'Old grandma' several years previously, "which intended insult he bore with greater patience than his detractors could with justice inflict it".⁵⁴ Nevertheless 'Old grandma' continued to command a wide spectrum of Eastern votes.

James Collett's methods of canvassing support were more conservative than some of Godlonton's younger, enthusiastic followers. An incident related by R.W. Nelson in his reminiscences of John Webb, a leading Grahamstown citizen during this period, serves as a colourful illustration of how Godlonton's supporters secured his votes. John Webb was a respected Town Councillor for Grahamstown and probably one of the best known of Grahamstown's citizens in the surrounding farming districts. He was a kurveyor and a superb judge of horses and cattle alike. His business took him the length and breadth of the Eastern Cape and he made acquaintance with English and Dutch farmers alike. In politics he was a thorough Easterner and "a partisan, supporter and almost worshipper of the political idol of that time, Robert Godlonton".⁵⁵ And naturally, on the occasion of every Legislative Council election, Webb used every connection he possessed, to organise votes for Godlonton. R.W. Nelson estimated that he could influence hundreds of voters, irrespective of their race. This sounds a pardonable exaggeration, but there is no doubt that John Webb exercised considerable persuasive powers on Godlonton's behalf. As part of his voluntary campaign for Godlonton he provided transport to bring farmers to vote at polling stations. The particular incident R.W. Nelson related, reveals something of the atmosphere of polling days and something of the lengths of support which officialdom winked at during elections. John Webb had, with great difficulty, instilled into a certain Dutch farmer the name of the candidate for whom he was to vote, but on the farmer's arrival before the polling officer, his memory failed him. Just as Webb was about to prompt him, the polling officer sternly warned Webb that if he mentioned any name to the voter, he would be removed from the Court House. Nothing deterred, John Webb, with an air of complete candour, assured the returning officer that he had not mentioned Godlonton's name since

⁵⁴ G.T.J. 8-8-1870.

⁵⁵ G.T.J. 30-6-1894.

entering the building. The Dutch farmer recognised the name, and declared he would vote for Godlonton and gave him a 'plumper'.⁵⁶ John Webb, elated, escorted him from the Court House, to bring in another voter for Godlonton.

Just as with Legislative Council elections, so too Assembly elections were the occasion for undue persuasion of the electorate, particularly of the African and coloured voters. The Assembly election of 1869 in Grahamstown illustrates the general practice. Even The Journal reported in terms of moral disapproval. The Journal estimation of the numbers of African, Hottentot and Fingo voters was 137.⁵⁷ Voters, especially those from the location, were the "subjects of very pressing solicitations" and were "flattered, coaxed, and, we blush to say, treated with refreshments in every direction".⁵⁸ Such attentions were so effectual that there were instances when certain voters attempted to vote twice in order to get a second refreshment ticket, while some too young to vote attempted to pose as their fathers. This was very much the pattern for elections throughout the Cape. Act No. 21 of 1859⁵⁹ did not prevent such bribery and corruption, as it was intended to, but clearly malpractice was so serious that eventually (in 1883) a Parliamentary Elections Act was passed,⁶⁰ the better to control abuse.

⁵⁶ 'Plumper' according to this article by R.W. Nelson, seems to mean that the farmer gave all his ten votes to the one candidate. This means that Webb's canvassing in bringing in "plumpers" added greatly to Godlonton's tally of votes.

⁵⁷ According to calculations from the Parliamentary Voters' Roll for 1872, Grahamstown's African and coloured voters numbered 122. This is the combined figure of the non-white voters resident in the city itself and the locations. The number of non-white voters in 1882, as far as can be ascertained, was 75 - a considerable difference.

Cf. Chapter 6: Locations.

⁵⁸ G.T.J. 19-5-1869.

⁵⁹ Act No. 21 of 1859.

⁶⁰ Act No. 9 of 1883
McCracken, The Cape Parliament, p. 41.

Grahamstown was relatively free of serious election abuses though: her candidates had reputations which carried more weight among the registered voters than undue influence. Grahamstown's townspeople were particularly politically conscious and elections were celebrated with gaiety as well as seriousness. At election times the whole town was hung with banners and slogans and the newspapers ran extensive coverage of everything connected with the election. The Journal in mock serious vein, discoursed on the importance of election day before the Legislative Council elections of 1864, and set an elevated tone suitable for the occasion.

"It is on such a day as this that a man knows he is an Englishman, a freeborn Briton, an inheritor of Magna Charta, the Bill of Rights and Rule Britannia.... We are Our Majesty the People.... We decide who shall rule the public roast (sic)... We are making those who are to make history...."⁶¹

The pompous, euphoric flow of words suited elections for the parliament which would meet at Grahamstown. By 1869, with the effects of the depression heavily felt, The Journal greeted the elections for Legislative Council and the Assembly as providing the town with a look of business which it had long been without. The slogans for 1869 laid their emphasis on "Friends". Hoole was described as "Your tried and Sterling Friend", Kennelly hailed as a "Friend of Progress", Cawood was safely the "Farmer's Friend", Godlonton was simply "Your Old Friend" while Caldecott, a new contestant, was extravagantly "the Friend of all - the Enemy of none".⁶² This pleasant cosiness resulted in the astringent editorial comment that it "confirms us in the belief that the world is never so near the Millenium as at a general election".⁶³

In the pleasurable frenzy induced by election fever the issues that counted most in Assembly elections of 1869 were those with specific local impact. The policies of candidates had to have a Grahamstown-Eastern Province basis or they stood no hope at all of being elected as Grahamstown's two members of the House of Assembly. The three candidates, G.C. Clough, J.C. Hoole and J.C. Thompson, all declared against Responsible Government and all for a Port Elizabeth-Grahamstown

⁶¹G.T.J. 29-1-1864.

⁶²G.T.J. 12-2-1869.

⁶³G.T.J. 12-2-1869.

railway and the further development of Kowie Harbour.⁶⁴ But the election turned not on these key issues of general policy but on the religious question of the Voluntary principle. The vexed question of whether the churches of the Cape should receive a certain amount of state aid or whether they should voluntarily raise their own funds, struck deeply into the concerns of Grahamstown's community. The newspapers gave full and confusing coverage to the Voluntary question and the election appears to have been fought on this issue. The previous parliamentary session had seen the Voluntary Bill pass the Assembly to be rejected by the Council.⁶⁵ This issue naturally entered very much into the Legislative Council elections of 1869 for Grahamstown voters. Grahamstown's opinion was much divided and so were the election results. Clough and Thompson won the Assembly seats from Hoole by a large majority.⁶⁶ Clough was a Voluntary while Thompson was anti-Voluntary. Hoole was obviously not a keen contestant as he had initially declined nomination. Shortly before nominations closed, he was persuaded to change his mind. Though a supporter of the Voluntary principle, Grahamstown's independent-minded voters rejected him for they mistrusted his motives for standing for election.

Parish pump politics, particularly those which involved religion in Grahamstown, were always of vital importance. Politics remained largely a local affair, even when elections were fought under the threat of Responsible Government. These particular elections of 1869 caused a spate of vehement electioneering which included doggerel verses printed in the newspapers. One such effort, entitled, 'Valentine Found in a Canteen', deserves quotation as it reveals some of the conflicts of individuals and groups in Grahamstown's essentially small enclosed world of politics.

⁶⁴ G.T.J. 14-4-1869.
G.T.J. 19-4-1869.

⁶⁵ G.T.J. 11-5-1869.

⁶⁶ G.T.J. 19-5-1869.
Thompson 637 votes
Clough 524 votes
Hoole 303 votes

Valentine
Found in a Canteen

Tom Noddy he lived in Dublin City
Out here he came - oh, what a pity!
Miss C. he courted, instead of Mike's Kitty.

Now he thinks we Citizens listen to blarney
On the strength of which he gets power of attorney
Dreaming he'll thimblorig honest men
Does he think his father-in-law'll help him again?
You know his initials are R.W.N.

"Arrah now," says he, to his friend Jim Wood,
"Never fear we'll drag in father Cawood
Down with respectable men - Hoole and George Wood.

There's Caldecott, too, three men, all honest,
Have made up their minds that State aid shall be non est
Every one of these Voluntaries, too, are in earnest."

"Faith," says Jim, "you are right, but sure and by golly
Every respectable man sees through our lies and our folly.
Never fear but Caldecott's sure to get in
I.C. Hoole, too, and George Wood will also feats win
And the poor Silent Member, Grandma, and Kennelly
Never will pay our printers or approve of us generally."

(Exit both to Bog-o-mi-Fin)

The first letters of every line put together read as 'Tom Noddy and the Fenian'.⁶⁷

Tom Noddy was the nickname of R.W. Nelson and the Fenian popularly referred to James Wood, two of Grahamstown's most controversial and colourful characters. Both Irish and both Anglican, they were Town Councillors of Grahamstown. James Wood owned Wood's Hotel and was the most genial mine host in town. R.W. Nelson had made a most advantageous marriage in 1863 to Samuel Cawood's daughter and had a deep interest in politics local and general but did not always agree with his father-in-law's steady conservatism. As virtual sub-editor of The Eastern Star he found it the perfect vehicle for the expression of his political views and local prejudices. As Churchwarden of the Cathedral during the later conflict between Dean Williams and Bishop Merriman, he was not popular with the Bishop's supporters.

⁶⁷ G.T.J. 17-2-1869.

During 1868 he had been yet another prominent Grahamstown citizen whose estate had been declared insolvent.⁶⁸ Such a man of parts, who was most energetic as Secretary for various charitable committees, was as vociferous and energetic in any political conflict.⁶⁹ Small wonder that he and James Wood, an Irish clique on the Town Council, were fair game for election raillery. The "Valentine" is a classic example of humorous electioneering and reveals the line up of political candidates on the Voluntary question.

Grahamstown displayed a vigorous interest in all things political and exercised considerable influence over the surrounding Eastern constituencies in their choice of candidate during the 1860's. Grahamstown's interest in politics was unabated during the 1870's, but economic considerations as well as political developments made the 1870's a time of diminishing political influence. The Eastern Province generally displayed much less interest in politics during the first half of the 1870's. The effects of the lengthy depression of the 1860's were as nothing to the upheaval of both the commercial life of towns and the Eastern farming communities with the rush to the Diamond Fields. Economic considerations rather than political affairs were paramount during this period. McCracken points out that at least forty-six members of the Cape parliament went to the Diamond Fields.⁷⁰ Reuben Ayliff, Mayor of Grahamstown and Member of the Legislative Assembly for Uitenhage, was but one of these. And for those citizens who remained behind, commercial depression was unavoidable. In Grahamstown the financial position was parlous in the extreme especially as the loss of the troops coincided with the rush to the Fields. The Municipal situation was illustrated by a clash in the Council over whether or not Grahamstown could afford to erect a triumphal arch to welcome the new Governor, Sir Henry Barkly, on his visit to Grahamstown.⁷¹ This was a far cry from the days when Sir Philip Wodehouse visited Grahamstown to be greeted by the magnificent welcome afforded by the then "metropolis of the East".

⁶⁸ See Chapter 2: The Economic Position.

⁶⁹ G.P.J. 3-7-1906.

⁷⁰ McCracken, The Cape Parliament, p. 47.

⁷¹ See Chapter 3: Municipal Finance.

Grahamstown's changing degrees of interest in politics and different levels of active involvement, can be traced by a consideration of the men who represented her in the House of Assembly. The 1860's was predominantly a period when shopkeepers and merchants successfully represented Grahamstown. George Carver Clough represented Grahamstown from 1859 to 1876. Listed as a storekeeper in the 1862 Directory, he soon reached merchant status. A quiet, stolid, conscientious figure, he did his duty manfully for Separatism, in the Assembly, while the more imaginative triumvirate served on the Legislative Council. He was well trusted and well liked by Grahamstown citizens and did not swerve from his political duties even through the hard years of the 1870's. During the 1869 elections T.B. Glanville sketched an amusing picture of Clough as a conscientious parliamentarian. He assured voters that Clough was never to be found in the billiard room when he was supposed to be in parliament and never wandered under the oaks to "light a fragrant cigar" when he should have been on duty.⁷² His attendance record was superb. Stephen Mundy (1859-63) was likewise a storekeeper, while George Samuel Wood (1864-68) was a merchant of some note until his insolvency. These were years of relative prosperity compared to those that followed, and men of commerce could afford the time to offer themselves as political candidates for Grahamstown.

With increasing commercial uncertainty, men of business were forced to turn all their energies to their own affairs until late in the 1870's. J.C. Thompson (Member of the Legislative Assembly 1869-71) was an advocate of the Eastern Districts Court, and so were Jacobus Petrus De Wet⁷³ and H.C. Ross-Johnson (Member of the Legislative Assembly 1874-77).⁷⁴ The presence of the Eastern Districts Court brought new candidates to Grahamstown, with very few links with the city. T.B. Glanville as The Journal's editor could only serve for 1872, because of pressure of work resulting from the Diamond Fields rush. De Wet and Ross-Johnson were keen Separatists on paper, but as relative strangers to the city of

⁷²G.T.J. 12-5-1869.

⁷³J.P. De Wet. Kilpin in The Romance of a Colonial Parliament is in error when he states that De Wet was Grahamstown M.L.A. in 1875; he was elected unopposed in 1873 after T.B. Glanville resigned (G.T.J. 8-1-1873).

⁷⁴H.C. Ross-Johnson. Kilpin is again in error when he lists Advocate Ross-Johnson as Johnston-Ross. Ross-Johnson was elected unopposed in 1874, successor to De Wet. (G.T.J. 30-1-1874).

Grahamstown, the question is raised as to how much Separatism was, for them, a useful platform for votes. De Wet resigned when he was offered the post of acting Solicitor-General in 1874,⁷⁵ a year after his election. Ross-Johnson resigned in April 1877. He had been some time in England and sent a letter of resignation to Grahamstown citizens through Dean Williams as "circumstances beyond my control indefinitely prolong my absence from the Colony".⁷⁶ The circumstances of his departure from the Cape were described as "peculiar" in The Journal report of his death in India in 1881.⁷⁷ These two Grahamstown representatives in parliament were not truly representative of the city's interests.

The pattern changed again after 1876, as the economic position stabilised and commercial prosperity returned in a measure to Grahamstown. Samuel Cron Wright, merchant,⁷⁸ was Member of the Legislative Assembly for Grahamstown from 1877-80, elected with the more famous Richard Southey who served for the years of the frontier war.⁷⁹ Finally two old Grahamstown inhabitants, Jonathan Ayliff, lawyer, and W.G. Atherstone,⁸⁰ the most redoubtable of Grahamstown's medical doctors and a man of science, represented Grahamstown for 1879-85 and 1881-1883. It seems clear that the economic and political nadir of Grahamstown's fortunes was during the early 1870's, when she was represented in the Legislative Assembly by relative strangers to her past and newcomers to her political cause.

The latter years of the 1870's saw an intensification of Grahamstown's interest in larger political issues, for every Easterner in self-defence became a member of the frontier interests, with the African question once more hotly debated and a frontier war an actuality in 1877-78 and again later in Basutoland. Grahamstown's Volunteer Corps took an active part in both conflicts. The First City Volunteer Rifles

⁷⁵ G.T.J. 19-1-1874.

⁷⁶ E.S. 11-5-1877.

⁷⁷ G.T.J. 4-7-1881.

⁷⁸ See Appendix G: Councillors.

⁷⁹ D.S.A.B. Vol. 2, pp. 695-698.

⁸⁰ See Appendix G: Councillors.

lost six men in October 1880, during an attack on Lerothodi's village⁸¹ during the Basuto war. This was not many men as figures go, but the effect of the news of their death in action, on Grahamstown's community, reinforced the frontier attitudes of mind which had been hardening during the late 1870's. Captain David Sampson⁸² of the First City Volunteer Rifles and Captain A.E. Nelson⁸³ of the Volunteer Horse Artillery were prominent Grahamstown citizens. Grahamstown was very proud of its two Volunteer regiments and very much involved with their activities. The First City was established in 1875 and the Horse Artillery in 1876. Though James Butler had some disparaging remarks to make about the lack of disciplined co-ordination in their performances before the local populace, Grahamstown citizens watched them much less critically. They were well aware of their importance as their means of frontier defence, and understandably magnified their image. Whenever either Corps returned to Grahamstown from action, it was welcomed in Church Square by the Mayor and Council, and an engrossed address would be read and presented to it.⁸⁴

Against this background and with the close ties between Grahamstown and the Eastern Frontier farmers, the attitude of Grahamstown's citizens towards politicians like John X. Merriman is easily understandable. Although his father was Bishop of Grahamstown, John X. Merriman was thoroughly Western in political outlook and antagonised those who belonged to the frontier group in and out of parliament. On the eve of the 1877-78 frontier war, the motion proposed by Grahamstown's Member of the Legislative Assembly, H.C. Ross-Johnson, to increase the Frontier Police force, was defeated. John X. Merriman made the unlucky remark that a frontier war once in ten years would not be more expensive to the country than such an increase in the Frontier Police force.⁸⁵ This attitude did not endear him to the Grahamstown populace or the Eastern

⁸¹See Chapter 6: Locations and Eastern Province Year Book and Commercial Directory 1882, pp. 262-263.

⁸²See Appendix G: Councillors.

⁸³See Chapter 2: The Economic Position.

⁸⁴C.M.B. 30-1-1878, 23-2-1881, 5-3-1881, 16-5-1881, 8-7-1881.

⁸⁵G.T.J. 2-1-1877.

Province generally. Merriman's position in the Molteno ministry during the 1877-78 war and the ministry's mismanagement of the war, united the Easterners in opposition and caused a change of ministry. But Merriman's name remained anathema to a certain part of the Grahamstown population and The Eastern Star used John X. Merriman in its attempts to provoke support for Dean Williams against Bishop Merriman. Against the background of the Basuto unrest a crowd of Grahamstown citizens burnt John X. Merriman in effigy.⁸⁶ Yet by 1882, Merriman, in charge of Crown Lands and Public Works in Scanlen's ministry, could visit Grahamstown to confer with the Town Council on their water and financial problems and be accepted by all citizens with equanimity. The political climate had changed and the tension generated by the wars, by then had apparently dissipated.

By 1882 the actual political influence of Grahamstown was limited to two members of House of Assembly and a possible three members of the Legislative Council, whereas the intangible influence of The Journal on the formation and voicing of frontier Eastern Cape opinion was still very real. The Journal assessed the beginnings of party politics in parliament as merely tentative in 1882 and disapproved of the possibility of future development of rigid party divisions:

"We have so many deep and real divisions amongst us in the way of race and territory that we cannot afford to play at political parties."⁸⁷

The danger that The Journal feared from the formation of the Afrikaner Bond was "lest in its exclusiveness a feeling of estrangement should arise between the two nationalities in the Colony".⁸⁸ There was even a meeting of farmers in Albany which was very well attended, in January 1882,⁸⁹ in an attempt to start a branch. This is an indication of the large scale organisation and recruitment of the Bond as early as 1882, even in a predominantly English farming community. In 1886, the Bond made an approach to Arthur Douglass, Chairman of a congress of English-speaking farmers' associations, to arrange a small conference between

⁸⁶ See Chapter 6: Locations.

⁸⁷ G.T.J. 29-12-1882.

⁸⁸ G.T.J. 11-9-1882.

⁸⁹ G.T.J. 21-1-1882.

the two bodies. The Bond were holding their conference in Grahamstown itself, so the smaller conference met there also. Five Bondsmen and three representatives of the farmers' associations met and discussed co-operation but did not, in the future, reach any further stage of amalgamation.⁹⁰ Though the Bond, in the early years of its political development, and the English farmers' associations, were prepared to meet each other in committee, changing political circumstances were to make even this co-operation fade. In the context of 1882, confidence was expressed by The Journal in the moderate leadership of the Hon. Mr Hofmeyr and the Hon. Mr van der Byl, at the Cradock Congress⁹¹ during September, but deep unease was expressed after the Congress, at the Bond's policy with regard to native franchise. The following liberal statement was evoked as a result:

"Much would be gained for the peace and satisfaction of the natives if they were thus able to go to the fountainhead of authority. We do not say that they should necessarily return natives as members, though we must be prepared for that as soon as they can attain a certain standard of fitness, which might be fixed by way of protection; and meanwhile they could elect Europeans to represent them."⁹²

The growing future importance of the role of the African voter in politics was accepted by The Journal as political reality. Several editorials are devoted to emphasizing the need to acknowledge African rights with a view to building up good relations and co-operation. The lines of The Journal's old frontier politics were reshaping in coming to terms with the new political circumstances of responsible government and developing to some extent on liberal lines of expediency.

Against this background of lively, often partial and partisan newspaper political comment, it is not surprising that Grahamstown's citizens remained highly politically conscious. On the occasion of Sprigg's visit to Grahamstown on his return from addressing his East London constituents in 1882, the Albany Hall managed to fit 500 supporters to cheer his frontier-orientated native policy speech.⁹³ Sprigg and his policies naturally were received with enthusiasm by Grahamstown citizens

⁹⁰ T.R.H. Davenport, The Afrikaner Bond, pp. 111-112.

⁹¹ G.T.J. 11-9-1882.

⁹² G.T.J. 21-9-1882.

⁹³ G.T.J. 2-3-1882.

as they could identify fully with his general policies. On the return of Grahamstown's Members of the Legislative Assembly after the 1882 parliamentary session, the Mayor agreed to organise a public dinner for their welcome and thanks for their service. The Journal added the paternal weight of its approval to the public-spirited gesture by the Mayor and urged as many as possible to attend as it would keep alive the public interest in politics.⁹⁴

Grahamstown's two Members of the Legislative Assembly on this occasion were W.G. Atherstone and Jonathan Ayliff. With their experience of local government and, in Ayliff's case, earlier political experience, they had proved to be capable members for Grahamstown, though they were in no position to make a mark on far-reaching policy changes. They ably put forward Grahamstown's case for railway extensions to Fort Beaufort and King William's Town. Dr Atherstone proved more than competent in all matters medical especially in his advice during the 1882 smallpox crisis. Jonathan Ayliff, with his municipal experience to guide him, had informed critical comment to make on the new general Bill, enabling any town to seek municipal incorporation under its terms.⁹⁵ His main criticism was that the independence of each incorporated body would be much more circumscribed, in comparison with those municipalities, such as Grahamstown's, which were already incorporated under individual Acts of Parliament. Ayliff also introduced a Bill for the encouragement and protection of friendly societies during the 1882 session:⁹⁶ an important measure for small towns and founded on his knowledge of the workings and importance of such societies in Grahamstown itself. Serving Grahamstown's interests, both Atherstone and Ayliff were serving colonial interests too, each in his own sphere.

While local politics were naturally more important to the members of Grahamstown's small tightly-knit community, the great cause of Separatism always evoked enthusiastic support in Grahamstown. A logical progression from her support of Separatism was her no less

⁹⁴ G.T.J. 8-8-1882.

⁹⁵ G.P.J. 1-4-1882.

⁹⁶ G.P.J. 8-3-1882.

enthusiastic support for Lord Carnarvon's federation plans of the 1870's. Mr Froude, on his Colonial visits to further the aims of federation, was welcomed with all the flourish Grahamstown and the Council was capable of,⁹⁷ and the Town Council recorded its strict disapproval of the Molteno ministry's hostile position to Carnarvon's despatch on federation.⁹⁸ The resolutions passed at a public meeting of Grahamstown's citizens in favour of federation were duly forwarded to Lord Carnarvon through the official sources of government.⁹⁹ Federation plans seemed to offer the fruits of Separatism in new guise and Grahamstown continued ardent in its support. General Eastern feeling, as well as Grahamstown's particular enthusiasm, was clearly in support of federation. At the London Conference of 1876, which Molteno refused to attend because he had not been authorised by the Cape parliament to do so in his official capacity, Eastern support posed a "really difficult point" for Carnarvon.¹⁰⁰ Two Eastern representatives, John Paterson and Henry Blaine, arrived in England, claimed to represent a number of Eastern towns and requested to attend the Conference.¹⁰¹ Such Eastern presence and active support made Carnarvon fear that Molteno would be antagonised, so he avoided admitting the Eastern representatives until the conference adjourned.¹⁰² But Carnarvon's federation plans were to come to nothing, and Eastern hopes were dashed again.

Grahamstown supported the idea of federation as long as possible. When the crisis of the Transvaal's possible annexation by Shepstone on Great Britain's behalf, hit the headlines, The Journal calmly assessed the need for the annexation of the Transvaal in order to pave the way necessary for federation.¹⁰³ The most effective statement of The Journal's vision of a South Africa as an Imperial power in its own right through

⁹⁷ C.M.B. 11-9-1875.

⁹⁸ C.M.B. 16-6-1875.

⁹⁹ C.M.B. 22-3-1876.

¹⁰⁰ C.F. Goodfellow, Great Britain and South African Confederation 1870-1881, p. 104.

¹⁰¹ Ibid., p. 103.
Resolutions supporting federation had been passed at Fort Beaufort, Port Alfred, Somerset East, Port Elizabeth, Grahamstown and Aliwal North, as well as English speaking farmers' associations.

¹⁰² Ibid., p. 104

¹⁰³ T.T.J. 19-1-1877.

federation, almost casually makes claims which are breathtaking in their jingoistic overtones. Grahamstown remained acutely conscious of Great Britain's imperial potential from her isolated position in the Eastern Province.

"If it be for our advantage to rise from a condition of political divisions and village jealousies, with all the hindrances to progress and prosperity which such miserable distractions imply, into the position of an Imperial Dominion of the first rank, capable of attracting the wealth and immigration of Britain, delivered by its unity from petty wranglings and from native troubles, and exercising a predominant influence over the continent which it is our natural destiny to replenish and subdue, then it is the duty of every thoughtful man to consider fairly and fully, the plans by which that consummation may be reached."¹⁰⁴

¹⁰⁴G.T.J. 17-1-1877.

CHAPTER EIGHT

CONCLUSION:

GRAHAMSTOWN 1862-1882 - AN APPRAISAL

CHAPTER 8.

CONCLUSION: GRAHAMSTOWN 1862-1882 - AN APPRAISAL.

Grahamstown had been founded in 1812 as a frontier town which was primarily to be built around the military headquarters for the Eastern Cape.¹ The temporary removal of the troops to their new headquarters of King William's Town in 1862 was a severe blow to the businessmen of Grahamstown. The reinstatement of Grahamstown as their military headquarters and the return of the troops in 1864, helped to relieve the impact of the depression of the 1860's. But in the final analysis the interest of the British Empire and the Cape Colony as a whole had to take precedence over the ambitions of a small colonial town and the garrison was finally moved in 1870. A further blow to Grahamstown's commercial position in the Eastern Cape was the drain of men and money to the Diamond Fields. The discovery of diamonds was to alter the main lines of economic development at the Cape. Although the identification of the first diamond took place, ironically, in Grahamstown, in 1867, the real rush to the Fields and the development of the diggings occurred later in 1870-71. Thereafter the Diamond industry was to dominate industrial development in the Cape Colony and to shift the axis of commerce through Kimberley. Railway construction aimed at linking Kimberley with the ports of Cape Town and Port Elizabeth. This resulted in Grahamstown's exclusion from the main lines of railway development. Further, Grahamstown's political influence was also curtailed by Responsible Government in 1872 and the Seven Circles Act of 1874.

The period encompassed by this thesis (1862-1882) opened with a great deal of promise for the City of Grahamstown. The City was incorporated as a borough, hence the City Council had wider powers, especially with respect to the raising of money to foster municipal projects. The newly elected Councillors of 1862, with George Wood junior as Mayor,

¹ K.S. Hunt, *The Development of Municipal Government in the Eastern Province of the Cape of Good Hope with special reference to Grahamstown (1827-1862)*. A.Y.B. 1961, p. 148.

faced the future with superb confidence which refused to recognise the disadvantage of their impecunious state, brought on, because they had not been voted a rate by the ratepayers' meeting, prior to incorporation. But in the context of the times their confidence was justified - Grahamstown still claimed to be a major city of the Cape Colony, second only to Cape Town. After 1862, Port Elizabeth increasingly challenged Grahamstown's position and certainly surpassed her in size and commercial development during this period. As the evidence of the Separation League was to show, the other towns of the Eastern Cape were not prepared to accept the claim of Grahamstown to political primacy. Yet the influence of the city in the political life of the colony was considerable. In 1864, the year when Grahamstown was the venue for the Cape parliament, no less than 10 Grahamstown citizens held parliamentary seats.² All in Grahamstown hoped that this would be the dawn of a new era. In one way it was. Governor Wodehouse proclaimed, during this parliamentary session, that Grahamstown would be the centre of the Eastern Districts Court, the new division of the Supreme Court. This was established in 1865. But in other respects the tide had begun to turn against the fortunes of the city.

Grahamstown failed to achieve the dignity of capital of the Eastern districts, to find an economic replacement for the loss of the troops and to match the commercial and civic development of certain of her rivals. Nothing daunted, certain Grahamstown citizens and Councillors still held the opinion that Grahamstown, in 1882, retained the potential to become all things to all men in the Eastern Province. The leading men of Grahamstown had plans for a future that would surpass all past political and economic glories. They still worked towards making Port Alfred a viable commercial harbour for Grahamstown and linked to her by rail.³ They were also very busy in planning additional

²Legislative Council

Hon. S. Cawood, Hon. R. Godlonton, Hon. G. Wood and Hon. C. Pote.
House of Assembly

G.C. Clough and G. Wood jun. (Grahamstown members),
J.E. Wood (Albany), J. Ayliff (Victoria East),
W. Ayliff (Fort Beaufort), J.G. Franklin (Uitenhage).

³G.f.J. 4-5-1882.

rail links with Grahamstown's hinterland. The Transvaal gold fever of the later 1880's and the further shift of the economic axis of southern Africa which followed, were events of the future: Grahamstown citizens dealt with the exigencies of the present.

Yet Grahamstown must not be dismissed as a failure merely because she had been subjected to changing economic and political developments which had truncated her predominant position in the Eastern Province. The leading merchants and politicians never learned to come to terms with their apparent defeat by circumstances beyond their control. This refusal to accept defeat maintained Grahamstown as a thriving market town in 1882. Grahamstown's principal merchant and civic leaders showed great tenacity in the face of adverse circumstances. Indeed they displayed a marked, if not completely justified, self-confidence and spirit of enterprise, which was in some cases, a Settler and a frontier legacy. They were acutely aware of Grahamstown's position on the changing frontiers of the British Empire. The seeds of heady patriotic sentiment and loyalty germinated readily into jingoistic utterances in the newspapers of the 1870's and 1880's. More important, such an interpretation of what the Empire stood for, encouraged grandiose ideas and schemes for business and civic development. Grahamstown's first twenty years of incorporation provided numerous opportunities for unrealistic plans as well as ventures which resulted in both private and public benefit. Such overwhelming confidence in the certainty of Grahamstown's progress, was part of the larger pattern of confidence in the ideals of progress and improvement which were so much a part of the middle years of the nineteenth century in Britain. But although this characteristic attitude of confidence was changing with the changing circumstances of Britain in the later 1870's, it remained constant in Grahamstown in 1882.

The years 1862-82 saw many an exodus from Grahamstown. This movement away from the city continued during the latter part of the nineteenth century and the twentieth century. Old Grahamstown families and many third generation Settler sons moved to Port Elizabeth and Cape Town or the new centres of Kimberley and Johannesburg, all of which offered greater opportunities for personal advancement than Grahamstown. These

included certain former Mayors of Grahamstown, as well as the children of local 'dynasties' such as the Wood family. The exodus of former Town Councillors was generally because of better business opportunities or because of their financial difficulties.⁴ C.H. Caldecott, shopkeeper, (Mayor, March/April 1866 to July 1866, 1867-69) having weathered the depression, moved to Kimberley and was successful in business there until his death in 1879.⁵ George Reynolds (Mayor 1878-82, 1889-91) appears to have moved to Britstown, after a most successful merchant career in Grahamstown.⁶ A.R. Gooch, after his bankruptcy in Grahamstown, did not make good on the Diamond Fields and died a pauper.⁷ He had served briefly on the Town Council in the mid-1860's. A Councillor who gave sterling and lengthy service was B.M. Shepperson, a merchant. He had also been a member of the House of Assembly. He moved from his pecuniary difficulties in Grahamstown to start a new career in Fauresmith until his sudden death in 1872.⁸ James Munroe Gibson moved to the new opportunities in Johannesburg, leaving his wife and family in Grahamstown until he had established himself prosperously.⁹ And former Councillors P.T. Jones and Robert King,¹⁰ left Grahamstown much earlier, to concentrate on business activities in Port Elizabeth. The Journal comment on Jones's departure regretted the necessity, as Grahamstown could "ill-afford to spare a citizen of so much integrity and public spirit".¹¹

Despite this drain of men, individuals of the calibre of John Edwin Wood, Henry Wood and J.S. Willcox, seven times Mayor of Grahamstown after 1885, remained. They possessed ingenuity and the capacity for thinking beyond the limits of Grahamstown's real economic and political position. The triumph of Grahamstown's Great Exhibition of 1898-1899, illustrates this most powerfully. As W.A. Maxwell has shown clearly in her monograph, The Great Exhibition at Grahamstown December 1898 - January 1899,

⁴ See Appendix G: City Councillors.

⁵ G.T.J. 8-9-1879.

⁶ G.T.J. Index 1890. C.L.

⁷ G.T.J. 12-1-1897.

⁸ G.T.J. 11-3-1872 and 25-3-1872.

⁹ G.T.J. 5-11-1889.

¹⁰ G.T.J. 27-12-1880.

¹¹ G.T.J. 15-11-1885.

the concept, planning and achievement of this Exhibition was that of a small circle of business and civic leaders.¹² They conceived the Great Exhibition as a southern Africa venture: there were to be exhibits from all southern African states, including the newly created colony of Rhodesia. Exhibits from Rhodesia included three lion cubs, named respectively Lobengula, Oom Paul and Cecil John Rhodes. This must have provoked humorous comment on these major political characters and their recent conflicts. The theme of the Exhibition was neither parochial nor Imperial, but a sincere attempt at co-operation towards a peaceful unity of states in southern Africa. This first South African Industrial and Arts Exhibition was a resounding success, hailed as the "best ever held in South Africa".¹³

Any study of a period of Grahamstown's history reveals a paradox. On the one hand, conservative, parochial and narrow-minded attitudes shaped by Grahamstown's early frontier history and overlaid by an awareness of her position as part of an Empire, were clearly apparent, especially in the Grahamstown newspaper, The Journal. The views expressed in the local newspapers reflected those of some influential groups of the Grahamstown community. On the other hand, among certain individuals, a saving sense of humour and commonsense, in a broader outlook, challenged the established attitudes and suggested a more balanced perspective than newspaper propaganda suggested. Although by no means unchallenged by other newspapers and views, The Journal had an influence both widespread and insidious. It had remained the one constant newspaper influence during the period 1862-82. The Cape Frontier Times had ended with Franklin's death in 1870.¹⁴ The Great Eastern under R.W. Murray, the Limner of sketches of parliamentary members,¹⁵ had gone insolvent in 1868, during the depression.¹⁶ The

¹² Hon. Alexander Wilmot, M.L.C.
John Edwin Wood M.L.A.
Henry Wood (Mayor 1896-1899).
J.S. Willcox (7 times Mayor)
A. Douglass, M.L.A.

¹³ A.A. Maxwell, 'The Great Exhibition of Grahamstown December 1898 - January 1899', Grahamstown 1979.

¹⁴ G.T.J. 31-10-1870.

¹⁵ Limner, Pen and Ink Sketches in Parliament.

¹⁶ G.T.J. 21-9-1868.

most determined challenge to The Journal during the 1870's came from The Eastern Star which had been The Anglo-African during the 1860's. The Eastern Star had an Anglican bias compared to The Journal's Wesleyan viewpoint. But the reporters of The Eastern Star were at times too concerned with the internal conflict within the Anglican community. A lesser challenge to The Journal during the 1870's was Grocott's Penny Mail, although in time, the latter outstripped The Journal. (The Journal was incorporated in Grocott's in 1920.) But by 1882, The Journal still led the way. It remained the only Grahamstown newspaper to appear daily, and it had a very wide circulation in the Eastern districts. There were 27 selling points for The Journal in the Cape, as well as one in London.¹⁷

During the nineteenth century, the interests of Grahamstown moved with the development of southern Africa: to Kimberley, Johannesburg and the road to the north. Grahamstown individuals contributed to all these major events. The Journal office started The Diamond News, at the diggings, before Kimberley had been established; Godlonton was responsible for the opening of the first book and stationery store at Kimberley.¹⁸ C.R. Gowie, a prominent Grahamstown businessman, established a prosperous Outfitter and Draper's business in Kimberley, which started out in a building with a wooden frame, covered with sail.¹⁹ He finally retired to Grahamstown. His was but one example of a Grahamstown success story at the Diamond Fields, although there were failures as well. The gold fields rush exerted its own pull on Grahamstown citizens and enterprise.²⁰ The Eastern Star moved to Johannesburg in 1887 and became The Star in 1889. Certain Grahamstown citizens followed suit. One of them was former Town Councillor James Munro Gibson, son-in-law of the redoubtable William Webb, who established himself in business in Johannesburg.²¹ But the most surprising and successful venture of all was surely that of Messrs. D. Knight and Co.

¹⁷ W.A. Maxwell, 'Robert Godlonton 1791-1884'.
C.L. unaccessioned, p. 8.

¹⁸ Ibid.

¹⁹ G.T.J. 19-6-1900.

²⁰ R.M. Sellick, M.A. thesis on Grahamstown 1883-1901 in progress of preparation at Rhodes University.

²¹ G.T.J. 5-11-1889.

in establishing a successful branch of their boot and shoe business in Bulawayo. David Knight had arrived in Grahamstown as late as 1876, with one load of goods in a new wagon and had revolutionised the boot and shoe trade of the area. His Grahamstown firm even had a lucrative parcel post trade, an indication of how widespread the firm's reputation was.²² David Knight also served Grahamstown as Mayor.²³

More bold in outlook than the various establishments of business, was the formation of a Grahamstown syndicate of concession hunters which competed with Cecil John Rhodes. Joseph Garbett Wood, William Francis and Edward Chapman formed this syndicate in March 1887. Wood was another son of the Honourable George Wood, and at that time, both Town Councillor for Grahamstown and Member of the Legislative Assembly for Albany. Both Francis and Chapman had experience in the interior. For 15 years Francis had been a partner in the trading firm of Francis and Clarke, which operated between Shoshong, capital of Khama's chiefdom, and Grahamstown. Francis had managed the firm at Shoshong, and Clarke at Grahamstown. Khama expelled the firm in 1887. Chapman had made many trading journeys as far north as Matabeleland, but from 1880 he lived at Grahamstown.²⁴ Wood left a record of the experiences of the syndicate in their journey to the interior to obtain mineral concessions and their dealings with Lobengula and Khama. The syndicate was not successful. Wood placed their failure at Rhodes's door. He concluded his narrative by hoping it would illustrate the treatment that concession hunters received when in contact with "such a very favoured association as that of the British African Chartered Company".²⁵ Paul Maylam, in his essay, The Long Arm of Small-Town Enterprise, has placed the over-zealous and unsuccessful efforts of the syndicate in perspective. The syndicate "fell foul of the Imperial government; it haggled with Rhodes and the promoters of the Chartered Company; and it nearly provoked a war between the Ndebele and

²²The firm of Knight and Co. still remains in Grahamstown.

²³G.T.J. 20-9-1904.

²⁴J.G. Wood, Through Matabeleland: Ten Months in a Wagon. Foreword to Reprint Edition by E.C. Tabler 1974.

²⁵Ibid., p. 172.

the Ngwato".²⁶ His assessment was that the Grahamstown concessionaries were typical of other small-scale speculators at the time, that the British government's reaction to their demands was typically cautious in restraining them, and finally that their failure illustrated the way Rhodes operated to eliminate any opposition.²⁷ The Wood-Francis-Chapman syndicate provided an interesting exercise in Imperial ethics.

During the period covered by this thesis, the most important focus is necessarily on the development and changes within the Grahamstown community itself. Local affairs were of prime importance in the days before the faster communications and transport of the twentieth century. The most noticeable fact about Grahamstown during this period is how hard hit it had been by the loss of the troops. The movement of headquarters from Grahamstown to King William's Town encouraged the development of East London as an important port. Until the removal of the troops, they had brought business and prestige in their wake to Grahamstown. The army contracts certainly helped enrich the Grahamstown merchants. After 1870, with the loss of the troops and the movement of labourers to the Diamond Fields, Grahamstown could not find an equivalent source of income. For a time, the navvies working on the railways brought in extra income for Grahamstown businesses and canteen-keepers during the 1870's.

But the solution was finally to be found in the further extension of Grahamstown's educational establishments. By 1882, Grahamstown's educational institutions were numerous and already had a good reputation. Schools for boys included St Andrew's College, St Aidan's College, the Public School,²⁸ the Cathedral School and St Bartholomew's School, while the Convent School, the Diocesan School for Girls and the Wesleyan High School catered for girls. Numerous other private schools also existed.²⁹ The Wesleyan High School for girls was opened in

²⁶ P. Maylam, 'The Long Arm of Small-Town Enterprise' in Studies in Local History. Essays in Honour of Professor Winifred A. Maxwell, p. 81.

²⁷ ibid., p. 87.

²⁸ The 'Public School' is presumably Graeme College, which was founded in 1873.

²⁹ G.T.J. 18-12-1882.

February 1882. The Woods and Ayliffs, as staunch Wesleyans, played an important part in the opening ceremony.³⁰ In publishing the lists of examination results for the Colony in 1882, The Journal pointed out Grahamstown's parity, if not superiority, with any of the other major schools in both the east and the west.³¹ By the turn of the century Kingswood College, Victoria Girls' High School and the Teachers' Training College had also been founded.³² Grahamstown became the logical centre for a University. It was with the establishment of Rhodes University in 1904 that Grahamstown's population was augmented by students who, in the twentieth century, finally took the place of the soldiers, in boosting Grahamstown businesses. The soldier, the navy and the student each in turn has influenced Grahamstown's development to a greater or lesser extent.

Apart from external influences, Grahamstown's community remained fairly closely knit. Certainly there were social class divisions, but these do not seem to have mattered to the extent they did in Britain's larger cities. Grahamstown's smaller community was interdependent and the cohesion between the stable groups of inhabitants was strong. After the upheaval caused by the depression and the incredible movement to the Diamond Fields, the class groups stabilised in a familiar pattern. The wealthy merchant families were the most influential in the community, followed by the professional men and smaller businessmen and shopkeepers. The largest group comprised the "working class men": skilled artisans and mechanics of modest yet fairly secure income. In addition there were groups of casual labourers and itinerant white immigrants, who were generally a shifting group. The inhabitants of the Fingo, Mottentot and other locations belonged mainly to the latter two categories. Lack of industrialisation and slow economic growth mitigated against any simplistic pattern of

³⁰ G.T.J. 3-2-1882.

³¹ G.T.J. 20-7-1882.

³² Dates of establishment of major Grahamstown schools.

Assumption Convent	1850
St Andrew's College	1855
Graeme College	1873
Diocesan School for Girls	1874
St Aidan's College	1876
Wesleyan High School for Girls	1881-82
Kingswood College	1894
Teachers' Training College	1894
Victoria Girls' High School	1897

class antagonism, even along racial lines. The mutual respect and co-operation between the first three groups was partly maintained because of the almost universally accepted Christian work ethic.

The stability of the large artisan section of the community was reinforced by the many well established self-help friendly societies in Grahamstown. In his essay, The United Albany Brethren Benefit Society, J.M. Berning has given interesting insights into the friendly society movement in Grahamstown.³³ The friendly society movement in Grahamstown was part of the much larger British movement of 'self-help' societies. The general aims of such societies were to provide insurance benefits for the working class man against sickness, old age and burial expenses, as well as to provide him with evenings of good fellowship. In Grahamstown there were both local foundations of friendly societies as well as establishments of nation-wide orders. Certain benefit societies were temperance societies as well, and these frowned on the evenings of additional conviviality enjoyed by those benefit societies less strict. The most important locally established friendly society was 'The Albany Brethren Benefit Society'. Established in 1828 in Grahamstown, it was only dissolved in about 1906-07. Well supported branches of nation-wide orders were various lodges of the 'Independent Order of Oddfellows (Manchester Unity)', the 'Ancient Order of Foresters' and 'The Orangemen Lodge'. The various lodges of 'The Independent Order of Good Templars' were temperance lodges and attracted the Quaker, James Butler, to their membership on his visit to Grahamstown. Several additional lodges of these various orders, as well as a new nation-wide order and a new local benefit society, were

³³ J.M. Berning, 'The United Albany Brethren Benefit Society'.
C.L. unaccessioned.

The pages of this article are not numbered, but much of the following information on benefit societies, has been gleaned from it.

established during 1862-82.³⁴ An apparent attempt was also made, during the 1870's, to establish a 'Native Benefit Society', but the details of its membership, who was responsible for starting it, and how long it existed, have not yet come to light. This attempt was significant as an attempt to bring the 'working men' of the locations within the framework of the Christian work ethic and the society's insurance benefits.

The 'Albany Brethren Benefit Society' had a membership of almost 200 in 1860, although this figure had dropped to 105 by 1866 during the depression. Numbers increased again in the 1870's, in spite of the recent establishment of other rival benefit societies. The Society's main sources of income were from members' subscription fees and money from honorary members. An interesting practice of the Albany Brethren was to have honorary members. These included leading Grahamstown personalities such as the Honourable Samuel Cawood, J.E. Wood, Dr Atherstone and ministers such as Dean Williams and Archdeacon Merriman, bishop after 1871. These honorary members supported the Society, contributed to its funds and attended its major functions such as the annual meeting celebrations. This further illustrates the bonds between the wealthy class of merchants and professional men and the 'working men' of the city. The Albany Brethren and the other benefit societies had important social standing. A particular feature of every grand civic function, such as a procession to welcome a visit from the Governor, was the part played by the benefit societies. In their various regalia and carrying their different insignia and banners, the friendly societies of Grahamstown were the most colourful part of

³⁴Orders nation-wide

Sons of England Benefit Society

Lodge 'St Albans' No. 71, established 1881.

Independent Order of Oddfellows (Manchester Unity)

Loyal E.P. Lodge No. 5 039 M.U., established 1861.

Ancient Order of Foresters (S.U.)

Court 'Queen Victoria' No. 5 760, established 1872.

Temperance

Independent Order of (Good) Templars

Good Samaritan Lodge, established 1873.

Local

Catholic Guild of St George, established 6 July 1868.

J.W. Berning, 'The United Albany Brethren Society', Appendix.

any civic procession. The harmony of such occasions was sometimes marred by the claims of different societies for precedence in the procession.

The importance of Christian beliefs is vital to an understanding of the Grahamstown community during this period. The Victorian virtues of Christian observance, sobriety, self-discipline, duty and charity were not only preached, but practised by most of Grahamstown's citizens. The group identity of the Wesleyan community in this regard was most marked. But the united Wesleyan front has tended to overshadow the efforts of the Anglican church in missionary work and charitable ventures. The evidence in this thesis suggests that the Anglican efforts in charitable works, notably the distress relief organisations during the 1860's depression, were considerable. Dean Williams and Archdeacon Merriman, later bishop, each in their own spheres, ably promoted such ventures, as well as leading Anglicans, such as R.W. Nelson and James Wood. Mrs Merriman was one of the main organisers of 'The Ladies' Benevolent Society', which played an active role in charitable relief. It is interesting to note that the white census figures of 1875 listed 1 663 Episcopalians in Grahamstown, as opposed to 1 109 Wesleyans. On the other hand, the non-white census figures show rather more Wesleyans than Anglicans, possibly a comment on the missionary appeal of the Wesleyan church.³⁵ Statistically then in 1875, the two religious communities were on a par, subject to the accuracy of the census figures. But while the Wesleyan community remained unified during the 1870's, the ecclesiastical crisis of the Anglican church in the nineteenth century was reflected in Grahamstown in the tragic personal conflict between Dean Williams and Bishop Merriman.³⁶ This divided the Anglican community on matters of dogma and personality. There is no doubt that this conflict deeply affected the Anglican community: no committed Anglican could avoid the choice between the Dean or the Bishop, between worshipping at the Cathedral or Pro-Cathedral. The Journal, as a Wesleyan paper, adopted a lofty tone on the subject of this conflict and considered that it did not affect the ordinary citizen in the slightest. It criticised The Eastern Star, which

³⁵ See Appendix C: Census Figures.

³⁶ M.M. Goedhals, Ph.D. thesis on Bishop Merriman in process of preparation at Rhodes University.

championed the Dean, for entering the conflict, and for giving the mistaken impression that Grahamstown's "civic harmony" had been shattered.³⁷ But in August 1882, when Bishop Merriman died, he was accorded deep tribute from the Grahamstown community for his 34 year service "for the advancement of the Episcopal Church in the Colony".³⁸ The Journal accorded him deep mourning borders throughout the entire issue in which his death was reported. Cant and hypocrisy in religious matters had existed in abundance during this conflict, and were also on occasion found within the other churches of Grahamstown. Nevertheless, a common belief and religious observance remained the strongest bond to unite the Grahamstown community. During the difficult period 1862-1882, this unity held the Grahamstown community's 'cake of custom' together more than any other factor.

Factors of social status, wealth, class and religion played a part in creating different groups within the Town Council. These were the underlying factors in many conflicts between Councillors. During the first years after incorporation, the divisive factor most often mentioned in the Council was that of social status, between the West Hill and the Market Square Councillors. This distinction divided Councillors into those merchants and their friends who lived in the prestigious area of town, West Hill, and those who lived in the older Settler areas of town and classed themselves as "working men" or the "working men's champions". This distinction between merchant and working man was to some extent, superficial, as the careers of certain Councillors showed. In the context of 1862, the contrast between West Hill and Market Square was emphasized by a personality conflict between John Edwin Wood and William Webb.

Wood had the drive and determination of his most redoubtable father, the habit of command and an impetuosity which Webb also shared. He was already, in 1862, a fully fledged merchant of the firm Wood Bros., possibly the biggest merchant business in town, built up through his father's business acumen. He was on his way to becoming a lunded

³⁷ G.F.J. 6-4-1882.

³⁸ G.F.J. 17-8-1882.

proprietor in his own right, and his home on West Hill, designed by himself, later became a town showpiece. Webb, on the other hand, from a background less wealthy, had as set an ambition of becoming a public figure. A second generation settler, like Wood, he lived near Market Square and made the occupation of butcher a very profitable one. From his own humble financial background, he founded a family butchery which started a branch in Port Elizabeth before his retirement. In 1862 both Wood and Webb were only at the beginning of their vigorous public-spirited careers. Webb remained Town Councillor for the first 21 years of incorporation, while Wood's field of activities extended to a variety of public services, including membership of the House of Assembly. Webb's ambitions in both business and public life, were very similar to Wood's, though the latter was in 1862 so much further up the ladder of material success. Webb used a different platform to attain his ends. He stood as the "working man's champion" for Ward No. 8, the area south of Market Square, which included part of the location. He proudly maintained his slogan during his career as Councillor, while rapidly changing his own status to wealthy man and landed proprietor. This stand was overshadowed by other considerations, as happened when he advocated a very high property qualification for Town Councillors in 1867 and 1868. But his leadership qualities were considerable, as shown in his election to the diggers' committee while at the Diamond Fields. In principles and practice he was in some ways very like Wood: both were staunch Wesleyans and were Separatists in their political beliefs.

They each had groups of Councillors who supported them; mostly Wesleyans and thorough Easterners in politics. Webb was supported by his brother John Webb, Charles Watson, Charles Rhodes, John Roberts, Henry Roberts, Thomas Francis King and F.E. Frynn. J.E. Wood was supported by Jonathan Ayliff, James Cotterill Hoole, Nathan Birkenruth,

Benjamin Mathew Shepperson and C.H. Caldecott.³⁹ The Mayor, George Samuel Wood, tried in vain to keep the peace and order in the Council. Wood's group were bound by family ties as well as those of business and friendship. Webb's supporters, except for Councillor King, who described himself as a "gentleman", came from smaller income groups. The Council conflicts between Webb and Wood occasioned rowdy meetings. During one memorable sitting, the insult of "blackguard" was thrown at Webb, who responded by a threat to horsewhip Councillor Birkenruth, who was responsible. The incident was luckily defused by the Mayor's quick action and Council order restored. When J.E. Wood resigned in 1866, this particular series of conflicts ceased, and the line up of Councillors along class lines, became more indistinct. Personal antagonism had been the original cause of the Webb-Wood conflict and their rival groups of Councillors.

Council conflicts during the later 1860's and early 1870's were based on personal and religious grounds, rather than social class factors. Once again, William Webb and his brother John Webb were involved. They represented the Wesleyan influence in the Council. Councillors R.W. Nelson and James Wood, Irish by birth and Anglican supporters of Dean Williams in religion, represented the opposition. These four men were some of the most articulate debaters during their period of office, and often found themselves on opposing sides of debate. William Webb was not an admirer of Dean Williams and this caused trouble, particularly when the Council was required to co-operate with the Cathedral authorities during the building of the Cathedral Tower and

39. William Webb	Butcher	Queen Street)
John Webb	Carrier	Market Square)
Charles Watson	Gardener	Hill Street	)Market
Charles Rhodes	Watchmaker	Hill Street	)Square
John Roberts	Builder	Oak Terrace	)group
Henry Roberts	Mason	African Street)
Thomas Francis King	Gentleman	Bathurst Street)
W.E. Pryn		Market Square)
John Edwin Wood	Merchant	Worcester Street)
Jonathan Ayliff	Attorney-at-law	Worcester Street	)West
James Cotterill Hoole	Merchant	Church Square	)Hill
Nathan Birkenruth	Merchant	Hill Street	)group
Benjamin Mathew Shepperson	Clothier	High Street)
C.H. Caldecott	Shop-keeper	Worcester Street)

the installation of the City clock. But differences in debate and opinion between the Webbs and 'Tom Noddy' and the 'Fenian', as R.W. Nelson and James Wood were popularly named, were not serious enough to prevent friendship between John Webb and R.W. Nelson. Religious matters were highly sensitive both in Council and city during the 1870's, because of the conflict between Dean Williams and Bishop Merriman. William Webb was the Council's stormy petrel and his presence enlivened Council meetings until his initial retirement in 1883, after 21 years' continuous service. Highly conscious of the civic honour and responsibility of being a Councillor he presented the Council with a portrait of himself, on his resignation.⁴⁰ His retirement marked the end of a small era in Council politics.

By 1882 the Grahamstown community had regained equilibrium after the depression of the 1860's and the changes brought about by the discovery of diamonds. Grahamstown was prosperous enough by the index of the building trade - C.H. Huntley, at the official opening of the Town Hall, declared that the 100 new houses built in the preceding two years were all occupied and more were demanded.⁴¹ The Town Council had likewise reached a stage of equilibrium by 1882. The first twenty years of incorporation had seen inefficiency and achievement in equal measure. In spite of the persistent and crippling financial burdens of the Council, public and private resources had been juggled in order to achieve a good record of public works. Grahamstown by 1882, had an adequate water supply for the immediate present and its roads and trees gave it pleasant appearance. Its civic glory was the new Town Hall.

The Town Council's best record during this period, was for public health, which was maintained at a high level by the services of the city doctors and district surgeons as well as by that ubiquitous municipal servant, the Streetkeeper. In spite of a good record, Grahamstown's public health arrangements certainly received their fair share of contemporary criticism. 'Quiz', writing a column in The Journal in 1876, declared that to many Grahamstown citizens, the Streetkeeper was only a myth as he was

⁴⁰ G.T.J. 8-2-1883.

He served as Town Councillor for four more years, as an old man, 1890-94.

⁴¹ G.F.J. 4-5-1882.

so seldom seen on his daily round of duties.⁴² And certain Cape Town Councillors in 1877 discussed the lack of proper drainage in Port Elizabeth and Grahamstown in derogatory terms and termed Grahamstown "The City of Cesspools".⁴³ Admittedly Grahamstown had urgent public health problems, but had managed to cope with various crises and had developed a comprehensive set of municipal regulations on public health. These sanitary regulations of 1873 were drawn up long before any general legislation for the public health of the Colony was passed. They had been worked out by Councillors who remembered the smallpox epidemic of 1859⁴⁴ and had experienced a subsequent epidemic scare in 1867. It is interesting to note that a general Public Health Bill was introduced into parliament in 1878, debated, even reported upon by a Select Committee, but withdrawn at the end of the following parliamentary session.⁴⁵ The provisions of this Bill were for local government bodies, such as Municipalities and Divisional Councils, to have increased powers for sanitary improvement, and to enable them to appoint Sanitary Inspectors with powers of search, to eradicate all public health "nuisances".⁴⁶ These provisions are very similar to Grahamstown Town Council's existing powers under the 1873 Municipal Regulations. These provisions also bear comparison to the Public Health Act of 1872 in Britain, which granted extended sanitary powers to existing local government bodies and enabled Medical Officers of Health and Inspectors of Nuisances to be appointed to such bodies. The hazards of public health nuisances in Britain's industrial cities were far greater than in the towns of the Cape Colony. So the withdrawal of the Public Health Bill, probably because of lack of time at the end of its second session, provoked no outcry against parliament's inefficiency. Grahamstown's Municipal Regulations illustrate how the lead in public health matters was being taken by efficient local government bodies. The first general Public Health Act of the Cape Colony was Act No. 4 of 1883.

⁴² G.T.J. 2-6-1876.

⁴³ G.P.M. 28-8-1877.

⁴⁴ Hunt, Municipal Government, pp. 202-203.

⁴⁵ Votes and Proceedings of the House of Assembly
Wednesday 3rd September 1879.

⁴⁶ G.P.A. 7-6-1878.

The Grahamstown Town Council's dealings with the locations during this period 1862-82 were hampered by a confusion of authorities with the Resident Magistrate. The matter of the proper control of the locations was shared between the Town Council and this government official. Inefficiency was a natural consequence of lack of clear-cut government policy. Councillors' attitudes towards the locations and their inhabitants were paternalistic. Attempts were made to bring location ratepayers within the framework of good municipal government, but the Council record with regard to the provision of municipal facilities for the locations also shows lack of efficient effort and leadership. Yet it must nevertheless be said that paternalism in the Victorian context was neither negative nor neutral, but instead a positive attempt to solve problems in an unprejudiced way. Many Councillors and leading Grahamstown citizens sincerely supported their churches' missionary efforts in the hope that therein lay the answer. The 'Native Benefit Society' was a further illustration of such paternalistic attitudes. The episode of the 'Kafir beer drinking' court case in Grahamstown in 1882, and Resident Magistrate C.H. Huntley's lecture on good behaviour to the location inhabitants present, aptly revealed the attitudes of the period.⁴⁷ Community relations continued to remain a tangled web in the later nineteenth century.

The architectural achievements of the Town Hall and the Jubilee Tower in 1882 were the culmination of many years' effort. The Town Hall made tangible the civic pride of twenty years of incorporation. Grahamstown was very much a Victorian city in the importance her citizens, especially her Councillors, placed on the building of a suitably magnificent Town Hall. A comparison with the building of Leeds Town Hall, earlier in the century, emphasized how similar certain attitudes of these two civic communities appeared. Asa Briggs considered that the building of Leeds Town Hall provided "a magnificent case-study of Victorian civic pride and its place in the life of provincial communities".⁴⁸ The conflict between the Leeds Councillors who favoured economy and those who advocated a grand design for the Town Hall, to which a Tower could later be added, was won by the latter group. The foundation stone of Leeds Town Hall was laid in August 1853. The ceremony was celebrated with due

⁴⁷G.T.J. 17-3-1882 and 24-3-1882.

⁴⁸A. Briggs, Victorian Cities, p. 159.

pomp: the procession included bands, friendly societies, mechanics' institutes, military officers, business and civic dignitaries.⁴⁹ This pattern of celebration was the same in Grahamstown, although on a smaller scale. The presence of the popular Governor, Sir Bartle Frere, to lay the foundation stone of Grahamstown's Town Hall, added to the intense excitement of the occasion. Grahamstown's procession included the Governor's escort of mounted cavalry and about 700 members of the various friendly societies of Grahamstown in their colourful regalia with their mystic signs and banners.⁵⁰ James Butler recorded that he had never seen Grahamstown in such excitement before. As a Quaker, he disapproved of what he considered the excessiveness of the Church Square decorations⁵¹ and the "extravagant" regalia of the friendly societies, even those of 'The Good Templars'.⁵² Both Leeds Town Hall⁵³ and Grahamstown Town Hall, though fitting monuments to civic pride, cost far more than was originally planned.

The formal opening of the Town Hall in April 1882, was not on the scale of the opening of the Jubilee Tower later that month. The Town Hall opening was intended as a preface to the opening of the Jubilee Tower, so the Town Hall could be fully utilised on that occasion. The foundation stone of the Jubilee Tower had been laid on 23 May 1870 by Robert Godlonton, as Chairman of the Jubilee Committee for the 1870 celebrations.⁵⁴ The fund raising was only launched after the foundation stone had been laid, a measure of the confidence in Grahamstown's future prosperity.⁵⁵ The official opening of the Jubilee Memorial Tower was on 24 May 1882. This occasion illustrated that Grahamstown was very definitely still a focus of Settler loyalties. Shortly afterwards, the editor of The Eastern Star, Thomas Sheffield, found public demand for his souvenir pamphlet to commemorate the

⁴⁹ Ibid., p. 166.

⁵⁰ K.S. Hunt, 'The Grahamstown City Hall - the Tale of Two Foundation Stones', in Contree July 1981, p. 29.

⁵¹ James Butler, Jim's Journal 27-8-1877.
C.L. PR 3482.

⁵² Jim's Journal 28-8-1877.

⁵³ Driggs, Victorian Cities, p. 182-183.

⁵⁴ Hunt, 'The Grahamstown City Hall', Contree, p. 30.

⁵⁵ Ibid.

opening of the Tower so great, that he published it as The Story of the Settlement. This aptly revealed the "superb pride" felt by Grahamstown's citizens and many other Easterners alike, in Grahamstown's history and the contribution this had made to the general pattern of the development of the Cape Colony.

"From the day of its establishment to the present time, it has occupied a most prominent position in every movement which had for its object the political, commercial, religious, or social advancement of the Cape Colony."⁵⁶

Certain groups of Grahamstown citizens were self-consciously, almost aggressively aware of the Settler heritage they fostered.

The tone of the newspaper reports of the opening ceremonies of the Jubilee Tower, reflected pride in the past, celebration of the present and confidence in the future development of Grahamstown. It was another day of pomp and circumstance at which Grahamstown excelled, organised by Samuel Cawood, a surviving Settler. He had headed the Executive Committee of the 1820 Memorial Tower which had been responsible since 1870 for the erection of the Tower. This Committee included some of the most prominent parliamentarians, Town Councillors and businessmen in Grahamstown.⁵⁷ The procession on 24 May 1882, down High Street, was so lengthy and elaborate that the head of the procession had reached Church Square while the end was still issuing from the Drostdy Arch. The honour of leading the Council's procession fell to William Webb as acting Mayor. He claimed to be the oldest inhabitant of Grahamstown, as he had been born there in 1821. Two most honoured guests were Robert Godlonton and George Wood, who had each played such a leading role in the shaping of Grahamstown's political attitudes and economic prosperity. Both very old men, they shook hands when they met but

⁵⁶ T. Sheffield, The Story of the Settlement, p. 1.

⁵⁷ G.T.J. 25-5-1882.

Executive Committee of the 1820 Memorial Tower

S. Cawood J.P. Treasurer

Geo. Wood M.L.C.

R. Godlonton M.L.C.

Wm. Ayliff M.L.A.

Wm. Webb J.P.

John Webb J.P.

C.R. Gowie

John Roberts

John Edkins

Geo. Wood jun. J.P.

Durban Godlonton

John Walker J.P.

Jas. Roberts

Wm. Gicks

H.A. Nelson J.P.

(Secretary)

could not speak for emotion. To Godlonton fell the honour of inaugurating the Tower, as the oldest surviving Settler. His speech was read for him by C.H. Huntley, the Civil Commissioner and Resident Magistrate. The emphasis in all the speeches was on the progression through past struggles to present achievements.⁵⁸

This celebration was not ostensibly intended to flaunt the pride and panoply of Grahamstown localism. Grahamstown attracted many visitors on this occasion, some from as far afield as Natal. Their speeches and the correspondence that later appeared in The Journal illustrated the very real hold of loyalty that Grahamstown exercised over those with Settler connections.⁵⁹ A Settler visitor from Natal, Mr Hancock, declared:

"To his mind Grahamstown was certainly the most beautiful place in the Cape or Natal colonies and in proportion to the number of inhabitants, would compare favourably with the most beautifully situated towns in the north of England and Scotland."⁶⁰

At the opening ceremony George King from Bedford said that all that was lacking was a bust of Robert Godlonton and that he felt no stranger in Grahamstown.⁶¹ In fairness it must be stated that support for the Jubilee Tower had not been unanimous. The canvass for subscriptions to the Tower revealed a variety of reactions. K.S. Hunt, in his article on the Grahamstown City Hall, stated that W.A. Maxwell has evidence that Queenstown felt the money should be spent on a university college, to be built at Queenstown, while James Collett, an old friend of Godlonton's from the Cradock district, thought he was subscribing towards an agricultural hall.⁶² Clearly there was some confusion as to the aims and objects of the Jubilee Committee. And yet it nevertheless seems fair comment that although Grahamstown was largely bypassed by the new developments in transport and the commercial patterns of the 1880's, it remained for many a cultural centre for the Eastern Cape.

⁵⁸ G.T.J. 25-5-1882.

⁵⁹ G.T.J. 26-5-1882.

⁶⁰ G.T.J. 26-5-1882.

⁶¹ G.T.J. 26-5-1882.

⁶² Hunt, 'The Grahamstown City Hall', Contree, p. 31.

The opening celebrations of the Jubilee Tower also revealed Grahamstown's close loyalties to Britain. The 24 May had been decided upon for the opening because it was Queen Victoria's birthday. This was an appropriate choice from one of the most loyal colonial towns. Earlier that year, Grahamstown was shocked by the news of an assassination attempt on the Queen's life. Galvanised into immediate activity and without the prior consent of the Council, the Mayor, George Reynolds, sent a submarine telegram of congratulations on the Queen's lucky escape, to the Lord Chamberlain.⁶³ The Council heartily ratified the Mayor's action as a matter of course. Grahamstown's telegram was probably first to arrive from the Cape, as Cape Town's Mayor waited in order to send the traditional and more dignified engrossed address to express the relief of the Cape Town citizens. The Cape Argus doubted whether it was permissible to approach the Queen in so brash a manner as Grahamstown had. The Journal's reply was unanswerable: Grahamstown had received an expression of gratitude most promptly, by telegram.

A final comment needs to be made on the Grahamstown community's Victorian propensity to enjoy entertainment on many different levels. A jaundiced statement by Quaker James Butler, illustrated this factor to the point of exaggeration.

"The Grahamstown people are a queer set in religious as in some other matters. They gave up celebrating Christs (sic) resurrection for the sake of celebrating the landing of those Settlers in 1820 and they gave up even that celebration to hear a travelling lecturer."⁶⁴

This comment was made in April 1879 and referred to the custom of having Settler celebrations at a time of year when they could coincide with Easter. The lecturer in question had been giving a series of most popular lectures on literary figures such as Dickens and Thackeray. Butler's comment highlighted three aspects of Grahamstown society at the time: religion, awareness of their 1820 Settler heritage sometimes to the exclusion of almost everything else, and their love of intellectual entertainment. As regards entertainment, 1882 was a most important year, with balls, concerts and musical evenings following the opening of the Town Hall and Jubilee Tower in April. Grahamstown was

⁶³ R.P.J. 1-3-1882.

⁶⁴ Jim's Journal 13-1-1879.

also host to the 'Celebrated Victoria Loftus Troupe of Operatic, Vaudeville and Dramatic Artists'. This somewhat grandiose group claimed rather doubtfully, to have performed as far afield as China and America. They played to packed houses in Grahamstown, giving the first performances of Gilbert and Sullivan's H.M.S. Pinafore and The Pirates of Penzance, to much acclaim.⁶⁵ And in December 1882, Grahamstown was the venue for the first Press Conference in the Cape. Editors and reporters of major Western and Eastern newspapers gathered at Grahamstown. It was an unqualified success. Several newspapermen could find nothing good to say about Grahamstown or its community, but others were impressed with the city. The Cape Argus, predictably, found Grahamstown a dull place except for local feuds, its architecture was squat, it had no merchants and its talk was flat except for local scandal.⁶⁶ But the very fact that the Conference was held there and was so well attended, is an indication of the reputation Grahamstown still enjoyed.

In this study of various aspects of Grahamstown's development, the factor that emerges most strongly is the importance of the individual in meeting and matching the challenges of Grahamstown's changing position during 1862-82. This was particularly marked in the commercial life of the city and in both local government politics and Cape colonial politics. And in one very real sense the end of this period marked the end of a political era for Grahamstown. The 'triumvirate' of Cawood, Wood and Godlonton were no longer the arbiters of Grahamstown's political life after 1878. These three "leery old birds", as Bishop Merriman once described them in a letter to his son,⁶⁷ had been Grahamstown's political constants since the grant of Representative Government. They had fought consistently for Grahamstown's separatist aims, but had been defeated by Responsible Government and the Seven Circles Act. On the eve of Responsible Government in 1871, Godlonton, as Chairman of the commission on federal devolution, had secured a recommendation that the Colony be divided into three provinces with local legislatures subordinate to the Cape parliament.⁶⁸ But the

⁶⁵ G.T.J. 28-2-1882.

⁶⁶ G.T.J. 11-12-1882.

⁶⁷ S.A.L. Merriman Papers No. 8, 1875.

Bishop Merriman to John A. Merriman. 2 March 1875.

I am indebted to Mr. Goedhals for this reference.

⁶⁸ D.S.A.B. Vol. 2. Robert Godlonton, p. 296.

grant of Responsible Government in 1872 destroyed this concession. It is perhaps ironic that Cawood,⁶⁹ Wood and Godlonton all retired from political life in 1878, the first year that elections for the Legislative Council were held under the regulations of the Seven Circles Act, which effectually cut Grahamstown's political influence in the Eastern districts. Godlonton and Wood both died during 1884,⁷⁰ followed by Samuel Cawood in 1887.⁷¹ First generation 1820 Settlers, staunch Wesleyans and Separatists to the core, they had presented a formidable front in the Legislative Council. They had represented Grahamstown's prejudices as well as her pride in their political careers.

To conclude this survey of Grahamstown 1862-1882, it seems fitting to quote from The Cape Times on the publication of Sheffield's The Story of the Settlement, in 1882. The Cape Times was heavily ironic at the expense of Sheffield's patriotic and prejudiced account of the Settlement, which was couched in terms of Victorian extravagance. Nevertheless, this Western paper appears to offer considerable, if reluctant tribute to the men of Grahamstown. It is certainly hyperbole, but it does suggest the inimitable position of Grahamstown and its inhabitants:

"The local devotion of Grahamstown men is at once unique and admirable. No other city, town or village in the Colony is so deeply rooted in the affections of its inhabitants, or stirs in them so superb a pride. It is not only the social intellectual, ecclesiastical and judicial centre of the Eastern districts of the Colony, in the opinion of its children, but, to all South Africa, the source of political, commercial, agricultural and educational energy and the rallying point of true patriotism." ⁷²

⁶⁹Cawood made a brief return to politics in 1883, as Member of the Legislative Council.

⁷⁰G.T.J. 1-11-1884.

⁷¹G.T.J. 16-6-1887.

⁷²G.T.J. 9-6-1882.

APPENDICES

APPENDIX A

MUNICIPAL LEGISLATION.

ACT NO. 29 OF 1861.

FOR ESTABLISHING A MUNICIPALITY for the CITY OF GRAHAM'S TOWN.

Preamble.

Whereas it is expedient to repeal so much of the Ordinance No. 9 of 1836, entitled, "An Ordinance for the erection of Municipal Boards in the Towns and Villages of this Colony," and of the Ordinance No. 2 of 1844, entitled "Ordinance for amending the Ordinance No. 9 of 1836." of the Ordinance No. 8 of 1848, entitled "An Ordinance for enlarging in certain respects the powers of Municipal Commissioners in regard to the common Pastures of Land." and of the Ordinance No. 5 of 1852, entitled "An Ordinance to enable the Municipal Commissioners to purchase or hire Immovable Property for Municipal purposes." in so far as such Ordinances severally and respectively apply to the municipality of Graham's Town, and also to annul the local regulations in operation in the said municipality and to make other provisions in lieu thereof: Be it therefore enacted by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council and House of Assembly thereof, as follows:

Existing laws to stand until first election of councillors under this Act.

1. The said Ordinances No. 9 of 1836, No. 2 of 1844, No. 8 of 1848, and No. 5 of 1852, in so far as the same are applicable to the municipality of Graham's Town, as also all the local regulations of the said municipality, heretofore proclaimed and published from time to time in the Government Gazette of this colony under and by virtue of the provisions of the said ordinances, shall continue to be of legal force and operative as heretofore until after the first election of councillors as provided in and by this Act; and immediately upon and after the declaration of the names of the said councillors shall have been published as hereinafter provided, the said ordinances in so far as the same apply as aforesaid and the municipal regulations aforesaid shall be and the same are hereby repealed.

Extent of municipality of Graham's Town. Boundaries.

2. The municipality of Graham's Town shall comprehend the town and township of Graham's Town, including all common lands and property within the area formed by the boundaries hereinafter more particularly mentioned and described: to wit, on the south by the northern boundaries of Featherstone's and Amos' farms, to the south-western beacon of Mr Fuller's farm; thence to the north-west corner of Mr Fuller's farm to the south-west corner of Hart's farm (now Carlisle's); thence in a northerly direction along the western boundaries of Hart's and Fynn's farms (now Carlisle's), to the northern boundaries of Fynn's and junction of Burnet's farm (also now Carlisle's); thence in a northerly direction

along the north-west and north boundaries of Burnet's farm (now Carlisle's) to a junction with Carlisle's farm Belmont; thence along the south-western boundary to the north-east corner beacon of Belmont; and thence along the north-east boundary of the said estate to a junction of Grobbelaar's Kloof; thence along the north-west and north-eastern boundaries of Grobbelaar's Kloof and R.H. Rubidge's farm to a junction beacon of W. Clark's and A.B. Diet's farms (now Carlisle's); thence along the south-western boundaries of Diet's (now Carlisle's) farm and Campbell's farm (now Cawood's) to the southern boundaries of Saxfold and Burntkraal, to the north-east corner of Zypherfontein; thence in a southerly direction along the eastern boundaries of the said farm to the north junction beacon of Goodwin's Kloof; thence north-east along the east and southern boundaries of the said farm to the north-east beacon of Howison's Poort; thence along the south-east boundary of said last-mentioned farm to the south-western and north-western boundaries of Featherstone's farm (now Wood's).

Creation and style of corporation.

3. There shall be in the said municipality a body corporate which shall take and bear the name of "the mayor, councillors, and citizens of Graham's Town," and by that name shall have perpetual succession, and shall have a common seal, and shall by the council thereof do all acts and have and enjoy all the rights and privileges which bodies corporate as such may do and have.

Mayor and councillors.

4. The council of the said municipality shall consist of twenty-four councillors, one of whom shall be the mayor.

Wards.

5. The said municipality shall be divided into eight wards, - to wit:

- Ward No. I. Bounded south by Prince Alfred-street; east by Somerset-street; north by town boundary; west by town boundary.
- Ward No. II. Bounded south by New-street; east by Hill-street; north by town boundary; west by Somerset-street.
- Ward No. III. Bounded south by town boundary; east by Hill-street; north by New-street; west by Sir George Grey-street.
- Ward No. IV. Bounded south by High-street; east by town boundary; north by Sir Walter Currie's land and town boundary; west by Hill-street.
- Ward No. V. Bounded south by town boundary; east by Bathurst-street; north by High-street; west by Hill-street.
- Ward No. VI. Bounded south by Beaufort-street; east by town boundary; west by Bathurst-street; north by High-street.
- Ward No. VII. Bounded south by town boundary; east by York-street; north by Beaufort-street; west by Bathurst-street.
- Ward No. VIII. Bounded south by town boundary; east by town boundary; north by Beaufort-street; west by York-street.

Council may alter boundaries.

6. The said council after the first election thereof shall from time to time, if they shall think fit, alter the boundaries of the said wards.

Three councillors to each ward.

7. Three councillors shall be elected for each ward in manner hereinafter mentioned.

Who qualified to vote at election of councillors.

8. Every Male person of full age, being duly enrolled in manner hereinafter mentioned, who is the occupier of any immovable property in any ward of the municipality of the yearly value or rental of not less than ten pounds sterling, in regard to which property no municipal rate shall at the time of any election of councillors or a councillor of such ward be due and in arrear, shall be entitled and qualified to vote as such occupier, if so enrolled, at such election.

Who disqualified.

9. The following persons shall be disqualified from voting at any such election: Persons who have been convicted of treason, murder, rape, theft, fraud, perjury, or forgery, and who shall not have received a free pardon.

As to joint occupiers or proprietors.

10. When every or any such property as aforesaid is jointly occupied by more persons than one as proprietors or occupants, each of such joint occupiers shall, being duly enrolled, be entitled to vote in respect of such property, provided the yearly value or rental of such property shall be an amount, when divided by the number of such joint occupiers, equal to the sum of ten pounds for every and each such joint proprietor.

Who ineligible as councillor.

11. No persons shall be eligible to be elected a councillor for any ward who has not been an occupier of immovable property within the municipality for not less than twelve months next before the election, or who is the occupier of any such property in regard to which any municipal rate shall at the time of the commencement of such election be due and in arrear: Provided that different premises or properties occupied in immediate succession, shall satisfy this section as fully as if they had been one and the same premises or properties.

Candidates to have requisitions.

12. No person shall be deemed a candidate at any election or qualified to be elected a councillor for any ward unless he shall have been invited to become such candidate by a requisition signed by at least three qualified voters of such ward, and shall have transmitted such requisition with his acceptance thereof to the mayor, or before the first election, to the resident magistrate, at least fourteen days before such election is appointed to take place.

Names of candidates and requisitionists to be published.

13. The mayor, or before the first election of councillors, the resident magistrate, shall at least ten days before the day appointed for the election in each ward cause the names of the candidates for election thereat, together with the names of the persons who have signed such requisition, to be published in manner hereinafter mentioned.

Councillors to be elected by ballot.

14. On the first Wednesday in July, 1862, in this and every subsequent year an election by ballot shall take place for councillors for the said municipality.

Previous to first election resident magistrate to prepare list of voters.

15. The resident magistrate shall on or before the first Wednesday in

May, 1862, cause a true list to be made in alphabetical order of all men qualified to vote at the election of councillors for the city of Graham's Town, setting forth the christian and surname or each at full length, the place of his abode, his business or quality, the nature of his qualifications, and the ward or wards in which he is entitled to vote.

Town-clerk to prepare subsequent lists.

16. On or before the first Monday in September in every year after the first election of the council for the city of Graham's Town, the town-clerk shall make the list mentioned in the preceding section and shall transmit the same to the mayor.

List to be published.

17. The mayor, or before the first election, the resident magistrate, shall forthwith cause such list to be published, and to every list so published, he shall subjoin a notice of not less than fourteen days that all objections thereto will be heard and determined at such time and places as he may fix for that purpose.

List to be revised and amended.

18. The resident magistrate, before the first election, and after the first election, the mayor, and two councillors to be elected for that purpose, shall have the power after hearing such objections in open court to strike out of the lists the names of all persons not entitled to be therein, and also to insert in the said lists the names of any persons which have been improperly omitted.

To be styled Citizen's Roll, and be renewable annually.

19. The list shall be called the Citizen's Roll of the municipality of the city of Graham's Town, shall be brought into use on the first Wednesday in November in such year, and shall continue to be used for one year thence next ensuing.

Roll to be published and posted.

20. The mayor, or before the first election, the resident magistrate, shall forthwith cause such roll to be published by posting in front of the municipal office.

Meetings of citizens to be called for the election of councillors.

21. Within fourteen days after the publication of the names of the several candidates invited to stand as councillors, the mayor, or before the first election, the resident magistrate, shall, by a public notice of not less than fourteen days, call separate meetings of the citizens of each of the wards respectively, to be holden at some convenient place or places for the election of three councillors out of the number of candidates invited for each ward.

Returning officer to preside at election.

22. Every such meeting for the election of any councillor or councillors shall be presided over by a returning officer, to be appointed for that purpose by the mayor, or before the first election, by the resident magistrate.

Electors to vote in person.

23. At every meeting for the election of any councillor or councillors who shall have a requisition in manner aforesaid, every qualified citizen duly enrolled as aforesaid, shall be entitled to vote in

person, but not otherwise.

Votes to be taken by ballot.

24. The votes shall be taken by ballot, and the person or persons having the greater number of votes shall be taken to be duly elected.

How in case of equality of votes.

25. If such ballot shall be rendered indecisive by reason of an equality of votes, the returning officer shall determine by lot which of the persons shall be elected for whom an equal number of votes shall have been given.

When number of candidates equal to number of vacancies.

26. In the event of only three candidates being invited in writing to stand as councillors for any particular ward, it shall not be necessary to convene a meeting for the election of such candidates as councillors, but their names shall be transmitted by the returning officers in the same manner as if otherwise elected, as provided in and by the next clause.

Return of poll to be made.

27. The returning officer shall immediately transmit the names of the persons elected together with the final state of the poll at the first election to the resident magistrate, and at any subsequent election to the mayor.

Names of successful candidates to be published.

28. When the resident magistrate or mayor has received the names of the persons so elected, he shall forthwith cause a list thereof, with the names of the wards for which they are elected, to be published.

Councillors how long to remain in office.

29. Of the persons so elected as hereinbefore mentioned the councillor in each ward who shall have been elected by the smallest number of votes shall vacate his seat at the expiration of one year from the first Wednesday in July, and in case by reason of any such councillors having been elected by an equal number of votes it shall be uncertain which of them shall vacate his seat, the mayor shall cause such question to be determined by lot, and the remaining councillors for each ward shall vacate their seats in like manner at the expiration of two and three years respectively, and upon the retirement from office of such councillors respectively they shall be succeeded by councillors who shall be elected as hereinbefore provided, so that at every subsequent yearly election there shall be elected one councillor for each ward, who shall enter upon his office in the first Wednesday in July next after his election, and continue therein for three years; and every retiring councillor shall be eligible for re-election.

Casual vacancies, how to be filled.

30. If any councillor shall die, resign, or become insolvent, or shall be absent from the ordinary meetings of the council for a period of four calendar months, his office shall be declared vacant, and another councillor shall be elected in his place and stead in manner hereinbefore provided, who shall hold office for the remainder of the term for which the councillor who has vacated office and whom he shall succeed would otherwise have remained in office.

Auditors to be appointed.

31. On the second Wednesday in the month of July in every year, the mayor and council shall appoint from among the householders two persons to be auditors of the municipality, who shall continue in office until the same day in the year following.

Who disqualified from being auditor.

32. No person shall be eligible as an auditor who shall not be duly qualified citizen or who shall be a councillor, treasurer, clerk, or other officer of the municipality.

How on death, resignation &c., of auditor.

33. If any auditor shall die, resign, or become insolvent, another auditor shall be elected in his stead, on a day to be fixed by the mayor.

Equality of votes at election of auditors.

34. In case of an equality of votes at any election of auditors, the returning officer shall determine by lot which of the persons for whom an equal number of votes shall have been given shall be elected in case such persons cannot be both or all of them elected.

How and when first mayor to be chosen.

35. On the Thursday following the first general election under this Act, the councillors shall choose from among themselves, by a majority of votes, the mayor of the city, who shall hold office for one year from the first Thursday in July then next ensuing.

Subsequent mayors.

36. On the Thursday following every subsequent yearly election, those of the councillors then in office, who shall have to continue in office for the following year, in terms of the section thirty (No. 30), together with the newly elected councillors, shall choose from amongst themselves, by a majority of votes, the mayor of the municipality for the following year, and every such mayor shall enter upon his office on the first Thursday in July next after his election, and shall continue therein for one year.

Mayor may resign after giving one month's notice.

37. It shall be lawful for the mayor to resign his office, provided that he shall give to the council not less than one calendar month's notice of his intention to do so.

What to constitute vacation of office.

38. If any mayor shall die, or resign, or shall become insolvent, or shall be absent from the municipality without the permission of the council for one calendar month, or shall neglect to attend the meeting of the council for the period three calendar months, such mayor shall be held to have vacated office, and the council shall forthwith elect out of their own number a successor for the remainder of the year.

No councillor or officer to share in contracts, &c.

39. If any member of the council or person holding any office in the gift or disposal thereof shall directly or indirectly have any share or interest in any contract with or employment by the council, otherwise

than as a shareholder in any bank with which such council may transact business or in any joint-stock company which shall contract with the council for the lighting or supplying with water or insuring against fire any part of the municipality, or shall receive any fee, reward, or compensation for any vote given or act performed in his capacity of councillor, he shall thenceforward cease to be a member of the council or to hold such office as aforesaid; and shall upon conviction be liable to a penalty not exceeding fifty pounds sterling.

Powers and duties of council.

40. The council shall have power and authority to do the following acts: To make, alter, and keep in repair the roads, streets, dams, sewers, drains, and bridges within the limits of the municipality; to excavate, construct, and lay water-courses, water-pipes, conduits, sluices, dams, reservoirs, aqueducts, and other works for supplying the municipality with water and to keep the same in repair, or to grant leave to any person or company of persons to lay down pipes, or to execute any like works; to take order for the prevention and extinguishment of fires, and for that purpose to provide and keep fire-engines with pipes and utensils; to order, establish, alter, or hold markets; to light the streets; and to have or purchase any land, and to erect or purchase and keep in repair any building for the same; to assize weights and measures; to grant permits and licences; and to levy tolls and dues as hereinafter provided; to regulate the time and place for slaughtering cattle and the state and condition of the slaughter-houses; to appoint one or more competent persons to examine meat and other provisions exposed for sale, and who, in case such meat or other provisions be found unfit for human food, shall be empowered to cause the same to be destroyed; to prevent and abate nuisances, and generally to devise and carry out all such measures as shall appear to be to the advantage and convenience of the municipality; to make regulations for the management of the common pasture lands of the municipality, and for fixing the number and description of cattle which each householder shall be allowed to depasture on such lands; to establish and provide for the management of public pounds, provided that no toll, due, or fee, or charge for any permit or licence, or any punishment or penalty shall be imposed by reason of anything in this section contained unless the same shall have been imposed by some such municipal regulation as is in the next succeeding section mentioned.

Council to frame municipal regulations.

41. It shall be lawful for the council at any meeting at which three fourths of the members shall be present to frame from time to time all such municipal regulations as may seem meet for the good rule and government of the municipality.

To be sanctioned by Governor.

42. No municipal regulation shall be of force until it shall have been by the council submitted to the Governor, and shall have been approved of by him, with the advice of the Executive Council, and published in the Government Gazette.

Publication of regulation sufficient proof of its validity.

43. After any municipal regulation shall have been so published as aforesaid it shall not be necessary in any proceeding founded upon it to prove that three fourths of the council were present at the meeting at which it was framed, nor shall any evidence be received to prove the contrary.

Limit of penalties for contravening regulations.

44. It shall not be competent by any municipal regulation to punish the contravention thereof in any higher or more severe manner than by a fine not exceeding ten pounds: Provided that it shall be competent for any such municipal regulations to provide that if the person convicted of contravening the same shall not forthwith pay the fine imposed on him, he shall be liable to be imprisoned with or without hard labour for any period prescribed by such regulation: Provided, moreover, that such period shall not exceed three months.

POWERS OF COUNCIL AS TO PUBLIC LANDS, &c.

Municipal lands vested in council. Liabilities to be taken over.

45. All land or immovable property heretofore vested in the commissioners of the municipality shall after this Act shall come into force and by virtue thereof be transferred to and vested in the council of the said municipality, upon the like trusts and purposes for which the same were originally granted or transferred; and in like manner all liabilities, debts, contracts, or engagements incurred, made or entered into by the commissioners for the time being or their predecessors on behalf of the municipality of Graham's Town shall be taken over by the council.

Council may sell or mortgage lands.

46. The council may, with the consent of his Excellency the Governor of this colony, raise by sale at public auction or by mortgage of any land belonging to the municipality any sum of money which shall be necessary in order to carry on any important public work: Provided that the sum so raised in any year shall not exceed double the amount of the sum which shall in the same year be raised by rate assessment in manner hereinafter mentioned: And provided that the council shall at least two months previously to such intended sale or mortgage cause to be published a full and clear statement of the situation, nature, and extent of such land, and the object and purpose for which the money is required.

May borrow on surety of rates.

47. The said council may for the like purpose in the preceding section mentioned, with the consent of the majority of the householders of the said municipality present at such meeting, to be convened in manner hereinafter provided, mortgage or otherwise charge one third of the rates of the said municipality for a period not exceeding ten years: Provided, nevertheless, that only one such loan shall exist at the same time and that every such loan shall be taken up by public tender.

May lease public lands.

48. The council may lease any portion of the lands belonging to the municipality for building purposes, or any building already erected, for a period not exceeding twenty-one years: Provided that such leases shall be put up to public competition and that they shall contain a power to re-enter for non-payment of rent or non-performance of covenants.

Mines or quarries.

49. The council may by public sale or tender from time to time lease the privilege of working any mines or quarries belonging to the municipality for any term not exceeding five years.

May enter upon lands and appropriate streams and fountains.

Compensation given to owners.

Arbitrators to be appointed.

50. In case the said council shall require to take or use any land with or without the buildings if any erected thereon for the purpose of making, widening, or improving any street, market, or public building; or to dig out or carry away any materials belonging to any person or persons within the said municipality, or to appropriate or make use of any springs, streams, or other supplies of water belonging to any person or persons who shall not be bound in law to allow the town council so to do, then and in that case it shall be lawful for the said council, and it is hereby authorized and empowered, to treat and agree with every such person or persons for the purchase, or hire as the case may be of any such land, buildings, materials, springs, streams, or other supplies of water as aforesaid, and generally to enter into such contract or contract relative to the obtaining of any such land, buildings, materials, springs, streams, or other supplies of water upon such terms and conditions as the said council shall judge expedient; and in case any such person or persons and the said council shall not agree upon the purchase money, or hire, or other recompense to be respectively given by the one party and accepted by the other, then the said council shall cause to be served upon such person or persons a written notice offering as recompense or compensation whatever sum of money it shall deem sufficient and requiring such person to state in writing to the said council or to some person by it appointed, within a certain limited time to be specified in fourteen days from the service of the said notice, whether he or they are willing to accept the sum therein mentioned or not; and in case the person shall refuse to accept the sum offered or shall neglect to reply to the said notice, then the said council shall by another notice in writing call upon such person or persons to refer to arbitration the amount of recompense or compensation to be paid to him or them by the said council, and for that purpose to transuit to the said council within certain reasonable time to be specified in the said lastmentioned notice the name of some person whom he shall select to be an arbitrator upon such arbitration; and the said council upon receiving the name of the person so selected shall nominate a second arbitrator, and shall cause a deed of submission to be prepared, which shall be signed on behalf of the said municipality by the town-clerk for the time being and by the person or persons claiming such recompense or compensation as aforesaid, and which shall clearly set forth the matter to be determined by the said arbitrators, together with a power to the said arbitrators before commencing such arbitration to appoint an umpire to act with them, and their decision shall be final; and the award of such arbitrators or umpire as the case may be shall be made a rule of the supreme or any circuit court of this colony, and shall be binding and conclusive, and may be pleaded in bar to any action or proceeding at law brought for or on account of the same subject-matter. And in case such persons as aforesaid claiming such recompense or compensation shall neglect or refuse to name some person to be such arbitrator as aforesaid or to sign the said deed of submission, then it shall be lawful for the said council and it is hereby authorized to lodge in some joint-stock bank in the eastern province of this colony the sum of money offered by it as aforesaid in its first notice in this section mentioned, for or on account and at the risk of such person aforesaid, who shall at all times be entitled to draw the same out of the said bank as his absolute property; and the said council upon so lodging the said sum shall be authorized and entitled to take or use the said land, buildings, materials, springs, streams, or other supplies of water in question as freely as if the said sum had been

agreed upon between the parties as the sum to be paid, or had been an order by the arbitrators or umpire under the provisions of this section, and as if all acts by law required for vesting in the said council a sufficient title to the use of and property in the land, buildings, materials, springs, streams, or other supplies of water aforesaid had been duly done and performed.

How if owners are absent from the colony or undiscoverable.

Value of property to be paid into Guardians' Fund.

51. In case the said council shall require to take or use any of the land with or without the buildings if any erected thereon, or to dig, or carry away any of the materials, or to appropriate or make use of any springs, streams, or other supplies of water in the last preceding section mentioned, of which the owner or owners shall be absent from the colony and not represented by any agent duly accredited or shall not be discoverable, then it shall be lawful for the said council and it is hereby authorized to cause a notice to be inserted in the Government Gazette and one or more local papers for four successive months, describing as accurately as may be the materials, land, buildings, springs, streams, or other supplies of water which are required to be taken or used, and calling by name on the owner or owners of the said land, buildings, materials, springs, streams, or other supplies of water if known to take notice that the said council is ready and willing to treat with the owner or owners, or any persons duly authorized by him or them, for the recompense or compensation to be made or paid by the said council for the said land, buildings, materials, springs, streams, or other supplies of water, and requiring such owner or owners to apply within six weeks from the date of such notice, which shall be the day of its publication, to the said council, stating the recompense or compensation claimed; and if the owner or owners shall so apply within the said period then the like proceedings in regard to the agreeing for or otherwise determining the recompense or compensation to be respectively given and received shall in all respects be had and taken which are prescribed in the last preceding section, precisely as if the said owner or owners had from the first been in actual occupation; and in case such owner or owners shall not apply to the said council within the said period, then it shall be lawful for the said council to appoint some competent person, to be approved of by the civil commissioner of the division, to appraise the value of the land, buildings, materials, springs, streams, or other supplies of water required, and such person shall make oath before some justice of the peace that he hath to the best of his judgment fairly appraised such value; and thereupon it shall and may be lawful for the said council to pay whatever sum such person shall have valued the land, buildings, materials, springs, streams, or other supplies of water in question at into the Guardians' Fund, to the credit of the party or parties entitled thereto, subject to the same provisions in all respects which are provided by the Ordinance No. 105, bearing the date the 5th July, 1833, in regard to moneys placed in the Guardians' Fund belonging to persons absent from the colony; and the said council upon so paying the said sum shall be authorized and entitled to take or to use the land, buildings, materials, springs, streams, or other supplies of water in question as freely as if the said sum had been agreed upon between the parties as the sum to be paid, and as if all acts by law required for vesting in the said council sufficient title for the use of or property in the land, buildings, materials, springs, streams, or other supplies of water aforesaid had been duly done and performed.

Questions to be decided by majority of meeting.

52. All acts hereby authorized or required to be done by the council and all questions that may come before them shall, except as hereinafter excepted, be done and decided by the majority of councillors who shall be present at any meeting at which not less than seven members of the council shall attend: Provided that nothing herein contained shall extend to alter or affect the provisions of the forty-first and sixty-second sections of this Act.

Ordinary meetings.

53. An ordinary meeting of the council shall take place at least once in every week, and all such ordinary meetings shall be open to the public.

Special meetings.

54. The mayor or any three councillors may at any time call a special meeting of the council, provided that he or they cause notice of the time and place of such intended meeting, specifying the object thereof, and signed by him or them or by the town-clerk, to be served on every councillor, either personally or at his usual place of abode, twelve hours at least before such meeting.

In the absence of mayor, chairman to be elected.

55. At every meeting of council, the mayor if present shall preside; in case of his absence, the councillors present shall elect a chairman from among themselves.

Mayor or chairman to have casting vote.

56. In all cases of equality of votes the mayor or chairman shall have a second or casting vote.

Minutes of proceedings to be kept.

57. Minutes of the proceedings of every meeting shall be entered in a book to be kept for that purpose, and shall be read at the next succeeding meeting, and signed by the person presiding thereat.

General and special committees.

58. It shall be lawful for the council to appoint out of their own body such and so many committees, either of a general or special nature and consisting of such number of members as may seem fit, for any purpose which in the judgment of the council would be better managed by means of a committee: Provided, always, that the proceedings of every such committee shall be submitted to the council for its approval. The mayor to be ex-officio member of all such committees.

Town-clerk, treasurer and other officers to be appointed by council.

59. It shall be lawful for the council from time to time to appoint fit persons (not being members of the council) to be town-clerk and treasurer, and also to appoint such other officers as they shall think necessary for enabling them to carry into execution the provisions of this Act, and to pay all the officers so to be appointed such salaries as the council shall deem reasonable; and unless it shall be otherwise stipulated in the contract of service, to remove all such officers upon a notice of not less than three months, or in the case of misconduct without any notice.

Streetkeepers and policemen.

60. The said council are hereby empowered from time to time to appoint and employ such number of able-bodied streetkeepers and policemen as shall be required for the protection of the inhabitants and property, streets and public places within the municipality, by day and by night, and to provide all such streetkeepers and policemen with such clothing, arms, ammunition, and weapons, and shall appoint to them such duties and hours and times of duty, and shall also make such rules, orders, and regulations relative to such streetkeepers and policemen and their duties as shall be deemed fit.

To be constables.

61. All such streetkeepers and policemen shall act as constables while in execution of their duties under the Act, and are hereby invested with and shall have and enjoy the like powers and authorities, privileges and immunities, and shall be subjected to such and the like penalties and forfeitures as constables are invested with or shall or may have or enjoy or are or may be subject or liable to by law.

REVENUES.

Council to raise funds for public improvements.

62. For the purpose of raising the means for making new roads, streets, market-places, bridges, drains, sewers, water-courses, reservoirs, aqueducts, and other waterworks; for the purchase of such lands or erection of such buildings as may be required in or about the execution of the powers hereby given to the council; for the purchase of water-pipes, fire-engines, and appurtenances; for the effecting of all other permanent public works and improvements within the municipality; for the purpose of raising the means for effecting the repairs of all such works as the council are hereby empowered to have made; for the maintaining of waterworks, fire-engines, police establishments, markets, and pounds; for the payment of salaries and all other ordinary current expenses required to be borne by the municipality, the council shall have the power to impose, levy, and recover all such market-dues, water-rates, and pound-fees as shall be deemed necessary and reasonable and shall be authorized by any such municipal regulations as aforesaid; and shall also have the power as often as shall be deemed necessary to make and levy in manner hereinafter provided a rate or assessment upon all immovable property within the municipality, to be made and levied on the annual value or rental of such property, to be ascertained in manner hereinafter provided: Provided that no rate shall be made or levied by the council unless there shall be present at the meeting at which such rate shall be imposed at least fifteen members of the said council:

Levying rates on fixed property.

And provided, also, that no rate or assessment shall be imposed upon any immovable property belonging to Her Majesty the Queen, nor on public prisons or police-stations, almshouses or hospitals, nor on any buildings appropriated to public worship, nor upon burial grounds, nor upon buildings or lands attached thereto solely appropriated to the purposes of education.

How assessment to be made. Roll of assessment to be open for inspection.

63. In order to ascertain the annual value or rental of the ratable property within the municipality for the purpose of assessing the rate, and also to procure the other information required under the provisions of this section, the council shall in the month of August in each year cause a printed schedule to be left at the house of every householder, to be filled up by the occupier under separate and distinct heads, setting forth the names of the proprietor, the occupier, and all inmates; also the annual rental, or if no rent be paid the estimated annual value of the property and such other particulars as the council may by any such municipal regulation as aforesaid require: from which schedules, duly signed by the householders, and to be returned by them without demand to the councillors of their respective wards within seven days from the date of their being left as aforesaid, the council shall cause a roll of assessment to be made within one month from the said date, upon which the rates of and for the current year shall be levied; and when in any ward any schedule shall not have been returned, or where any of the schedules shall appear to the council to misrepresent the value of the properties or to be in any other respect incorrect, it shall be competent for the council to cite by due notice all persons whom they shall think necessary to appear before them on a certain day, not earlier than three clear days from the service of such notice, in order to afford any evidence or information in regard to any property or other matter relative to any schedule which shall not have been returned by the householder, or of which the correctness of the return made shall be questioned or disputed; and if such persons shall then neglect to attend for the aforesaid purpose the council shall fix such annual value on all such properties as may appear just and reasonable, and the valuation so fixed shall be binding on all concerned: Provided that in the case of all unoccupied land not having any buildings thereon the annual value shall be deemed and taken to be eight per cent. per annum on the value thereof, such valuation to be made by the council in the month of August aforesaid in each year: And provided that the roll of assessment aforesaid shall be open for public inspection at the office of the council for the space of one month; and the council shall give notice in one or more of the newspapers of the municipality that the same lies open for inspection, and for the hearing and deciding upon objections against the roll.

Council to frame annual estimates of expenditure.
Annual levy of rates limited.

64. The council shall annually, in the month of February, make an estimate of the amount of money required for the purposes aforesaid, and shall assess the rate accordingly, and give public notice thereof in one or more of the newspapers of the municipality, and shall in like manner if any further or unforeseen expenditure shall become necessary during the same year, make a supplementary estimate thereof, and assess a second or further rate, whereof they shall give public notice in like manner: Provided that it shall not be lawful for the council in any one year to levy any rates amounting in the aggregate to more than one shilling in the pound on the annual value or rental of the immovable property assessed without obtaining the consent of the majority of the citizens entitled to vote at a public meeting to be called for the purpose of considering such rate or rates: of the object and time and place of holding such meeting at least seven days' notice shall be given in manner hereinbefore mentioned: Provided that it shall be lawful for any two or more citizens at such meeting to demand a poll of the citizens enrolled to vote, which poll shall be taken the following day, to commence at ten o'clock and to be closed at the hour of four o'clock p.m. the same day.

Council to appoint collectors of rates.

65. As soon as any rate or rates shall have been assessed as aforesaid the council shall appoint under the municipal seal fit persons to collect such rate or rates, which shall on non-payment thereof be recoverable at the suit of any such collector by action in the court of the resident magistrate having jurisdiction within the said municipality.

Owner or occupier may be sued separately or together.

66. In case by reason of the non-payment of any rate it shall be necessary to sue for the same as in the last preceding section mentioned, the council may through its collector and it is hereby authorized to sue the owner or the occupier, either separately or both of them in one and the same action, each for the whole rate.

Arrears of rates to be published.

67. The council shall once in every year publish in one or more of the newspapers of the municipality a statement of every sum in arrear and of the property in respect of which the same is due.

Council may establish tolls.

68. It shall be lawful for the council by any municipal regulation as aforesaid to impose such toll or dues as may be reasonable on all persons making use of any road, bridge, or market-place within the municipality which the council is hereby empowered to make and maintain, and in cases of the non-payment of such tolls or dues, to recover the same by legal process or in such other manner as may by the municipal regulations be in that behalf provided.

Who exempt from payment of toll.

69. No toll shall be payable by any officer or soldier or member of any volunteer corps, being in proper staff or regimental or military uniform, dress or undress, and on duty, or by any judicial or civil officer, mail-carrier, or other government servant whilst travelling on public duty. And, further, that no more than one toll shall be payable in any one day, to be computed from twelve o'clock on one night until twelve o'clock on the next succeeding night, for or in respect of the same vehicle or animal.

Treasurer to keep accounts which shall be audited and abstracts published.

70. The treasurer of the said municipality shall, in books to be kept for that purpose, enter the accounts of all sums of money by him received and paid and of the several matters in respect whereof such sums shall have been received and paid: all such accounts, with all vouchers and papers relating thereto, together with a full abstract or balance sheet thereof, shall yearly, at such times as the council shall appoint, be handed by him to the auditors and to such members of the council as the mayor shall name, for the purpose of being examined and audited; and such abstract or balance sheet, when found correct, shall be signed by the auditors, and shall be forthwith published by the treasurer in one or more of the newspapers published within the municipality.

Publication of notices &c., under this Act.

71. Every notice calling a public meeting of the householders, and every notice or other document or thing required by this Act to be

published, shall be so published by causing a copy thereof to be inserted in one or more of the newspapers of the municipality, and a copy of the same shall also be affixed in some conspicuous place upon or near the town hall.

Fines and penalties how to be sued for.

72. All fines or penalties imposed by this Act or by any municipal regulations made by virtue thereof shall be prosecuted for in any competent court by the name of "The Council of the Municipality of the City of Graham's Town," and shall when recovered be paid to the treasurer of the municipality for municipal purposes: Provided that no such prosecution as aforesaid shall be commenced later than three months from and after the date of the act or omission upon which such prosecution shall be grounded.

Gunpowder to be stored in licensed buildings.

73. The storing of gunpowder or other explosive material shall not be permitted except in such places as may be approved of and licensed by the town council for that purpose.

Council may order burial-grounds to be closed.

74. As soon as any burial-ground or portion thereof shall become so crowded as to be in the opinion of two thirds of the council dangerous to the public health, the council shall be empowered to give six months' notice that burials therein shall cease, and after the expiration of the said term of six months any person or persons causing any interment to be made therein shall be liable to pay a fine not exceeding fifty pounds, to be recovered in any competent court.

Meaning of term "householder."

75. The word "householder" used in this Act shall include the occupier of immovable property, although no house be thereon.

ACT NO. 23 OF 1869.

OCTOBER 18, 1869.

To Repeal the Act No. 29, 1861, intituled "Act for establishing a Municipality for the City of Graham's Town," and to make other provisions in lieu thereof.

Whereas it is expedient to repeal the Act No. 29 of 1861, intituled "Act for establishing a Municipality for the City of Graham's Town," and to substitute other provisions in lieu thereof: Be it therefore enacted by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council and House of Assembly thereof, as follows:-

Act No. 29, 1861, repealed; but existing municipal regulations to continue in force until altered.

Present mayor, councillors, and officers to remain in office till election of others.

Existing assessment roll and rates assessed to be taken as framed and assessed under this Act.

1. The Act No. 29, 1861, shall be and is hereby repealed: Provided,

however, that such repeal shall not affect the municipal regulations at present in force, but the same shall continue to be in force and operative until such time as the same shall be altered or new ones published under this Act: and provided, also, that the present Mayor, councillors, and officers of the municipality shall, on the taking effect of this Act, until other persons shall be elected or appointed in their places respectively hereunder, be, and they are hereby declared to be the Mayor, councillors, and officers, respectively, of the municipality created by this Act; and shall, during the time aforesaid, do and perform all acts, matters, and things, and be vested with all the rights and powers, and be subject to all the liabilities which are authorized or required to be done or performed by, or are vested in or imposed upon the Mayor, councillors, or officers, respectively, of the municipality by this Act: Provided, also, that the assessment roll at the time of the taking effect of this Act shall be deemed and taken to have been framed under this Act, and that all municipal rates assessed before the taking effect of this Act, and then due and in arrear, shall be deemed and taken to have been assessed under this Act.

Style of corporation.

3. There shall continue to be in the said city a body corporate, which shall take and bear the name of "The Mayor, Councillors, and Citizens of Graham's Town," and by that name shall have perpetual succession, and shall have a common seal, and shall by that name sue and be sued, and shall, by the council thereof, do all acts, and have and enjoy all the rights and privileges which bodies corporate, as such, may do and have.

Municipality divided into eight wards.

5. The said municipality shall be divided into eight wards, - to wit:

Ward No. 1. Bounded south by Prince Alfred Row, New-street; east by Somerset-street; north by City Boundary and Bedford-street; and west by City Boundary.

Ward No. 2. Bounded south by High-street; east by Hill-street; north by City Boundary; west by Somerset-street and Bedford-street.

Ward No. 3. Bounded south by City Boundary; east by Hill-street; west by City Boundary; north by High-street.

Ward No. 4. Bounded south by High-street; east by City Boundary; north by City Boundary; west by Hill-street.

Ward No. 5. Bounded south by City Boundary; east by Bathurst-street; north by High-street.

Ward No. 6. Bounded south by Beaufort-street; east by City Boundary; west by Bathurst-street; north by High-street.

Ward No. 7. Bounded south by City Boundary; east by York-street; north by Beaufort-street; west by Bathurst-street.

Ward No. 8. Bounded south by City Boundary; east by City Boundary; north by Beaufort-street; west by York-street.

Who disqualified.

9. Same as section 9 of Act No. 29 of 1861 with "receiving stolen goods knowing them to have been stolen" inserted between "theft" and "fraud".

Who ineligible as councillor.

11. No person shall be eligible to be elected a councillor for any ward who is disqualified from voting as in the ninth section is mentioned, or who has not been an occupier of immovable property within the municipality, of the yearly value or rental of not less than ten pounds sterling, for not less than twelve months next before the election, or who is the

occupier of any such property in regard to which any municipal rate shall at the time of the acceptance by such person of such requisition as is mentioned in the next section be due and in arrear: Provided that different premises or properties, occupied in immediate succession, shall satisfy this section as to occupation as if they had been one and the same premises or properties.

13. On the first Wednesday in July in every year an election by ballot shall take place of eight councillors, being one for each ward of the said municipality.

List to be published and day fixed for determining objections thereto.

15. Same as section 17 of Act No. 29 of 1861, except that "or before the first election, the resident magistrate" is omitted and "by affixing it in some conspicuous place upon the municipal office" is inserted between "to be published" and "and to every".

Election of councillors. Mayor to call meeting.

20. Within fourteen days after the publication of the names of the several candidates invited to stand as councillors, the Mayor shall, by a public notice of not less than fourteen days, in accordance with the eighty-second section of this Act, call separate meetings of the citizens of each of the wards respectively, to be holden at some convenient place or places, for the election of the councillors required to fill the vacant seats out of the number of candidates invited for each ward, except when the number of candidates does not exceed the number of vacancies, as hereinafter mentioned.

Who to preside at meeting. Duration of poll.

21. Same as section 22 of Act No. 29 of 1861 except that "or before the first election by the resident magistrate" is omitted and "The poll shall commence at ten o'clock in the forenoon, and shall finally close at three o'clock in the afternoon of the same day." is added.

Manner of voting. Candidates may be present during voting and examination of contents of ballot-box.

23. Same as section 24 of Act No. 29 of 1861 with "Provided that all candidates shall have the right to be present, either personally or by proxy, during the whole time the voting is going on, and when the contents of each ballot-box are examined by the returning officer." added.

How in case of equality of votes.

24. Same as section 25 of Act No. 29 of 1861, with "thereupon publicly" inserted between "returning officer shall" and "determine".

25. In the event of the number of duly qualified candidates invited in writing to stand as councillors for any particular ward being only sufficient to fill the vacancies in the representation of such ward, the mayor shall forthwith declare such candidates duly elected.

28. Same as section 29 of Act No. 29 of 1861 with "or in the event of the election having been an uncontested one" inserted between "an equal number of votes" and "it shall be uncertain".

Casual vacancies, how to be filled up.

29. Same as section 30 of Act No. 29 of 1861 with "or otherwise

disqualified" inserted after "become insolvent" and "Provided, always, that if such absence as aforesaid arise from sickness or other sufficient cause, the council shall be empowered to extend the term for one month longer." added.

How in case of equality of votes.

33. Same as section 34 of Act No. 29 of 1861 with "the Mayor shall determine by his casting vote" replacing "the returning officer shall determine by lot".

Election of mayor. Duration of office.

34. On the Thursday following every yearly election of councillors, those of the councillors then in office, together with the newly-elected councillors, shall choose from amongst themselves, by ballot, the Mayor of the municipality for the following year, and such Mayor shall enter forthwith upon his office, and shall continue therein for one year then next ensuing, provided that the chair at such meetings of the council as shall be held for the purpose of such election shall be taken by some member of the council who is not a candidate for the office of Mayor.

When mayor shall be deemed to have vacated office.

36. Same as section 38 of Act No. 29 of 1861 with "or otherwise disqualified as a councillor" inserted between "shall become insolvent" and "or shall be absent..." and "a week's notice having been given to each councillor of such election" added.

Members or officers of council being interested in contracts with council to forfeit seats or office.

37. Add "Provided that the case of the receipt of salary by an officer for the performance of the duties of his office, and that the case of a lease between the council and a councillor, as landlord and tenant, be excepted." to section 39 of Act No. 29 of 1861.

38. This is very similar to section 40 of Act No. 29 of 1861 with the following detail added between ".... keep in repair any building of the same;" and "to assize weights and measures;":

"To cause all buildings which shall be certified in writing by any three builders to be unsafe to the public to be placed in a state of security, or, if necessary, removed at the expense of the owners of such buildings. To cause all buildings used by the public capable of containing more than four hundred persons to be provided with sufficient and proper means of egress in case of fire or other like casualty."

and "and the confining or killing of dogs, pigs, goats and fowls." between "condition of the slaughter-houses;" and "To appoint one or more competent persons....."

Council to frame municipal regulations.

39. Same as section 41 of Act No. 29 of 1861 except that "not less than sixteen of the members" replaces "three fourths of the members." AND "and all such as may be expedient for the more effectual working of the powers hereby given." is added.

Publication of regulations sufficient proof of validity.

41. Same as section 43 of Act No. 29 of 1861 except that "sixteen members" replaces "three fourths".

All property vested in existing council vested in council under this Act.

43. Same as section 45 of Act No. 29 of 1861 with slight alterations: "council" replaces "commissioners" and "corporation" replaces "council".

Council may sell or mortgage lands. But not without previous public notice.

44. The council may, with the consent of the Governor of this Colony, raise, by sale at public auction or by mortgage of any land or property belonging to the corporation; or by debentures on the security charged upon such land or property, any sum of money which shall be necessary in order to carry on any important public work, or other municipal purpose which the council shall deem desirable, and of which the Governor shall approve: Provided that the council shall, at least two months previously to such intended sale, or mortgage or issue of debentures, cause to be published a full and clear statement of the situation, nature, and extent of such land or property, and the object and purpose for which the money is required.

Where debentures are charged on lands, mortgage to be executed.

45. As often as the said council shall raise money by the issue of debentures, to be charged upon any such land or property as aforesaid, the council shall execute, to and in favour of any person or persons whom the said council shall select, a mortgage of the land or property upon which it is intended that the said debentures shall be charged, to be held by such person or persons in trust for the holders of the debentures so issued, which holders shall, according to their respective amounts and interests, rank pari passu upon the proceeds of the land or property comprised in such mortgage.

Council may borrow on security of rates.

46. Same as section 47 of Act No. 29 of 1861 with "by debentures" inserted between "or charge" and "one-third".

Mortgages, how to be executed.

47. Every mortgage aforesaid, or power of attorney for authorizing the execution of a mortgage of any land or property under this Act, shall be under the common seal of the corporation, and shall be executed by the Mayor and be countersigned by the Town Clerk, and every debenture issued under this Act shall be executed in the same manner under the common seal.

New loans may be raised for purpose of paying off loans falling due.

48. As often as any mortgage granted or debenture issued under any of the preceding sections of this Act shall be called up, or any debenture shall become payable, it shall be lawful for the said council to raise by a fresh mortgage of the same land, property, or rates which was or were mortgaged by such mortgage, or to raise by the issue of fresh debentures, any sum not exceeding the sum then required to be paid off; and the council may raise upon debentures moneys required to pay off mortgages, and conversely may raise by mortgage moneys required to pay off debentures, so long as the same land, property, and rates which were charged by the one form of security, and none other, shall be charged by the other or substituted form of security: Provided that it shall not be necessary for the council to obtain the consent of the Governor aforesaid for the granting of any mortgage or the issue of any debentures under the provisions of this section.

As regards loan taken up from Frontier Commercial and Agricultural Bank.

And whereas the council of the municipality of Graham's Town, elected under the provisions of the Act aforesaid, No. 20 of 1861, and acting under the provisions of the said Act, heretofore borrowed and took up from a certain company or co-partnership, trading as bankers in Graham's Town under the style or title of the Frontier Commercial and Agricultural Bank, the sum of six thousand pounds sterling, which sum was borrowed and taken up for the completion of a certain reservoir and other works necessary for supplying water to the inhabitants of the said municipality, and which sum was applied to such purpose: And whereas there now remains due and owing to the said bank, upon or in regard to the said loan, a balance or sum of five thousand pounds sterling: And whereas it has become necessary that the said balance or sum now due to the said bank should be paid off and discharged, and that for the raising or obtaining of the necessary money the council to be elected under the provisions of this Act should be authorized and empowered to mortgage landed property by this Act vested in the corporation created by this Act: Be it therefore enacted as follows:

Powers to raise funds to pay off loan.

49. It shall be lawful for the council of the municipality created by this Act, and the said council is hereby empowered, to borrow or take up from any person or persons, or company, such sum, not exceeding five thousand pounds sterling, as shall be necessary for paying off or discharging the balance or sum now due as aforesaid to the bank aforesaid, and, for the purpose of securing the principal and interest of the sum so borrowed, to mortgage to the person, persons, or company lending the same so much of the landed property vested in the corporation created by this Act as shall be necessary and be agreed upon: Provided that the person, persons, or company lending the said sum shall not be bound to see to the application by the council of the sum so lent, nor shall the mortgage granted by the said council for securing the principal and interest of such sum be impeached or questioned upon the ground of any irregularity which may be alleged to have been committed in regard to the borrowing from the bank aforesaid the sum which the council is by this section empowered to borrow money to discharge.

Municipal lands and buildings may be leased.

50. Same as section 48 of Act No. 29 of 1861 except that "for building purposes" between "municipality" and "or any buildings already erected" has been deleted.

Mines and quarries.

51. Same as section 49 of Act No. 29 of 1861 with "after public notice" inserted between "tender" and "from time to time".

Lessee not to sublet without consent of council.

52. No lessee of any such lands, buildings, mines, or quarries as aforesaid shall assign or sublet the same without the previous consent, in writing, of the council; and any assignment or subletting, without such consent, shall, as against the council, be null and void.

Council may purchase or hire lands, buildings, materials, &c., for public improvements, and appropriate streams and fountains.

53. Same as section 50 of Act No. 29 of 1861 with the following inserted:
a) "or for the payment of consequential damages" between "supplies of water as aforesaid" and "and generally to enter....";

- b) "or his" inserted between "and their" and "decision shall be final";
- c) "Court, Eastern Districts Court" between "a rule of the Supreme" and "or any Circuit Court of this Colony".

How if owner of property be absent or not discoverable.

54. Same as section 51 of Act No. 29 of 1861 with the following changed:

- a) "for any purpose in the last foregoing section in that behalf mentioned" inserted between "council shall" and "require to take";
- b) "or, if not known, then upon the owner, whoever he may be," added between "if known" and "to take notice that....";
- c) "months" replaces "weeks" in "such owner or owners to apply within six weeks from the date of such notice,".

Questions to be decided by majority of votes.

55. Same as section 52 of Act No. 29 of 1861 except that "thirty-ninth and fortieth sections of this Act" replaces "forty-first and sixty-second sections of this Act."

Who liable to be rated. Owner and occupier not jointly liable to assessment in respect of same property.

67. All persons owning or occupying property within the limits of the municipality, excepting such property as is hereinbefore exempted, shall be liable to be rated on account of such property to the city rate in such manner and to such extent as is hereinafter provided: Provided that nothing in this Act contained shall be taken to authorize the assessment of a rate both upon the owner and the occupier of any one property in respect of such property.

Valuation of fixed property.

68. Within three months after the passing of this Act the council shall appoint one or more competent appraisers, not being members of such council, for the purpose of valuing all and singular the immovable property situate within the municipality.

Decision of court final.

71. The decision of the council upon any objection to any valuation shall be final and conclusive, and shall not be capable of being reviewed or reversed by any Court or proceeding whatsoever.

When rate assessed shall become due. Notice to be given. Proof of publication of notice sufficient.

73. Every rate so assessed as aforesaid shall become due and payable upon a certain day, to be fixed by the council, of which day and the amount of which rate the said council shall give at least fourteen days' notice in one of the local newspapers: Provided that it shall not be necessary, in any suit or proceeding for the recovery of any such rate, to prove anything further as to due notice having been given than the publication of the announcement thereof in one of the newspapers aforesaid.

Collection and recovery of rates. Rates paid by occupier recoverable from owner.

74. When the council shall have announced in one of the local papers the day on which any rate duly assessed under this Act will become due and payable, it shall be incumbent upon all persons liable to such rate to pay the amount thereof so due to any person whom the council may have authorized to receive the same, on or before the day fixed in the said announcement for the payment of the same, on pain of being forthwith

liable to legal proceedings, at the suit of the Town Clerk, for the recovery of the amount: Provided, also, that any occupier who shall have paid any such rate shall be entitled to recover the same from the owner, unless there be any agreement to the contrary.

Who may be sued for rates.

75. The council may, in suing for the recovery of rates, proceed against the owner, or in case of his absence from the Colony, his agent or the person receiving the rents for him, or the occupier, either separately or both of them in one and the same action, each for the whole rate, in any competent Court, and recover the same by the judgment and process of such Court:

Occupier not liable for rates due previous to his occupation but former occupiers to remain liable.

Provided that no occupier of any immovable property shall be liable for any rate which had become due and payable thereon at any time before he entered on the occupation thereof; and provided, further, that any person who, as occupier may have become liable for any rate as aforesaid shall continue to be liable for such rate, although he may have ceased to occupy the property in respect of which the rate had been imposed.

Valuation of buildings erected or improved during duration of list.

78. In case any new building shall be erected during any such period of five years, or in case of any addition to, or alteration of, any building then already rated, increasing the value thereof, the council shall proceed to have the land and such building thereon valued or re-valued, as the case may be, in the same manner as is hereinbefore provided with regard to the first valuation; and after such valuation is completed the property so valued or re-valued shall be in the same plight and condition as to future rates as if it had been included in the first or then preceding general valuation.

Council may adopt valuation of Albany Divisional Council.

79. Instead of the mode aforesaid of ascertaining the value of property within the said municipality to be rated as aforesaid, it shall be lawful for the council, by resolution to adopt the valuation of such property subsisting and in force for the time being made for road purposes by or under the direction of the Divisional Council of Albany; and such valuation shall thereupon become and be the valuation for the purposes of this Act, just as if it had been made by appraisers appointed by the council as aforesaid.

Storing of gunpowder, &c.

85. The storing of gunpowder or other explosive or inflammable material shall not be permitted, except by Her Majesty's Government for public purposes in such places as may be approved by Her Majesty's officers, or by other persons in such places as may be approved of and licensed by the Town Council for that purpose.

Short title.

87. This Act may for all purposes be cited as "The Graham's Town Municipality Act, 1869."

ACT NO. 12 of 1878.

AUGUST 2, 1878.

To Amend the Act No. 23 of 1869, intituled an Act to Repeal the Act No. 29 of 1861, for Establishing a Municipality for the City of Graham's Town, and to make other provisions in lieu thereof.

Preamble.

Whereas it is expedient to amend the Act No. 23 of 1869, intituled an Act to repeal the Act No. 29 of 1861, "For establishing a Municipality for the City of Graham's Town:" Be it enacted by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council and House of Assembly thereof, as follows:-

Repugnant portion of Act 23 of 1869 repealed.

1. So much of the said Act No. 23 of 1869 as shall be repugnant to, or inconsistent with, any of the provisions of this Act, is hereby repealed.

Who may be candidates at election of councillors.

2. No person shall be eligible as a candidate at any election, nor qualified to be elected a councillor for any ward, unless he be a registered citizen, and shall have been invited to become such candidate by a requisition, signed by at least three qualified voters of such ward, and shall have transmitted such requisition, with his acceptance thereof, to the Mayor, as is provided for in the following section.

Proceedings when seat of any councillor becomes vacant.

3. That when the seat or seats of any councillor or councillors shall become vacant, the Mayor shall, under his signature, give notice of such vacancy or vacancies in any one of the local newspapers, and shall therein appoint a day, not later than seven days from the first publication thereof, for the purpose of considering and determining upon such requisitions as shall be addressed to any candidate or candidates to fill up such vacancy or vacancies, but such requisitions and the replies thereto shall be delivered at the Town Office not later than three o'clock p.m. on the day so appointed.

How when requisitions are not more than sufficient to fill up vacancies; if requisitions exceed the number of vacancies, election to take place.

4. If, on the day appointed, as in the preceding section mentioned, there shall be no more requisitions delivered at the Town Office than are sufficient to fill up such vacancy or vacancies, it shall be competent for the Mayor, without any further action or proceeding, to declare the candidate or candidates who have accepted the requisition or requisitions duly elected a member or members of the council, but if the requisitions to candidates exceed the number of vacancies to be filled up, then all such requisitions shall be published by affixing the same on some conspicuous place in the Town Office; and the Mayor shall within three days thereafter publish the names of the several candidates in one of the local newspapers, and at the same time therein give fourteen days' notice to the citizens, calling a meeting for the election of councillors to fill up the vacancy or vacancies, and in such notice he shall also state the date, hour, and place of such meeting.

5. See page 380.

Power and authority of council defined.

6. Same as section 38 of Act No. 23 of 1869 with the following alterations and additions:

a) "culverts" is included in the first list of duties.

- b) "to secure regularity in the erection of buildings; to define the width and direction of such streets as may be made over private property by the owners thereof, which streets when so defined shall thereafter upon application by the owners of said property to the said municipality become public streets;" is inserted between "within the limits of the municipality" and "to excavate, construct, and lay water courses,".
- c) "capable of containing more than four hundred persons" becomes "capable of containing more than three hundred persons."
- d) "to grant permits for any purpose to be defined by the municipal regulations of the municipality for the time being;" becomes "to grant licences or permits for any purpose to be defined by the municipal regulations of the city, such as for cabs, omnibuses, or other vehicles plying for hire, and to regulate the tariff of charges in connection therewith;"
- e) "to direct the method by which night soil may be disposed of with power to abolish any existing practice that may be found prejudicial to health, and to substitute others;" is inserted between "that is to say" and "to regulate the time and place for slaughtering cattle,".
- f) "and to levy a tax on all carts, carriages, and dogs kept within the limits of the municipality; to regulate the width of any footpath or pavement in the street in front of any private property, and to determine on the nature and description of the material to be used therefor, also to provide for the registration at the Town Office of all births and deaths that may occur within the municipality, and of all sales of landed property, for the maintenance of order in the streets, public places, and thoroughfares of the municipality, for the conduct of traffic therein and the conservancy of the water kloofs, reservoirs, and all property and plant connected with the municipal water supply." is inserted after "killing of dogs, pigs, goats, and fowls," and before "The council shall by municipal regulations.....".

7. See page 380.

For municipal purposes council may collect certain dues, taxes, &c.

8. Same as section 62 of Act No. 29 of 1861 with the following changes:
- a) "the value of which is" replaces "to be made and levied on the annual value or rental of such property,";
 - b) "sixteen members" replaces "fifteen members";
 - c) "nor upon buildings solely appropriated to the purposes of gratuitous education, provided the exemption last mentioned shall not be construed to extend to any separate or adjoining building or buildings upon the premises in which the teacher or teachers or his or their family or any other person or persons dwell, or which he or they occupy, but shall solely apply to such buildings as are especially appropriated for the education and use of the pupils, and that any other part of the premises and buildings not so appropriated shall be rated in like manner as other immovable property not exempted within the said municipality; provided that these exemptions shall not extend to any immovable property which, although belonging to Her Majesty the Queen or to the Colonial Government, shall be possessed or occupied by any person or persons in his or their individual capacity only as lessee, or sub-lessees, or otherwise." replaces "nor upon buildings or lands attached thereto solely appropriated to the purposes of education."

Levying of market dues. On what properties water rates may and may not be levied.

9. No market dues shall be levied on any person not using the public

market, nor shall any compulsion be used to induce any person to use such public market; nor shall water rates be levied on any person whose property or properties in the city cannot be supplied with the water provided by the council, but the council shall have the power to impose the current water rate on the proprietors or occupiers of all buildings, houses, shops, or stores situated in any street through which the council's main water pipes run, except where tanks are formed or supplied to hold water adequate for the premises in the estimation of the council.

Valuation roll to lie for inspection. Notice to be given of court to hear objections to the valuations.

10. As soon as any valuation as aforesaid shall be completed, it shall lie at the office of the Town Clerk for the inspection of every owner or occupier of any property included therein, who may upon all lawful days and at all reasonable times, inspect the same and take extracts therefrom, within the period of one calendar month thence following, and the council shall, by public notice, announce for general information that it will, on some day not more than a fortnight after the expiration of said month, and at some hour and place to be fixed in such notice, hold a court for the purpose of hearing and determining objections to such valuation, provided that such notice shall be published immediately after the valuation shall be ready for such inspection, and repeated every week in one of the local newspapers during the said month:

What proof required in proceeding for recovery of any rate. Court to be held as announced in notice. May correct or amend valuation. No councillor to sit when valuation of his own property is in dispute.

Provided, also, that it shall not be necessary in any suit or proceeding for the recovery of any rate to prove anything further in the nature of due notice of any such valuation as aforesaid than the publication of the said notice during the said month in pursuance thereof, in one of the said local newspapers; and upon such day as aforesaid, and at the place and hour mentioned in such notice, the said council shall hold a court and shall hear all objections which may be urged to any valuation by any owner or occupier, or other persons on his behalf, and shall inquire into the merits of such objections, and for that purpose may, if the council think it desirable, take the oath of any person whom it shall see fit to examine (which oath the presiding member of the court is hereby authorized to administer) and shall confirm or correct any valuation objected to, provided the said court may be adjourned from time to time as the said court may deem necessary; and provided further that it shall not be competent for any councillor when any objection to the valuation of his property or of premises rented by him is raised to sit in his place, hear, and determine or vote upon such objection, and such objection shall be determined by the remaining members present forming the court.

How if property has been undervalued.

11. If, in the opinion of the said court, any property in the city should appear to be undervalued, it shall be competent for the court to submit the value of such property to a duly qualified appraiser, other than the original valuer of the same, and should such appraiser be of opinion, after inspection of the property, that the same has been undervalued, then the owners or occupiers of such property together with the appraiser aforesaid, and the first valuer shall be cited to appear before the council on a day to be named, not being less than three days from the date of citation, and the several matters in question, together with any evidence which may be tendered and produced in support of or opposed to the valuations, shall then be heard by the council, who

shall decide thereon.

Proceedings if property subdivided after valuation and sold publicly.

12. After the valuation of the immovable property has been made in manner hereinbefore provided, should any such property be sub-divided by the proprietor or proprietors and sold by public auction to other persons, it shall be competent for the council, pending the time of taking the next valuation, to levy rates on such sub-divided lots according to the price agreed to be given at the auction by each purchaser for the same respectively, and in such case the original valuation in respect of the entire undivided lot shall be dispensed with, and each sub-division valued at the price given therefor, and the rates thereupon shall be claimable from the purchasers respectively.

If sold or alienated privately.

But should such property be sub-divided and transferred to other proprietors by private sale or by demise or otherwise, then an appraiser shall be appointed to value the said properties, and a day shall be appointed by the council, of which a week's notice shall be given in writing to the owners of the sub-divided property, on which any objection to the said valuation shall be heard in the manner provided in the 70th section of the Graham's Town Municipality Act, 1869, and the new valuations as determined on by the council shall stand in the roll of assessment in place of the original valuation.

Annual rate to be assessed.

13. Same as section 64 of Act No. 29 of 1861 with the following changes:

- a) "three pence in the pound on the value" replaces "one shilling in the pound on the annual value or rental".
- b) "and provided that it shall be lawful for any two or more duly enrolled citizens at such meeting to demand a poll of the citizens entitled to vote, which poll shall be taken on a day to be fixed by the Mayor, not later than seven days from the date of the meeting, of which day not less than three days' notice shall be given in one or more of the local papers, and which poll shall commence at ten o'clock a.m., and close at three o'clock p.m. of such day." replaces "Provided that it shall be lawful for any two citizens at such meeting to demand a poll of the citizens enrolled to vote, which poll shall be taken the following day, to commence at ten o'clock and to be closed at the hour of four o'clock p.m. the same day."

New valuation every five years.

14. The first valuation, to be made as aforesaid, of all immovable property for the purposes of Act 23 of 1869, and of this Act, shall subsist and be in force for five years from the date of the first assessment under this Act, at the expiration of which term, and of each successive term of five years, an appraiser shall be appointed and a fresh valuation shall be made in the same manner as is directed in the said Act No. 23 with regard to the first valuation.

How notices under this Act to be published. When mayor to call a meeting. How expenses of meeting to be defrayed.

15. Same as section 71 of Act No. 29 of 1861 with the following changes:

- a) "municipal office" replaces "town hall".

- b) This proviso added: "provided always that the Mayor shall call a meeting upon receiving a requisition signed by not less than thirty duly qualified ratepayers and provided further that the expenses incurred by the council through its Mayor or any of its officers in calling such meeting shall be defrayed by the persons signing the requisition, unless it shall appear to the council that such meeting was purely connected with municipal purposes, or its object of such a character as in the opinion of the council would warrant it in charging the same expenses to the municipality."

Recovery of fines and penalties. Barred by lapse of three months.
As to contravention of municipal regulations.

16. Same as section 72 of Act No. 29 of 1861 with following changes:

- a) "Municipality of the...." is omitted between "The Council of the..." and "City of Graham's Town,"
- b) This addition is made:
"and to avoid the provisions of any municipal regulations being evaded it shall be competent for any officer of the local constabulary force, personally cognizant of the contravention of any such regulation by any person, or on production or delivery to him of an affidavit duly sworn to before a Justice of the Peace by any individual containing information that any regulation has, to his knowledge, been contravened, and stating the date of such contravention, to cite such person to appear before the Resident Magistrate for the purpose of having such contravention immediately thereafter heard and determined; and unless such person shall give security for his appearance not exceeding the maximum penalty imposed in and by the said regulation for the offence, such officer shall be justified in detaining him until the hearing of the charge, or he may release such offender with the sanction of the Mayor or Town Clerk on payment of the penalty provided in such regulation."

Short title.

17. This Act may for all purposes be cited as "The Graham's Town Municipality Act, 1878."

Yearly election provided for. Councillors to hold office three years, and may be re-elected on retirement.

5. At every yearly election, which shall take place on the first Wednesday in July of each year, there shall be elected one councillor for each ward, who shall enter upon his office on the first Thursday after his election, and continue therein for three years; and every retiring councillor shall be eligible for re-election.

Appointment by council of general or special committees.

7. It shall be lawful for the council to appoint out of their own body such and so many committees either of a general or special nature, and consisting of such members as the council may see fit, for the purpose of examining and reporting upon any matter or performing any act which in the judgment of the council would be more conveniently performed or examined into by means of a committee: Provided always that the proceedings of every such committee shall be regularly entered in its minute-book, and the result reported to the council. The Mayor to be ex-officio a member of all such committees.

Sections omitted are sections which are the same in earlier Acts.

MUNICIPAL REGULATIONS.
for the City of Graham's Town

GOVERNMENT GAZETTE NO. 3,501 PUBLISHED SEPTEMBER 15, 1863.

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NO. 32, 1863.

SECTION I.

General Regulations.

No. 1. Public meetings of the inhabitants shall be called by the mayor at his discretion, or by resolution of the council upon requisition, addressed to the mayor, from not less than twenty-five householders.

No. 2. It shall and may be competent in the town council, by resolution of the majority of the members thereof, from time to time, as need shall require, to authorize and empower any person or persons on its behalf, by letters of attorney, granted as hereinafter mentioned, with or without powers of substitution, as the said council may see fit, to appear for it in any court or courts of law in this colony, or thereout, to represent the said council in all or any actions, suits or other legal proceedings that may be instituted by or against it for any purpose whatsoever; and also, whenever necessary, in due and customary form, to make and sign the necessary declarations of sale and purchase, and to appear before the registrar of deeds to make and give transfer of all municipal lands sold by the said council, or to execute any mortgage bond or bonds upon any property purchased and vested in the said council; and also to manage and transact any other business which may be required to be done on behalf of the said council; and such power or powers of attorney, in pursuance of such resolution, shall be signed by the mayor and countersigned by the town clerk, and the common seal of the council shall be affixed thereto, in presence of any two councillors for the time being.

No. 3. Any person or persons erecting, or causing to be erected, any house, shed, or hut made of straw, reeds, or mats, - in which description are included the huts of natives, - except on such places as shall be appointed by the council, shall, on conviction, incur a penalty not exceeding five pounds, nor less than one pound. Should any such houses or sheds not be removed within forty-eight hours after the conviction of the offender as aforesaid, the person or persons so offending shall become liable to a penalty not exceeding ten shillings, nor less than five shillings, for each day after notice has been given to that effect by the council; or it shall be lawful for the council to remove or destroy the same at the expense of the offender. No new building shall be covered with thatch, straw, or

reeds within the precincts of the city, without the sanction of the council be first obtained, nor shall buildings now covered with such materials be re-covered with similar materials within the said limits under a penalty, to be paid by the owners of the said buildings, not exceeding five pounds, and not less than one pound per month, until the said covering be removed: Provided that nothing contained in this regulation shall be construed to interfere with the right of proprietors of houses now covered with thatch to repair such thatch when occasion may require.

No. 4. The council shall have the power to cause magazines to be erected on such sites as shall by it be deemed suitable, in which all gunpowder in the city, except that which dealers and private individuals may lawfully have in their charge, shall be stored, and the council shall be entitled to charge such reasonable sums for such storage as from time to time it may determine.

No. 5. No person shall trade, or sell any merchandize, provisions, wines, spirits, malt liquors, or any other article on the Sunday without incurring, on conviction, a penalty not exceeding ten pounds, and not less than one pound, for every such offence, - excepting, however, in such cases as are legalized or justified by any section of Ordinance No. 1, 1838, and provided that this section shall not be held to affect or interfere with the right of vendors of medicine or milk to sell those articles. (Omitted in later regulations.)

No. 6. Any person found gambling in any of the streets, lanes, or other parts of the city shall, upon conviction, be liable to a penalty not exceeding twenty shillings, and not less than five shillings.

No. 7. Any person who shall break, throw down, spoil, injure or damage any trees, unless by permission of the council, which are or may hereafter be planted in any public street, roadway, or avenue, whether such trees be public or private property, shall forfeit and pay any sum of money not exceeding five pounds, and not less than one pound, and shall also make full satisfaction for the damage done.

No. 8. Every householder or other resident within the limits of the city, at whose house or place of residence the birth of a child or the death of any person may occur, shall, within seven days after such birth or death, cause a certificate, as per schedule hereunto annexed, to be sent in to the town-office for registration; the name of the child to be registered at least within seven days after its baptism.

Certificate of Birth.

Date of Birth.	Name of Parents.	Usual place of Residence, whether Graham's Town or not.	Name of Child.	Sex.

Graham's Town,186

Signature of Householder.

To the Town Clerk, Graham's Town.

Certificate of Death.

Date of Death.	Name of Deceased.	Age.	Sex.	Cause of Death.	Usual residence, whether Graham's Town or other place, to be named.

Graham's Town,186

Signature of Householder.

To the Town Clerk of the City of Graham's Town.

For every case of neglect in furnishing this certificate within the prescribed time, the person at whose residence the birth or death takes place shall be liable to a penalty of one pound sterling.

No. 9. All wagons coming into the city shall have the name of the owner, his residence, and district written or painted in legible characters on the off side of the fore part of the wagon, in a conspicuous place, under a penalty, to be paid by the owner of the wagon, for each offence, not exceeding twenty shillings, and not less than five shillings.

No. 10. It shall be lawful for the owner or occupier of any property which shall be trespassed upon by any pig, goat, or poultry, to destroy the same, provided that the means of destruction be not used so as to endanger the personal safety of the inhabitants, and that the carcasses be buried; but it shall not be lawful to follow up such pig, goat, or poultry, for the purpose of destruction, beyond the limits of the property so trespassed upon.

SECTION II.

Market Regulations.

No. 1. Public markets shall be held on the Market-square, and such other places, and at such hours, as the council shall from time to time appoint; Sundays, Christmas Day, New Year's Day, and Good Friday excepted.

No. 2. The council shall appoint a market-master, and one or more deputies, whose duty it shall be to conduct the business of the market in strict conformity with the instructions furnished to them by the market-committee, subject to the approval of the council; such instructions, duly signed, to be posted up on some conspicuous place, or in the market-house, for general information. The market-master shall give security, before entering on the duties of his office, to the amount of one thousand pounds sterling.

No. 3. The market-master or his representative shall demand and take

a registry fee of sixpence from the proprietor of every wagon or cart entering the market with produce; and from the proprietors of all produce brought otherwise to market, and offered thereon for sale, a registry fee of one penny.

No. 4. The market-master or his representative shall levy and take, in addition to the registry fee, from all sellers on the market (except such as may hereafter be separately provided for), two per cent. on the amount of all goods or produce sold.

The article to be excepted from the rate of payment afore-mentioned shall be wool, the duties on which to be demanded by the market-master shall be at the rate of one per cent. to the seller.
(Omitted in later regulations.)

Any person selling goods or produce on the market and neglecting to pay the market dues herein provided for shall be subject to a penalty not exceeding five pounds, and not less than one pound, for each offence.

No. 5. On all horses put up for sale and not sold there shall be a charge of one shilling each; on cattle less than six, six pence each, if six or more three pence each; on sheep, goats, or swine, one penny each if less than two hundred, and on all above that number one half-penny. (Omitted in later regulations.)

No. 6. Should any dispute arise between two or more bidders during the sale of any article, such article shall forthwith again be put up for sale.

No. 7. All sales on the market shall be for cash only, unless the terms of credit be publicly declared and entered into the book of the market-master or his deputy before the commencement of the sale. No private arrangements made by the parties for any particular mode of payment previous to the exposure of the produce on the market shall be admitted by the market-master.

The market-master shall hold himself responsible to the seller for the payment of the money for which the articles have been sold; and all purchases shall be paid for by the buyer to the market-master or his representative, either on the spot at the time of purchase, or at the market office (provided the article has been delivered), at such hours as the council shall from time to time appoint.

In all cases when the seller shall declare to sell upon credit, the dues and percentage shall be paid as provided for in clauses 3 and 4, Market Regulations; and provided, further, that in all cases when the seller shall agree to sell, and shall sell upon credit, the market-master shall not be held responsible for the solvency of the purchaser, or for the payment by him.

No. 8. The market-master shall pay to the seller or his agent the proceeds of sales on the market, less the charges and fees as before provided, within a reasonable time after the seller or his agent shall have delivered the sale note, receipted by the purchaser, subject, however, to such rules as have been or may be passed. Any purchaser who shall neglect or refuse to receive or pay for an article so bought, or who shall cause any unnecessary delay to the seller, shall be liable, upon conviction, to a penalty not to exceed

five pounds, nor less than ten shillings, and shall, moreover, be compelled to defray all expenses incurred by the detention in town of the seller for the purpose of prosecuting the case; provided always that the delay is unavoidable, and that it does not arise from fraud practised by the seller.

No payment shall be made by the market-master except to the seller or his agent duly authorized to receive the same.

No. 9. The council shall be responsible to the sellers on the market for the proceeds of all cash sales thereon, provided that, in the event of non-payment by the market-master, notice be given to the town clerk within forty-eight hours after the sale.

No. 10. The market-master or deputies shall sell all stock or produce brought to the market by public auction. No bidding, however, shall be taken for less than one sack of meal, flour, or grain; 25 lbs. of salted meats or soap; 25 lbs. of dried fruits, or one hundred apples, pears, or other fruits, except in such cases where the total quantity of any article brought for sale shall be less than the quantities herein specified; butter, however, shall not be sold in smaller quantities than may be contained in the cask, tub, or other package in which it may be brought to market.

All vegetables and fruit not to be sold by public auction may be exposed for sale at a spot to be set apart by the council for that purpose.

The council may erect, at discretion, stalls or other accommodation for retail sellers on the market, for which it shall be authorized to make a charge according to the accommodation required.

No. 11. All persons offering forage, grain, butter, meal, potatoes, wool, or brandy for sale on the public market, shall be bound before sale, if required so to do, to deliver to the market-master a sample of such produce or other specified article, for comparison with the article which is to be sold upon the market, such sample to be afterwards appropriated for municipal purposes.

Any person placing on the market any article for sale, not in accordance with the sample exposed by him, shall be liable, upon conviction (omitted in later regulations), to a penalty not exceeding five pounds, and not less than two pounds, and the buyer shall not be compelled to take any such article.

No. 12. The buyer or seller of any article requiring it to be weighed, may call upon the market-master or weighing-master to weigh the same, and to give a certificate of the weight.

No. 13. The market-master shall not be permitted to purchase produce on the market for the purpose of trading or otherwise, on pain of being removed from his situation, excepting any article in small quantities which is bona fide for his own family consumption.

No. 14. The seller on the public market shall, within a reasonable time, deliver to the buyer, at any place at the option of the purchaser (provided the same be within the limits of the city), the

produce and other articles sold on the market, without making any charge whatsoever for so doing; and any person neglecting or refusing so to deliver to the purchaser shall be liable to a penalty not exceeding five pounds, and not less than one pound.

No. 15. The market-master shall keep a correct account of all moneys received and paid by him, and of all produce he may have sold. All fees received by him shall be paid to the city treasurer, at such times as the council may from time to time determine, the intervals of payment not being longer than one month, and the correctness of the account rendered shall be verified by a solemn declaration, signed by the market-master before a Justice of the Peace.

No. 16. The market-master shall deliver a sale note to every person who shall sell goods on the market, setting forth the name of the purchaser, the quantity and description of the articles sold, the prices of the different articles, and the date of sale, and shall render account sales on the payment for sales when required to do so.

SECTION III.

Streets and Thoroughfares.

No. 1. The council shall have the power to fix from time to time the width of all footpaths in the streets and thoroughfares of the city.

All pavements shall be laid down according to a plan and level to be determined by the council, whose consent to the laying down of pavements shall be asked and obtained in writing before any pavements may be so laid down.

No trees shall be planted, posts erected, or chains put up in any parts of the streets or thoroughfares without special permission from the council.

Any person committing a breach of this regulation shall, upon conviction (omitted in later regulations), be subject to a penalty of not more than two pounds sterling, nor less than ten shillings, for every such offence.

No. 2. Any person or persons building, repairing, or altering any house or building in or adjoining any public street or thoroughfare, shall, after obtaining consent of the council, be permitted to use one fourth the breadth of the street in front of such house or building for the purpose of laying down materials while the building operations are actually in progress. The space used for the aforesaid purpose shall be enclosed in such a manner as the council shall direct, and a light shall be kept burning at night thereat, at the expense of the person or persons building; and all persons so building shall cover such portion of the footpath, as the Board of Works may decide, with close planking of not less than two inches in

thickness and not less than six feet in height.

The occupation of any portion of any street for the purpose aforesaid shall not continue for a longer period than three months, without a permit, to be obtained in writing from the council, granting an extension of time.

All rubbish accumulated during the erection or repair of any building shall be removed immediately on the completion of the same, and the pathway shall always be kept clear.

For each distinct breach of this regulation a fine shall be inflicted, on the conviction of the offender, not exceeding two pounds nor less than ten shillings sterling, and in default of payment the offender shall be imprisoned for a period not to exceed one calendar month.

No. 3. No person shall leave in the public streets or footpaths any obstruction whatever, more than one hour after legal notice from the street-keeper, or other authorized officer, shall have been given to the effect that the same must be removed, under a penalty not to exceed two pounds sterling, and not less than ten shillings, for every day the said obstructions shall remain on the public street or footpath; provided that this regulation shall not be deemed to apply to goods which may be in course of transit from wagons to warehouses, or vice versa, and which are not exposed for sale, provided the same do not obstruct the footpath.

No. 4. No public sale shall be held, or goods exposed for sale by auction, or otherwise, on the footpath (omitted in later regulations) or any public street or thoroughfare, within the city, except by written consent of the council, or at such place or places as the council shall from time to time appoint for that purpose. Every person offending against this regulation shall incur a penalty not exceeding five pounds, nor less than two pounds, for every such offence.

No. 5. No horses, cattle, swine, or goats shall be permitted to stray in the streets or thoroughfares of the city. Any person finding such animals so straying shall be authorized to impound them, and any attempt to rescue such animals whilst being taken to the pound shall subject the offender, on conviction, to a fine not exceeding five pounds, and not less than one pound.

The owners of all such animals aforesaid, which may be impounded in accordance with this regulation, shall pay, in addition to the pound fees, the following fines:- For swine, ten shillings per head; for horses, one shilling per head; for goats, two shillings per head; for cattle, one shilling per head if the number does not exceed six, if above that number, six pence per head.

No. 6. No wagon, cart, or other carriage, with animals harnessed thereto, shall be allowed to stand in any street, or in the intersections of any street or road, without a person to take due and proper care thereof; nor shall any wagon, cart, or other carriage remain in any street or thoroughfare after dark; but all such vehicles shall be taken to, and shall stand during the night at, such places only as

shall be by the council appointed for that purpose. All ox-wagons passing through the streets or roads of the city, shall be provided with a leader in front of the oxen, and a driver.

Any person contravening this regulation shall be liable, upon conviction, to a penalty not exceeding two pounds, and not less than five shillings.

No. 7. Any person who shall wantonly irritate or maltreat any horse, ox, or other animal, whether attached to vehicles or not, within the precincts of the city, shall be liable, on conviction (omitted later NOT omitted in 1881), to a penalty of not more than one pound, nor less than ten shillings.

Any person who shall unnecessarily smack a wagon-whip at any time in any public thoroughfare or street, shall, upon conviction (omitted in later regulations), be liable to a penalty of not more than two pounds, and not less than five shillings.

Any person who shall drive or ride a horse on any public footpath, or who shall cause or permit any horse to stand on the same, shall be liable, on conviction, to a penalty of not more than one pound, nor less than five shillings.

The owner of any ferocious dog permitting it to run loose, or any person setting such an animal at liberty so as to endanger any passenger, shall incur a fine not exceeding two pounds, and not less than ten shillings.

Any person riding or driving furiously through the streets or thoroughfares of the city shall incur a penalty of not more than five pounds, nor less than ten shillings.

No. 8. No wagon with the wheel or wheels locked with a drag chain shall pass down or through any of the streets or thoroughfares of the city, under a penalty of not exceeding twenty shillings, and not less than five shillings.

No. 9. Any person appearing in the public streets without being covered with such articles of clothing as decency requires shall, for each and every offence, be liable to a fine not exceeding twenty shillings, and not less than five shillings.

No. 10. No person shall dig any excavation, pit, or hole, for any purpose whatsoever, in any street or thoroughfare, or waste land, without the consent, in writing, of the council first had and obtained. Should such consent be obtained, the excavation, pit, or hole shall be properly fenced or railed in; and any person so digging any excavation, pit, or hole without such consent, or leaving any excavation, pit or hole uncovered, so as to endanger any passenger or property, shall be subject to a penalty not exceeding two pounds, nor less than ten shillings, for every such offence.

No. 11. No person shall discharge in the public streets of the city, or on private property adjacent thereto, without lawful cause, any firearms, or throw any stone or missile to the damage or danger of any person or property; neither shall any person trundle hoops, fly kites, light fireworks or tar barrels, or engage in any games in the

streets or thoroughfares of the city, to the annoyance or danger of the inhabitants, without incurring, upon conviction (omitted in later regulations), for every such offence, a fine not exceeding twenty shillings, and not less than five shillings.

No. 12. The council shall at all times have the right of removing any trees, posts, or other obstructions from the streets and thoroughfares of the city. Any person who shall offer resistance to the removal of such trees, posts, or other obstructions, shall, upon conviction (omitted in later regulations) pay a penalty of twenty shillings.

No. 13. The owner of any wild beast who shall allow the same at any time to run at large in any public street or thoroughfare shall subject himself for such offence to a penalty, not exceeding five pounds, and not less than one pound; and it is lawful for the street-keeper, or any other inhabitant, on the warrant of the sanitary committee, to destroy any such animal so found at large in the public streets or thoroughfares, and to have it removed therefrom without delay, at the expense of the owner, to such nearest place of interment as may be set aside for all dead animals.

No. 14. No person or persons shall stand or congregate on any footpath or public street, so as to obstruct free traffic, after being requested to move on or to disperse, under a penalty of not exceeding ten shillings and not less than two shillings and sixpence.

SECTION IV.

Sanitary Regulations.

No. 1. No cattle or sheep intended for sale shall, on any pretence whatever, be slaughtered within the city, except at such place or places as shall have been fixed on or approved by the council. Suitable buildings shall be erected by the person slaughtering on the spots selected or approved of by the council for that purpose. Any person who shall infringe this regulation shall, upon conviction (omitted in later regulations), incur a fine of not more than ten pounds, and not less than five pounds for every such offence.

No. 2. For preserving the cleanliness and health of the town, it shall be lawful for the council to appoint some person or persons to inspect all slaughter-houses and butchers' shops within the city as often as they may think necessary, and to give such particular directions concerning the disposal of the refuse and the cleansing of the slaughter-houses and shops, both within and without, as they may see needful. And any person who shall neglect to comply with such directions within twenty-four hours after receiving such notice or directions so given as aforesaid, shall, for every such offence, incur a penalty not exceeding ten pounds, and not less than five pounds.

The council shall also have the power to appoint some person or persons to examine meat and other provisions exposed for sale, and

who, in case such provisions be found unfit for human food, shall cause the same to be destroyed. All persons offering such meat, provisions, or food for sale shall, on conviction, be liable to a fine not exceeding ten pounds and not less than five pounds.

No. 3. The council shall provide and set apart certain places within the limits of the city, where filth, soil, stable-litter or rubbish may be deposited; and notice shall be given from time to time of the places so set apart by public advertisement.

No person shall deposit or cause to be deposited any filth, soil, earth, stable-litter or rubbish, in any street or public place, or waste ground within the city, except in such places as the council shall appoint from time to time.

No persons shall deposit any such filth, earth, soil, stable-litter or rubbish, or permit the same to fall into any public sewer, pipe, drain, water-course, stream, pond, or reservoir, or cause or permit any offensive matter to run from any manufactory, brewery, tannery, slaughter-house, butcher's shop, cesspool, or dung-hill into any thoroughfare or uncovered place, whether surrounded by a wall or fence or not.

No person shall bathe or wash clothes at, in, or near any public well, pump, fountain, water-course, drain, or reservoir, except at such places as shall be from time to time appointed by the council.

Any person contravening this regulation shall be liable to a penalty not exceeding five pounds, and not less than one pound for every such offence.

No. 4. Any person sweeping or throwing into any street any paper or rubbish shall be subject to a fine of not more than ten shillings, and not less than two shillings and six pence, for every offence.

No. 5. No person shall keep swine so as to be a nuisance to any adjoining occupier, nor horses, swine, or other animals anywhere within the city, so as to be a common nuisance, under a penalty not exceeding five pounds, nor less than ten shillings.

No. 6. The proprietor of any dead horse, ox, or any other animal not intended to be used as food, shall cause the same to be buried at such places as the council shall appoint, within twelve hours after death, and at a depth below the surface of not less than three feet, under a penalty of not more than two pounds, nor less than ten shillings.

No. 7. All persons desirous of acting as nightmen for the removal and disposal of night-soil shall take out annually a licence from the town-office, for which a fee of five shillings shall be charged. The names and residences of all licensed nightmen shall be registered.

Any person acting as public nightman, by the removal of night-soil without the licence of the council, and all persons employing any such unlicensed person in the capacity of nightman, shall be liable, on conviction, to a penalty not to exceed five pounds, and not less than two pounds.

No. 8. The removal of night-soil by licensed night-men shall be performed under such regulations as the council may from time to time appoint, and in no case shall any night-soil be carried through any of the streets of the city between the hours of six o'clock a.m. and eleven o'clock p.m.

No licensed nightman shall refuse to remove night-soil when requested so to do, in accordance with the regulations of the council.

For every breach of this regulation a penalty of not more than five pounds, and not less than two pounds, shall be enforced.

No. 9. The owner of every house in the city, intended to be inhabited, shall provide it with a cesspool, or other satisfactory means of disposing of night-soil, without prejudice to the health of the inhabitants, under a penalty of not more than five pounds and not less than one pound.

No. 10. No dwelling-house, or any other tenement, shall be occupied by more inmates than may be presumed to be fair and reasonable, so that the health of the community be not endangered, nor shall any house or tenement be kept in a notoriously filthy and unwholesome state.

The council shall have the power, whenever it shall be reported to it that this regulation has been broken, to appoint some duly qualified person to inspect such dwelling-house or tenement, and to report thereon to the council, and on such report the council shall be empowered to order the removal of so many of the inmates as the council shall deem necessary, or that such cleansing operations as the case may need be performed. And if such order be not complied with, the owner or occupier of such house or tenement shall be liable, upon conviction, to a penalty not exceeding ten pounds, and not less than five pounds.

No. 11. No persons shall erect any dam in any of the streams that pass through the city, or cause any obstruction to be made to the flow of water in the same, nor shall any water be led from these streams for any purpose whatever, except by permission of the council, given in writing, which permission shall in no case endure longer than six months, at the expiration of which it may be renewed or not at the option of the council.

No. 12. Any person or persons occupying any tan-yard within the city shall keep every part thereof free from the accumulation of offal or offensive matter, and any person instructed or authorized by the council shall be at liberty to enter at any time any such yard for the purpose of inspecting the same. Any person not fulfilling the conditions of this regulation shall be liable to a penalty not exceeding five pounds, nor less than one pound.
(Omitted in later regulations.)

SECTION V.

Water Regulations.

No. 1. Every proprietor of a house or premises within the

Municipality desiring to have water led upon his premises from the public pipes, shall make application in writing, to the Town Council, who shall thereupon make the necessary inquiries, and grant or modify the application in such manner as it shall deem most expedient.

No. 2. If such application be granted, the council shall cause a connecting pipe to be attached to the nearest main or service pipe, with the necessary cocks to regulate the supply allowed to the applicant, who shall defray the expense of such work.

No. 3. The water-rate to be paid annually by persons to whom water from the city pipes is supplied shall be as follows, namely:

For each water-leading delivering under 75 gallons per diem	£1 10 0
For water-leading or leadings delivering under 150 gallons per diem	3 0 0
For leadings delivering under 250 gallons per diem	4 10 0
For leadings delivering any amount above 250 gallons, for every additional 100 gallons per diem	1 10 0

Provided always that in case any such application for a private water-leading be acceded to on or between the 1st January, and 31st March, the said applicant (after the completion of the work to be performed on the said water-leading by the council) shall pay, at the above-stated rate, for the whole year; if acceded to on or between the 1st April and 30th June, the applicant shall pay for three quarters of the year; if acceded to on or between the 1st July and 30th September, the applicant shall pay for the half year; and if the application be acceded to on or between the 1st October and 31st December, the applicant shall pay for one quarter of the year only, in advance.

No. 4. It shall be lawful for the council, and it is hereby authorized and empowered, at any time when, from the decrease of water in the reservoirs or drains, from failure of the springs, or any other cause, it shall deem it expedient, to decrease the daily supply of water to the public aqueducts or fountains, and to close the private water-leadings. No person, however, shall be excused the payment of the water-rate due by him on such private water-leading, by reason of the said water-leading having been at any time necessarily cut off or closed by the council.

No. 5. The council shall, in the month of January in each year, notify to the persons having private water-leadings the amount of the water-rate due by them for that year, at the rate specified in clause No. 3, Water Regulations; and if such amount of rate be not paid to the collector duly appointed, the council shall be and is hereby empowered to stop or wholly cut off such private water-leadings as it may deem necessary, after reasonable notice, and, if need be, to enter upon private property for such purpose; provided, however, that all intermediate grants of private water-leadings shall be paid for previous to the water being turned on.

No. 6. Every person obtaining such private water-leadings shall keep all pipes and cocks on his premises connected therewith, or leading thereon, in good repair, and prevent every waste of water;

and the council, or such person or persons as may be appointed by it, is hereby authorized and empowered, at all reasonable times, to enter upon the premises of such resident to see that no waste of water is wilfully made, and is further authorized and empowered, after having give due warning to prevent such waste, and such warning not being attended to, to cut off the pipe by which the supply of such resident is allowed.

No. 7. No person shall leave open any cock of any public fountain or pump situated in any street or other place, so that the water shall run to waste, under a penalty of not exceeding two pounds.

No. 8. Any person within the city who shall injure any public fountain, pump, cock, water-pipe, or any part thereof, and any person who shall clandestinely appropriate to his use any water from the public fountains or pipes by means of any pipes, without any authority thereto had and obtained as before mentioned, or any person found guilty of any of the defaults enumerated, shall be liable, upon conviction, to a penalty not exceeding two pounds.

No. 9. Any person who shall open or shut any public or private water-sluiice, or in anywise obstruct or hinder any person or persons charged with the care of the water-courses, sluices, &c., or with the distribution of the water, shall forfeit any sum not exceeding one pound sterling for each offence, and shall make full satisfaction for the damage which shall have been occasioned thereby.

No. 10. No person shall use or remove the water for other than domestic purposes from any public fountain or pump, except from such place, and under such regulations, as may hereafter from time to time be publicly notified.

No. 11. All horses, cattle, or other animals found trespassing within the limits prescribed for the protection of the springs or streams that supply the town will be impounded, and the owners thereof shall pay to the poundmaster one shilling for every horse, sixpence for every head of cattle, one penny for every sheep, two shillings for every goat, and five shillings for every pig, over and above the pound fees.

No. 12. No person shall bathe, or wash either their person or clothes at any well, fountain, or stream that supplies the town; nor shall they in any way pollute the water thereof. Any person contravening this regulation shall, upon conviction, pay a penalty of two pounds sterling, half of which shall be given to the informer on conviction of the offender. (Omitted in later regulations.)

No. 13. No person to whom water is supplied from the public pipes shall sub-let or sell any portion of the water supplied to him, under a penalty of two pounds, half the fine to be given to the informer.

SECTION VI.

Assize Regulations.

No. 1. It shall and may be lawful for the council, and it is hereby required, to appoint some fit and proper person to be the city assizer. The city assizer shall assize and mark all weights and measures kept for the purpose of trade or dealing, and shall attend at the place appointed by the council, during the first week in the month of December in each year, for the assizing of all weights and measures kept or used as aforesaid; and due notice shall be given by the council, by public advertisement, stating the time and place when all persons using weights and measures for the purposes of trade or dealing are required to attend and produce all weights and measures that require to be assized. Any person who shall use for trade or dealing any weights or measures which have not been assized shall, on conviction, forfeit a sum not exceeding two pounds, and not less than ten shillings, and the weights or measures shall be forfeited and destroyed. There shall be paid for every weight or measure assized and marked the sum of one penny, besides the cost of alterations and repairs thereof, if such shall be necessary; and it is further provided that any person desiring to have any weights or measures assized, at any time of the year, may apply to the city assizer for that purpose, who shall thereupon cause the same to be done, upon payment of the aforesaid fee and costs of repair.

No. 2. The city assizer shall, in his assizing, conform to the standard of weights and measures which now are, or hereafter shall be, established by law, and which it shall be the duty of the council to procure and furnish for the use of the city assizer; provided always that the standard weights and measures deposited by the council with the city assizer for the time being shall be deemed and taken to be the legal weights and measures of the city of Graham's Town for all the purposes of these regulations.

No. 3. Any person making use of, or having in his store or shop, or on his premises, for the purposes of trade, any short or deficient weight or measure, or any false, unequal, or defective scales or balance, shall, upon conviction, incur and become liable to the payment of a fine not exceeding ten pounds, and not less than three pounds, and such weights, measures, scales, steelyards, or balances shall, on conviction of the offender, be forfeited and destroyed.

No. 4. It shall be lawful for the council to appoint any two or more persons, with the city assizer, at such times as the council may direct, to visit any shop, store, or other place of trade or dealing, and to require that the weights and measures, scales, steelyards, or other balances used therein shall be produced and shown to them; and all such as they shall find not duly assized, or deficient in weight or measure, and any false, unjust or defective scales, steelyards, or balances, they shall carry away, and, on the conviction of the offender, the same shall be forfeited and destroyed. Any owner or proprietor of such shop, store, or other place, or any person in his or her employ therein, refusing to produce such scales, steelyards, balances, weights and measures, when

thereunto required, or any person whatever in any way obstructing, molesting, or hindering the city assizer or his associates in the execution of their duty, shall incur and become liable to the payment of a fine not exceeding ten pounds, and not less than three pounds.

SECTION VII.

Common Lands.

No. 1. No person shall turn loose on the common lands or any public place any horse or other animal affected with the glanders or any other contagious disease, under a penalty not exceeding five pounds and not less than one pound.

No. 2. Every inhabitant householder, not a quarry-man, carrier or dairyman, shall be allowed to graze twelve head of horned cattle and two horses, or in lieu thereof twenty-five goats or sheep, and no more, on the common lands within the limits of or belonging to the city. Carriers and stone-quarriers, being householders, shall be allowed to keep not exceeding twenty-four oxen, and dairymen shall be allowed to keep twenty cows each, on the common lands: Provided that any person claiming to be allowed to keep more cattle on the said common lands by reason of their following any of the trades or callings before mentioned, shall register his name and trade or calling in the office of the council; and provided also it shall be lawful for the said council to grant a special permission to any butcher, trader, or other person or persons to keep and graze any number of sheep and cattle on the said lands for such period, and under such regulations, as they may deem necessary and expedient, - such horses, cattle, sheep or goats being the bona fide property or in the lawful possession of such quarrymen, carriers, or dairymen: Provided, also, that nothing herein contained shall apply to any person or persons passing to or from the public market who may remain with their cattle on the town lands forty-eight hours and no longer.

No. 3. All horses, cattle, sheep, or goats found grazing or straying on any part of the said common lands, not being the property of any resident householder, or exceeding the number which such resident householder shall be allowed to keep on the said lands by virtue of these regulations, or without having such permission as aforesaid, be the same in charge of herdsmen or not, may be lawfully impounded by any person finding the same, and the owner thereof shall become liable to a fine of one shilling for each head of cattle and horses, and six pence per head for sheep and goats, in addition to the usual pound fees.

No. 4. No person shall make bricks, quarry stone, or dig or remove earth, clay, or sand from land belonging to the corporation without first obtaining a lease or licence from the council, under a penalty of not more than five pounds, and not less than one pound, for each offence.

No. 5. No person or persons shall cut down or destroy any bush or

tree upon the town lands, under a penalty not exceeding five pounds, and not less than five shillings, half the fine to go to the informer.

SECTION VIII.

Pound.

No. 1. A pound shall be established within the city of Graham's Town, for the impounding of horses, cattle, &c., and the council shall appoint a poundmaster to take charge of the same.

No. 2. Persons finding cattle, horses, asses, mules, pigs, goats or sheep trespassing on their property, are hereby empowered and authorized to send the same to the pound established within the city.

No. 3. No person shall detain such cattle, horses, asses, mules, pigs, goats, or sheep in his or her possession beyond eighteen hours after the same shall have been found trespassing; and any person or persons detaining cattle, horses, or other above-mentioned animals, beyond the said term of eighteen hours, shall, upon conviction, be liable to a fine not exceeding five pounds.

No. 4. All cattle or other animals, as mentioned in the preceding clause, found trespassing, shall be sent to the pound during daylight, and it shall be lawful for the poundmaster to refuse to deliver any cattle or animals as above-mentioned after nine o'clock p.m. from the 1st October to the 31st March, and after seven o'clock p.m. from the 1st April to the 30th September.

No. 5. It shall be the duty of the poundmaster, or, in his absence, of the person in charge of the pound, to grant to the person delivering trespassing cattle or other animals as above mentioned, a written certificate stating the number and description of the cattle or other animals as above mentioned taken, and the name of the person by whose authority such cattle or other animals as above mentioned have been sent, copy of which certificate he shall enter in a book to be kept for that particular purpose, and to be styled "Certificate Book".

No. 6. The poundmaster is hereby empowered and authorized to demand from all persons applying for their cattle or other animals as above-mentioned, the following sums of money, to wit:-

- For every horse, mule, ass, ox, cow, or bull, a fee of 6d.
- For every goat or pig, 2s. 6d.
- For sheep, 6d. per dozen.
- For grazing and attending every horse, mule, ass, ox, cow, or bull, 4½d. per diem.
- For grazing and attending any number of goats or pigs under fifty, 2s. 6d. per diem.
- For grazing and attending sheep, 6d. per dozen per diem.

No. 7. It shall be lawful for the poundmaster to detain all such cattle or other animals as above mentioned until the said sums so claimed are paid; these charges to be entirely independent of any charge of damage claimed by the owner of the property trespassed upon, as also such other fines as are imposed by the City Regulations.

No. 8. It shall be the duty of every person claiming damage by reason of the trespass committed by cattle, or other animals as abovementioned, sent to the pound, to transmit to the poundmaster, together with the cattle or other animals as above mentioned so sent, a memorandum in writing, subscribed by the party claiming such damage, setting forth the extent of such injury and the amount of damages claimed; and no person who shall omit to send such memorandum in writing shall be entitled to claim any damage by such trespass; copy of such memorandum to be entered into a book to be kept for that particular purpose, and to be styled "Damage Book".

No. 9. It shall be the duty of the owner of any property claiming such damage for any trespass to have the same assessed by two fit and competent householders on the spot, as soon as possible, whose duty it shall be to personally inspect the trespass committed and injury suffered, and, if the owner of the cattle be known, due notice shall be sent to him to be present at such inspection and assessment; the said person claiming such damage shall thereupon transmit to the poundmaster a statement setting forth that the injury has been committed by the cattle or other animals as above mentioned, thus sent to the pound, together with a declaration of the appraisers setting forth to the best of their skill and ability the value of such damage; provided that no claim for damage shall be allowed upon any land that is not properly fenced, but that the person claiming damages upon such land shall be left to recover the same by civil action.

No. 10. It shall be the duty of the poundmaster, before delivering such trespassing cattle or other animals as above-mentioned, to demand from the respective owners of such cattle or other animals the amount of damages, together with all other charges, and on his or their refusal to comply therewith, or denying his or their liability to pay such amount of damage or other charges, it shall be the duty of such owner forthwith to state his objections, in writing, to the council, upon which the council shall appoint three councillors as a committee to examine into the said objections, who shall give notice to all parties to attend, together with their witnesses; and upon hearing both parties the said committee shall give and pass such award as it shall deem just, which award is to be final; and upon payment of such sum as the said committee may fix and determine, the said poundmaster shall deliver the cattle or other animals as above mentioned detained by him: Provided always that it shall be competent for the owner of such cattle or other animals concerning which there may be any dispute to demand the delivery thereof, and, upon payment or tender of such fees and charges or damages claimed by the poundmaster, the poundmaster shall be bound to release the said cattle pending the settlement of the dispute referred as aforesaid.

No. 11. It shall be the duty of the poundmaster, in the event of the cattle or other animals as above mentioned sent to the pound not being claimed or released by any one within seven days,

to advertise the same for public sale, in one or more of the local newspapers, giving a minute description of the cattle or other animals as above mentioned to be sold, and the sale of all such cattle or other animals as above mentioned shall be fixed at one month from the date of the advertisement, and after deducting the expenses of the sale and pound fees, and all other lawful charges, he shall pay over the proceeds to the council on behalf of any future claimant of such proceeds; and the poundmaster shall also make a correct entry of all such sales, and of the proceeds thereof, in the book hereinafter mentioned, and in the extract or copy thereof to be furnished to the council; and in case the owner of any animals sold, in respect of which any sum of money shall have been paid over to the council, shall not within the space of twelve months from the day of such payment claim the said money, the same shall become the property of the council.

No. 12. All horses and cattle sold out of the pound, by reason of not being claimed within the prescribed time, shall be branded with the city pound brand.

No. 13. It shall be the duty of the poundmaster to have all cattle or other animals as above-mentioned sent to the pound properly attended and herded, and he shall be responsible for all losses and injury done to any such cattle or other animals as above mentioned by the act or neglect of himself or his servants, and in the event of any impounded cattle or other animals as above mentioned dying under his charge, it shall be his duty forthwith to report such death to the council, and he shall, moreover, make a true entry thereof, with the description and marks of such cattle or other animals above mentioned in his pound book, an extract or copy of which to be furnished weekly to the council; and no poundmaster shall be at liberty to work, use, or employ for his own benefit, or that of any other person, any horses, cattle, or other animals above mentioned sent to the pound, and every poundmaster contravening this regulation shall be liable, upon conviction, to be dismissed from his situation, and shall, moreover, be liable to pay a fine of any sum not exceeding ten pounds.

No. 14. If any person shall, by threats or violence, or otherwise, rescue or attempt to rescue against the will of the person or persons in charge of any animals lawfully seized in order to be impounded, or shall so rescue or attempt to rescue any animals after the same shall have been impounded with the poundmaster, such person so rescuing or attempting to rescue the same shall, for every offence, forfeit any sum not exceeding ten pounds.

No. 15. The poundmaster shall be obliged, before entering upon the duties of office, to give two securities, each in the sum of twenty-five pounds, for the due discharge of his duties.

No. 16. All horses, cattle, or other animals, found to be infected with any contagious disease, such as glanders, or lung-sickness, &c., while in the pound, shall, upon the certificate of two authorised competent persons, be destroyed and buried, the owner of such animal being liable for all expenses incurred.

SECTION IX.

Native Locations.

No. 1. A superintendent may be appointed by the council over the locations, who shall obey and carry out all instructions he may from time to time receive from the council.

No. 2. The superintendent shall register the names of coloured persons located, and quantity of live stock kept by them, according to a form to be furnished to him, showing any increase or decrease during the month; such form to be laid before the council on the first Friday (changed to Wednesday in 1873) in each month, with a report.

No. 3. All strangers shall report themselves, on their arrival, to the superintendent.

No. 4. All persons desirous of being located shall apply to the superintendent, before being located on the town lands, for a spot on which to erect a hut, and shall pay a rental for each allotment of two shillings and six pence per quarter in advance.

No. 5. The superintendent shall number each hut or residence, and shall receive monthly, in advance, all rent, and shall pay the same into the hands of the treasurer on the second Wednesday in each quarter.

No. 6. Every hut-holder or other resident in the location shall be obliged to satisfy the superintendent of the manner in which he obtains his livelihood.

No. 7. No stranger shall be allowed to remain in the location or on the city lands for more than seven days without a licence from the superintendent.

No. 8. No hut or erf-holder shall graze any cattle, sheep, or goats, on the town lands without the consent of the council.

No. 9. Every erf-holder shall keep his or her erf in good order, and the ground free from all rubbish and burr weed.

No. 10. Any person or persons contravening these regulations shall, upon conviction, be liable to a fine not exceeding twenty shillings, and not less than five shillings.

Penalty Clause appertaining to all Sections of the Regulations in which no Penalty is mentioned.

For or in respect of any contravention of any of the provisions of the foregoing Regulations, in regard to which no penalty shall have been herein before expressly provided, - every person so contravening the law shall incur and be liable to a penalty not

exceeding five pounds, nor less than ten shillings or, in default, to imprisonment for any period not exceeding three calendar months; and in any clause when a penalty may have been mentioned, but no provision made for default of payment, it is hereby provided that such defaulters shall be liable to imprisonment for any period not exceeding three calendar months, and the convicting magistrate shall have the power to award to the informer any proportion of the fine inflicted not exceeding one half.

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NO. 15, 1873.

AMENDED REGULATIONS FOR THE MUNICIPALITY OF GRAHAM'S TOWN.

SECTION I - GENERAL REGULATIONS.

Public Meetings.

No. 1. Public meetings of the inhabitants may be called by the Mayor at his discretion, or by resolution of the Council.

Straw or Reed Huts - Thatched Roofs.

No. 3. Any person or persons erecting, or causing to be erected, any house, shed, or hut made of straw, reeds, or mats, in which description are included the huts of natives, except on such places as shall be appointed by the Council, shall incur a penalty not exceeding five pounds nor less than one pound. Should any such houses or sheds not be removed within forty-eight hours after the recovery of the aforesaid penalty from the offender aforesaid, the person or persons so offending shall become liable to a penalty not exceeding ten shillings nor less than five shillings for each day after notice has been given to that effect by the Council; or it shall be lawful for the Council to remove or destroy the same at the expense of the offender. No new building shall be covered with thatch, straw, or reeds within the precincts of the city, nor shall buildings now covered with such materials be recovered with

similar materials within the said limits, unless the sanction of the Council be first obtained, under a penalty, to be paid by the owners of the said buildings, not exceeding five pounds and not less than one pound per month, until the said covering be removed: Provided that nothing contained in this regulation shall be construed to interfere with the right of proprietors of houses now covered with thatch to repair such thatch when occasion may require.

Storage of Gunpowder.

No. 4. The Council shall have the power to cause magazines to be erected on such sites as shall by it be deemed suitable, in which all gunpowder or other explosive or inflammable materials, in the city, except that which dealers and private individuals may lawfully have in their charge, shall be stored, and the Council shall be entitled to charge such reasonable sums for such storage as from time to time it may determine.

Registration of Births and Deaths.

No. 7. Every householder or other resident within the limits of the city at whose house or place of residence the birth of a child or the death of any person may occur, shall within seven days after such birth or death cause a certificate, as per schedule hereunto annexed, to be sent in to the town office for registration; the name of the child to be registered at least within seven days after its baptism.

Wagons entering the City.

No. 8. All wagons found in any street or thoroughfare of the city shall have the name of the owner, his residence and district, written or painted in legible characters on the off side of the fore part of the wagon in a conspicuous place, under a penalty to be paid by the owner of the wagon, for each offence, not exceeding twenty shillings and not less than five shillings.

Angling in the Reservoirs.

No. 10. All persons desirous of angling in any of the reservoirs of the city shall obtain an annual licence from the Council, for which the sum of one guinea shall be paid, provided that the licence so taken out in any year shall entitle the holder to fish in the reservoirs during the months of September, October, November, and December only. All persons found fishing in the reservoirs of the city in any manner without a licence, or whether holding a licence or not, all persons found fishing there between the 1st day of January and the 1st day of September, in any year, or fishing at any time in any other manner than by angling with hook and line, shall be liable to a penalty of not more than ten pounds or less than one pound.

Absence of the Mayor.

No. 11. Should the Mayor be at any time absent from the city, or

from other cause unable to attend to his duties, the chairman appointed at any meeting of the Council shall, from the time of his appointment as chairman until the next meeting of the Council, have power, and shall be required to do anything that the Mayor is or would be empowered or required to do.

SECTION II - MARKET REGULATIONS.

Places of Wagons and Produce on the Market.

No. 3. The Council shall have the power to order and fix, through the market-master or other officer appointed for that purpose, the several places where wagons or other vehicles bringing goods for sale shall stand upon the public market, as also any article or articles which may be brought for sale thereon, and generally to make such rules for the conduct of sales as may seem from time to time requisite and necessary, - such rules to be publicly notified.

Any person refusing to comply with such directions as the Council may give in these respects shall be liable to a fine of not more than five pounds.

Sales to be for Cash.

No. 6. All sales on the market shall be for cash, unless the terms of credit be publicly declared and entered into the book of the market-master or his deputy before the commencement of the sale. No private arrangements made by the parties for any particular mode of payment previous to the exposure of the produce on the market shall be admitted by the market-master.

The market-master shall hold himself responsible to the seller, where the sale is for cash, for the payment of the money for which the articles have been sold, and all cash purchases shall be paid for by the buyer to the market-master or his representative, either on the spot at the time of the purchase or at the market office, provided the article has been delivered at such hours as the Council shall from time to time appoint.

But it shall be competent for the Council, at any meeting where sixteen councillors are present (due notice of motion having been given), to cause the buyer to be directly responsible to the seller, with or without recurrence on the market-master. The dues and fees to be payable to the market-master, on the delivering of market note to seller.

In all cases when the seller shall declare to sell upon credit, the dues and percentage shall be paid to the market-master forthwith; and in all cases when the seller shall agree to sell, and shall sell, upon credit, the market-master shall not be held responsible for the solvency of the purchaser or for the payment by him.

No. 7. The market-master shall pay to the seller, or his agent,

the proceeds of cash sales on the market, less the charges and fees as before provided, within a reasonable time after the seller or his agent shall have delivered the sale note, receipted by the purchaser, subject, however, to such rules as have been or may be passed.

Any purchaser who shall neglect or refuse to receive or pay for an article so bought, or who shall cause any unnecessary delay to the seller, shall be liable to a penalty not to exceed five pounds nor less than ten shillings, and shall moreover be compelled to defray all expenses incurred by the detention in town of the seller for the purpose of prosecuting the case; provided, always, that the delay is unavoidable and that it does not arise from fraud practised by the seller.

No payment shall be made by the market-master except to the seller or his agent duly authorized to receive the same.

Articles to be weighed.

No. 11. The market-master or weighing-master shall weigh when called upon to do so by any sellers or buyers any articles requiring to be weighed, and shall give a certificate of the weight.

Accounts to be kept by the Market-master.

No. 14. The market-master shall keep a correct account of all moneys received and paid by him, and of all produce he may have sold, in any form that the Council may think proper at any time. All fees received by him shall be paid to the city treasurer at such times as the Council shall from time to time determine, the intervals of payment not being longer than one week; and the correctness of the account rendered shall be verified by a solemn declaration signed by the market-master before a justice of the peace, and shall be laid before the Council at each weekly sitting.

Licence for Guides on Market.

No person shall act as guide on the public market with wagons or carts therefrom except he is licensed by the Council.

All licensed guides shall be provided by the Council with a badge containing a number legibly marked thereon, which badge shall be worn by the guide, so that it may be readily distinguishable.

The licence and badge to be renewed annually, and to be charged for at the rate of two shillings and sixpence.

Any person acting as guide without the licence of the Council shall be liable to a fine from five shillings to one pound. The fine to be increased so as not to be less than one pound and not to exceed five pounds on the repetition of the offence.

All licensed guides shall, on being convicted of any offence in the Magistrate's Court or of making unreasonable charges, in the opinion of the Council, or for any general misconduct whilst in the performance of their duty as guides, be liable to forfeit such licence and badge, in addition to any other legal penalty that may be incurred by them.

SECTION III - STREETS AND THOROUGHFARES.

Footpaths.

No. 1. The Council shall have the power to fix from time to time the width and level of all footpaths in the streets and thoroughfares of the city.

Building Materials allowed to be in Street.

No. 2. Same as 1863, followed by: For each distinct breach of this regulation, the offender shall be liable to a fine not exceeding two pounds nor less than ten shillings sterling, and in default of payment the offender shall be imprisoned for a period not to exceed one calendar month.

Animals straying in Streets.

No. 5. No horses, swine, goats, cattle, or geese, shall be permitted to stray in the streets or thoroughfares of the city. Any person finding such animals so straying shall be authorized to impound them, and any attempt to rescue such animal whilst being taken to the pound shall subject the offender to a fine not exceeding five pounds and not less than one pound.

The owners of all such animals aforesaid which may be impounded in accordance with this regulation shall pay in addition to pound fees the following fines:- For swine, five shillings per head; for horses, one shilling per head; for goats, two shillings per head; for cattle, one shilling per head if the number does not exceed six, - if above that number, six pence per head; for geese, three pence per head.

Carriages in Streets.

No. 6. No wagon, cart, carriage, or other vehicle with animals harnessed thereto shall be allowed to stand in any street, or in the intersections of any street or road, without a person to take due and proper care thereof; nor shall any wagon, cart, carriage, or other vehicle remain in any street or thoroughfare after dark, but all such vehicles shall be taken to, and shall stand during the night at such places only as shall be by the Council appointed for that purpose. All ox wagons passing through the streets or roads of this city shall be provided with a leader in front of the oxen and a driver.

Any person contravening this regulation shall be liable to a

penalty not exceeding two pounds, and not less than five shillings.

Riding on Footpath.

Any person who shall drive or ride a horse, ass, mule, ox or any other animal on any public footpath, or who shall cause or permit any horse, ass, mule, or ox to stand or be driven on the same, or who shall cause or permit any wagon, cart, or other carriage, drawn by cattle, mules, or horses, to be drawn on the footpath, shall be liable to a penalty of not more than one pound, nor less than five shillings, and shall be liable for any damage that may be done in consequence.

Excavation in or near Street.

No. 10. No person shall dig any excavation, pit or hole, for any purpose whatsoever, in any street or thoroughfare, waste or unfenced land, without the consent, in writing, of the Council first had and obtained. Should such consent be obtained, the excavation, pit or hole shall be properly fenced or railed in; and any person so digging any excavation, pit or hole without such consent, or leaving any excavation, pit or hole uncovered, so as to endanger any passenger or property, shall be subject to a penalty not exceeding two pounds nor less than ten shillings for every such offence.

(* omitted in 1881)

Wild Beasts in the Streets.

No. 13. The owner of any wild beast who shall allow the same at any time to run at large in any public street or thoroughfare, or who shall keep such wild beast in any manner that may be dangerous or annoying to the public, shall subject himself for such offence to a penalty not exceeding five pounds and not less than one pound; and it shall be lawful for the street-keeper, or any other inhabitant, to destroy any such animal, and to have it removed without delay, at the expense of the owner, to such nearest place of interment as may be set aside for all dead animals.

Obstructions.

No. 14. No person or persons shall stand or congregate on any footpath or public street so as to obstruct free traffic, after being requested by the police or street-keeper to move on or to disperse, under a penalty of not exceeding ten shillings and not less than two shillings and sixpence.

SECTION IV - SANITARY REGULATIONS.

Kraals for Cattle, &c.

No. 2. No kraals for cattle or sheds for sheep or goats, where the number kept shall be more than 6 head of horned cattle,

including calves, or twelve sheep or goats shall be allowed, except at such places as the Council shall approve. And, in all cases approved of, the Council shall have the power to limit the number of cattle, sheep, or goats that may be kept there.

Any person refusing or neglecting to comply with the directions of the Council in this respect, shall be liable to a fine of not more than five pounds or less than one pound; provided that if a week after the recovery of the fine, the offender shall continue to refuse or neglect to comply with the directions of the Council, he shall be liable to a further fine of not less than one pound per diem for every day that he so neglects to comply with the directions of the Council.

Slaughter-houses, &c.

No. 3. For preserving the cleanliness and health of the town, it shall be lawful for the Council to appoint some person or persons to inspect all tan-yards, kraals, sheds for cattle, sheep, and goats, pig-styes, slaughter-houses, and butchers' shops within the city, as often as they may think necessary, and such inspector or inspectors shall have power to give such reasonable directions concerning the disposal of the refuse, and the cleansing of the slaughter-houses and shops, both within and without, and of the aforesaid tan-yards, kraals, sheds, and pig-styes, as they may see needful, all such directions to be reported to the Council every week. And any person who shall neglect to comply with such directions within forty-eight hours after receiving such notice or directions so given as aforesaid, shall for every such offence incur a penalty, not exceeding ten pounds nor less than five pounds.

The Council shall also have the power to appoint some person or persons to examine meat and other provisions exposed for sale, who, in case such provisions be found unfit for human food, shall cause the same to be destroyed. All persons offering such meat, provisions, or food for sale shall be liable to a fine not exceeding ten pounds and not less than five pounds.

Nuisances.

No. 4. The Council shall provide and set apart certain places within the limits of the city where filth, soil, stable-litter, or rubbish may be deposited; and notice shall be given from time to time of the places so set apart by public advertisement.

No person shall deposit, or cause to be deposited, any filth, soil, earth, stable-litter, or rubbish in any street or public place or waste ground within the city, except in such places as the Council shall appoint from time to time.

No person shall deposit any such filth, earth, soil, stable-litter, or rubbish, or permit the same to fall into any public sewer, pipe, drain, watercourse, stream, pond, or reservoir, or cause or permit any offensive matter, or matter likely soon to become offensive, to run into any open gutter, thoroughfare, or uncovered place, whether surrounded by a wall or fence or not.

No person shall bathe or wash clothes at, in, or near any public well, fountain, stream, watercourse, vlei, dam, or reservoir, except at such places as shall from time to time be appointed by the Council, nor shall any person pollute any water in such well, fountain, stream, watercourse, vlei, dam, or reservoir.

Any person contravening this regulation shall be liable to a penalty not exceeding five pounds and not less than one pound for every such offence.

Brick or Lime-burning.

No. 5. No lime or brick shall be burned, nor shall any lime-kiln or brick-kiln, pottery, or furnace for manufacturing purposes be erected in any part of the city, except by permission of the Council, obtained in writing; and the Council shall consider it its duty not to permit any such kilns, potteries, or furnaces to be erected, or lime or brick burned, except in such situations or under such conditions as will prevent the said kilns, potteries, furnaces, lime and brick burning from becoming nuisances.

Offenders against this regulation shall be liable to a penalty of not less than five pounds or more than ten pounds, and if the offence be not discontinued after the recovery of the penalty, the higher penalty of ten pounds shall be inflicted for every week during which the said offence is continued.

Appointment of Sanitary Inspector.

No. 13. The Council shall have the power to appoint from time to time, as it shall see fit, and at all times when contagious diseases prevail, an officer to be called the sanitary inspector, whose duty it shall be to inspect the various parts of the city daily, and to report on all contraventions of the sanitary regulations which he may discover.

Power of Sanitary Inspector.

The said sanitary inspector (accompanied by the district surgeon or some other duly qualified medical man in the city) shall have the power, on a report being made to him by two or more persons, that infectious, epidemic, or contagious fever, cholera, or other fatal diseases present in any dwelling-house, to demand an entrance to such dwelling-house; and in case entrance should not be afforded, to use, or cause to be used, all necessary force to effect such entrance, and to visit every room, closet, or apartment therein; and if they shall find in any such house any person labouring under any such contagious or infectious disease as aforesaid, and who shall not be under medical treatment by some medical practitioner, they shall, if they deem it necessary, cause such person to be removed with all possible care and all proper speed to any hospital or building open for the reception of such patients, in order that such person may be properly treated for the disease, and may not communicate it to others: Provided that any medical practitioner resident as aforesaid who shall without lawful cause, refuse, when called upon by the sanitary inspector aforesaid, to accompany him for any such purpose as is in

this section mentioned, shall be liable to a fine not exceeding ten pounds sterling; and provided that every medical practitioner accompanying such sanitary inspector for any such purpose, shall be entitled to his reasonable fee for so doing; such fee, in case of dispute, to be fixed by the Resident Magistrate, and paid by the Council.

The sanitary inspector as aforesaid shall have the power to enter on any private premises where he may have been informed, or where he may have good and sufficient reason to believe any accumulation of noxious or offensive matter exists, and to report on the condition of the said premises to the Town Clerk, who shall immediately lay such report before the Mayor or any two Councillors, when, if it should appear to the Mayor or the aforesaid two Councillors that an immediate removal of noxious or offensive matter is required, they shall have the power to order the same to be removed and the premises to be thoroughly cleansed; and if the owner refuses to comply with this order, the Mayor or the aforesaid two Councillors shall have the power to cause the removal of the aforesaid noxious or offensive matter, and the cost of the same shall be a debt due by the owner or occupier of the said property to the Town Council, and shall be recoverable by suit in any competent court, and he shall be further liable to a penalty of not more than ten pounds nor less than five pounds sterling.

In like manner the said sanitary inspector shall have the power to enter any private dwelling that shall be reported to him by any two householders to be, whether by day or night, overcrowded, and to report in like manner as is provided in the preceding clause, when the Mayor or any two Councillors shall, in like manner, be empowered to order the removal of certain of the persons inhabiting the premises reported on, should it be found that more than one to four hundred cubic feet of air are usually to be found therein, especially at night; provided that the persons so to remove shall be selected by arrangement between such inmates themselves; and failing that, by the decision of the said Mayor or the aforesaid two Councillors, after hearing the parties concerned; and in case the inmates who shall be required to remove shall not be themselves provided with any place approved of by the said Mayor or aforesaid two Councillors as a fitting place, then it shall be lawful to require them to remove to some building or place which shall be provided by the Town Council for the reception of parties so circumstanced.

If any such inmate as aforesaid shall, upon order of such Mayor or any two Councillors as aforesaid, refuse to remove either to some fitting place selected by himself or to the building or place provided as aforesaid for the reception of such individuals, it shall be lawful for the Resident Magistrate of the district to cause such inmate to be brought before him, and upon proof that the request aforesaid to remove was reasonable and necessary, to commit such inmate to prison, unless and until he shall consent to remove either to some fitting place selected by himself, or else to some building or place provided as aforesaid by the Town Council: provided that if he should so consent before imprisonment he shall not be imprisoned, or that upon so consenting he shall, if in prison, be liberated.

Any person wilfully refusing entrance to any such sanitary inspector as aforesaid demanding entrance to any house, building, or premises as aforesaid, and announcing his character and object; and any person obstructing or using foul, violent, or insulting language to any such inspector whilst in the execution of any of the powers or provisions of these regulations shall, upon conviction be liable to a fine not exceeding ten pounds and upon non-payment thereof, to imprisonment with or without hard labour for any period not exceeding one calendar month.

The fine in the last preceding section mentioned shall be recoverable in the court of the Resident Magistrate of Albany.

SECTION V - WATER REGULATIONS.

Council to cause Pipes and Cocks to be attached.

No. 2. If such application be granted, the Council may cause a connecting pipe to be attached to the nearest main or service pipe, with the necessary cocks to regulate the supply allowed to the applicant who shall defray the expenses of such work; or may allow the applicant to perform the work, under the permission and superintendence of the Council.

Water Rate.

No. 3. The water rate to be paid annually by persons to whom water from the city pipes is supplied shall be as the Council may from time to time approve. Provided, always, that in case any such application for a private waterleading be acceded to, and the water supplied, on or between the 1st January and 31st March, the said applicant shall pay the full rate for the whole year; if acceded to on or between the 1st April and 30th June, the applicant shall pay for three quarters of the year; if acceded to on or between the 1st July and 30th September, the applicant shall pay for the half-year; and if the application be acceded to on or between the 1st October and 31st December, the applicant shall pay for one quarter of the year only in advance.

Branch Water leadings.

No. 4. In all cases where branch leadings supply, from one service pipe, more houses than one, an additional rate shall be paid for each house so supplied, except by special permission of the Council. Branch leadings from one service pipe for irrigating gardens shall be charged a rate of thirty shillings per annum.

Water Rates collected in January.

No. 6. The Council shall in the month of January in each year notify to the persons having private water leadings the amount of the water rate due by them for that year, and if such amount of rate be not paid to the collector duly appointed, the Council shall be and is hereby empowered to stop or wholly cut off such private water leadings as it may deem necessary, after reasonable notice and, if need be, to enter upon private property for such purpose.

Penalty for interfering with Waterworks.

No. 10. Any person who shall open or shut any public or private water-sluiice or cock, or in anywise obstruct or hinder any person or persons charged with the care of the watercourses, sluices, &c., or with the distribution of the water, shall forfeit any sum not exceeding £5 sterling for each offence, and shall make full satisfaction for the damage which shall have been occasioned thereby.

Trespass of Cattle on Streams.

No. 12. All horses, cattle, or other animals found trespassing within the limits prescribed for the protection of the springs or streams that supply the town, shall be impounded, and the owners thereof shall pay to the poundmaster 1s. for every horse, 6d. for every head of cattle, 1d. for every sheep, 2s. for every goat, and 5s. for every pig, over and above the pound fees; and in addition to the pound fees, driving money, which shall be charged as follows, viz: For every horse, 6d. each, 3 head of cattle 6d. each, 6 head do. 4d. each, over 6 2d. each, goats 2d. each, and pigs 6d. each.

SECTION VI - ASSIZE REGULATIONS.*

(*No Assize Regulations appeared in 1881.)

Council to appoint Assizer.

No. 1. It shall and may be lawful for the Council to appoint some fit and proper person to be the city assizer. The city assizer shall assize and mark all weights and measures kept for the purpose of trade or dealing, shall attend at the place appointed by the Council during the first week in the month of December in each year, for the assizing of all weights and measures kept or used as aforesaid, and due notice shall be given by the Council, by public advertisement, stating the time and place; when all persons using weights or measures which have not been assized shall on conviction forfeit a sum not exceeding two pounds and not less than ten shillings, and the weights or measures shall be forfeited and destroyed. There shall be paid for every weight or measure assized and marked, the sum of 1d. besides the costs or alterations and repairs thereof, if such shall be necessary; and it is further provided that any person desiring to have any weights or measures assized at any time of the year, may apply to the city assizer for that purpose, who shall thereupon cause the same to be done, upon payment of the aforesaid fee and costs of repair.

Weights and Measures.

No. 2. The city assizer shall, in his assizing, conform to the standard weights and measures which now are or hereafter shall be established by law, and which it shall be the duty of the Council to procure and furnish for the use of the city assizer.

False Scales, &c.

No. 3. Any person making use of or having in his store or shop, or on his premises, for the purpose of trade, any short or deficient weight or measure, or any false, unequal, or defective scales or balance, shall incur and become liable to the payment of a fine not exceeding five pounds, and such weights, measures, scales, steelyards, or balances shall be forfeited and destroyed.

Assizer to visit Shops.

No. 4. It shall be lawful for the Council to appoint any two or more persons, with the city assizer, at such times as the Council may direct, to visit any shop, store, or other place of trade or dealing, and to require that the weights and measures, scales, steelyards, or other balances used therein, shall be produced and shown to them, and all such as they shall find not duly assized or deficient in weight or measure, and any false, unjust, or defective scales, steelyards, or balances, they shall carry them away, and the same shall be forfeited and destroyed. Any owner or proprietor of such shop, store, or other place, or any person in his or her employ therein, refusing to produce such scales, steelyards, balances, weights, and measures, when thereunto required, or any person whatever in any way obstructing, molesting, or hindering the city assizer or his associates in the execution of their duty, shall incur and become liable to the payment of a fine not exceeding five pounds.

SECTION VII - COMMON LANDS.

Sick Animals in Street.

No. 2. Any animal found in the streets or on the commonage suspected to be suffering from contagious disease shall be submitted to the inspection of a veterinary surgeon or farrier, with two inhabitant householders; and on their report that the disease is contagious it shall be lawful for the Council to cause such animals to be destroyed and buried; and if the owner be found he shall be bound to pay all expenses of inspection and burial.

Penalty for allowing Stallions or Bulls to run loose.

No. 3. Every stallion or bull found at large on the common lands or streets shall be impounded, and the owner thereof shall be liable to a fine of one pound, over and above the pound fees, and shall further pay any damages that may have been the result of such animal being at large.

Grazing Cattle.

No. 4. Every inhabitant householder shall be allowed to graze 12 head of horned cattle or horses, or in lieu thereof, 25 goats or sheep, on the common lands within the limits of or belonging to the city.

Grazing for more than ordinarily required.

No. 5. It shall be lawful for the Council, or officer appointed for that purpose, to grant a special licence to any person or persons to keep and graze any number of sheep and cattle on the said lands, for such period and under such regulations and rent as the Council may deem necessary and expedient; provided that nothing herein contained shall apply to any person or persons passing to or from the public market, who may remain with their cattle on the town lands forty-eight hours, and no longer.

Kraals not to be erected on Common Lands.

No. 9. No person shall, on any pretence, erect kraals or huts on the common lands, without special permission from the Council, nor shall outspanning be permitted, except at the places pointed out by the Council, under a penalty of from ten shillings to five pounds; and if such kraals be not removed within twenty-four hours of the penalty being recovered, a further penalty of one pound sterling for every day that they are allowed to remain on the city lands shall be enforced.

SECTION VIII - POUND.

No. 1. A pound shall be established within the city of Graham's Town for the impounding of horses, cattle, &c., and the Council shall appoint a poundmaster to take charge of the same, on such conditions as the Council may lay down; provided that nothing herein contained shall prevent the Council from leasing the pound if at any time it should be so disposed.

Hours of Impounding.

No. 4. All cattle or other animals as mentioned in the preceding clause found trespassing shall be sent to the pound during daylight, and it shall be lawful for the poundmaster to refuse to receive or deliver any cattle or animals as abovementioned after 9 o'clock p.m. from the 1st October to the 31st March, and after 7 o'clock p.m. from the 1st April to the 30th September.

Pound Fees.

No. 6. The poundmaster is hereby empowered and authorised to demand from all persons applying for their cattle or other animals as abovementioned the following sums of money, to wit:-

- For every horse, mule, ass, ox, or cow, a fee of 6d.
- " " goat or pig, 2s. 6d.
- " " sheep, 6d. per dozen.
- " grazing and attending every horse, not an entire horse, mule, ass, ox, or cow, 4½d. per diem.
- " grazing and attending any number of goats, under fifty, 2s. 6d. per diem; and for all above fifty at the rate of 2s. per hundred per diem.
- " grazing and attending sheep, 6d. per doz. per diem.

Bulls and entire horses shall be kept securely tied up in the pound and fed there, and the charges for feeding them shall be such reasonable charges as the Council may fix from time to time not exceeding

For stallion horse or ass, 1s. 6d. per diem.

" bull, 1s. per diem.

" boars, 9d. per diem.

" rams or he goats, 5d. per diem.

Pigs shall also be kept and fed in the pound, and the charge for feeding them shall be 8d. each per diem.

Driving Money.

No. 8. Persons taking cattle or other animals to the pound from any part of the Municipality, except the Waterkloofs, shall be entitled to receive as driving money:-

For every horse, mule, or ass, 6d. each.

For every cow, calf, ox or bull, 5d. each.

For every sheep or goat when the number is less than 12, 8d. each.

When more than 12, 3d.

For every pig, 6d. each.

Proceedings when damage is claimed. Entry in Damage Book.

No. 9. It shall be the duty of every person claiming damage by reason of the trespass committed by cattle or other animals as above mentioned within the limits of the Municipality sent to the pound to transmit to the poundmaster, together with the cattle or other animals as above mentioned so sent, a memorandum in writing, subscribed by the party claiming such damage, setting forth that damages will be claimed; and no person who shall omit to send such memorandum in writing shall be entitled to claim any damage by such trespass. Copy of such memorandum to be entered in a book to be kept for that particular purpose and to be styled Damage Book.

Damage to be assessed.

No. 10. It shall be the duty of the owner of any property claiming such damage for any trespass to have the same assessed by two resident householders on the spot as soon as possible, whose duty it shall be to personally inspect the trespass committed and injury suffered; and if the owner of the cattle be known, due notice shall be sent to him to be present at such inspection and assessment. The said person claiming such damage shall within twenty-four hours of the alleged trespass transmit to the poundmaster a statement setting forth that the injury had been committed by the cattle or other animals as above mentioned sent to the pound, together with a declaration of the appraisers setting forth to the best of their skill and ability the value of such damage; provided that no claim for damage shall be allowed for trespass during the day time between the hours of sunrise and sunset upon any land that is not enclosed by an unbroken fence at least three and a half feet high, but that the person claiming damages upon such land shall be left to

recover the same by civil action; but if the trespass occur at night, between the hours of sunset and sunrise, damages shall be allowed whether the land be fenced or not.

The poundmaster shall, unless sufficient security be left with him, detain all animals against which damages are charged until the damages are duly assessed, as are hereinbefore provided, or for twenty-four hours after they are impounded, when, if no assessment of damages has been transmitted to him, he shall allow the said animals to be released on the payment of the pound fee and charges.

Proceedings when Damage is disputed.

No. 11. It shall be the duty of the poundmaster, before delivering such trespassing cattle or other animals as above mentioned, to demand from the respective owners of such cattle or other animals the amount of damages, together with all other charges, and on his or their refusal to comply therewith, or denying his or their liability to pay such amount of damage or other charges, it shall be the duty of such owner forthwith to state his objections in writing to the Council, upon which the Council shall refer the said objections to the police, market, and pound committee, or any three of them, who shall give notice to all parties to attend, together with their witnesses, and upon hearing both parties the said committee shall give and pass such award as it shall deem just, which award is to be final; and upon payment of such sum as the said committee may fix and determine, the said poundmaster shall deliver the cattle or other animals as above mentioned detained by him; provided, always, that it shall be competent for the owner of such cattle or other animals concerning which there may be any dispute to demand the delivery thereof, and upon payment of or tender of such fees and charges or damages claimed by the poundmaster, the poundmaster shall be bound to release the said cattle, pending the settlement of the dispute referred as aforesaid.

Sale of impounded Pigs and Goats.

No. 12. All pigs and goats, when the number of the latter is less than ten, sent to the pound and not released within seven days, shall be sold on the public market without other advertisement than the posting on the town office and market office a three days' notice of the sale, together with a description of the animals to be sold. The proceeds of the sale to be dealt with as is in the next succeeding section provided for.

Disposal of unclaimed impounded Animals.

No. 13. It shall be the duty of the poundmaster, in the event of the cattle or other animals, with exception of pigs and goats when the latter are less than ten in number, sent to the pound not being claimed or released by any one within seven days, to advertise the same for public sale, in one or more of the local newspapers, giving a minute description of the cattle or other animals as above mentioned, to be sold, and the sale of all such cattle or other animals as above mentioned shall be fixed at

one month from the date of the advertisement, and after deducting the expenses of sale and pound fees, and all other lawful charges, he shall pay over the proceeds to the Council, on behalf of any future claimant of such proceeds; and the poundmaster shall also make a correct entry of all such sales, and of the proceeds thereof, in the book hereinafter mentioned, and in the extract or copy thereof to be furnished to the Council; and in case the owners of any animals sold, in respect of which any sum of money shall have been paid over to the Council, shall not within the space of twelve months from the day of such payment claim the said money, the same shall become the property of the Council.

Poundmaster responsible for Cattle.

No. 15. It shall be the duty of the poundmaster to have all cattle or other animals as above mentioned sent to the pound properly attended and herded, and he shall be responsible for all losses and injury done to any such cattle or other animals as above mentioned by the act or neglect of himself or his servants; and in the event of any impounded cattle or other animals as above mentioned dying under his charge, it shall be his duty forthwith to report such death to the Council, and he shall, moreover, make a true entry thereof, with the description and marks of such cattle or other animals above mentioned, in his pound book, an extract or copy of which is to be furnished weekly to the Council, and no poundmaster shall be at liberty to work, use, or employ for his own benefit, or that of any other person any horses, cattle or other animals above mentioned sent to the pound with the exception of milk from milch cows and every poundmaster contravening this regulation shall be liable upon conviction to be dismissed from his situation, and shall, moreover, be liable to pay a fine of any sum not exceeding ten pounds.

Rescuing Cattle.

No. 16. If any person shall, by threats or violence, or otherwise, rescue or attempt to rescue against the will of the person or persons in charge of any animals lawfully seized within the limits of the Municipality in order to be impounded, or shall so rescue or attempt to rescue any animals after the same shall have been impounded with the poundmaster, such person so rescuing or attempting to rescue the same shall, for every such offence, forfeit any sum not exceeding ten pounds.

NO. 38, 1873.

ADDITIONAL REGULATIONS FOR THE MUNICIPALITY OF GRAHAM'S TOWN.

Market Dues.

The market-master, or his representative, shall levy and take, in addition to the registry fee, from all sellers on the market (excepting such as may hereafter be separately provided for) two per cent. on the amount of all goods and produce sold.

The article to be excepted from the rate and payment aforementioned shall be wool, the duties on which to be demanded by the market-master shall be at the rate of one per cent. to the seller.

Any person selling goods or produce on the market, whether publicly or privately, and neglecting to pay the market dues herein provided for, shall be subject to a penalty of not exceeding five pounds and not less than one pound for each offence.

Fees on the Sale of Horses, &c.

On all horses put up for sale and not sold there shall be a charge of one shilling each; on cattle less than six, six pence each; if six or more, three pence each; on sheep, goats, or swine, one penny each, if less than two hundred; and on all above that number, one half-penny each, in addition to the amount charged to the first two hundred.

Swine on the Commonage to be impounded.

All pigs, whether the property of householders or others, shall, if found on the common lands, be liable to be impounded.

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PROCLAIMED BY SIR G.C. STRAHAN ON JANUARY 5, 1881.

NO. 5, 1881. REGULATIONS FOR THE MUNICIPALITY OF GRAHAM'S TOWN.

SECTION I - GENERAL REGULATIONS.

No Huts except in Locations.

No. 3. No hut or hovel, or other building of an unsightly nature, such as those which are usually constructed by natives, of reeds, mats, straw, pieces of tin, gunny bags, or other refuse material, shall be erected on private or other property within the Municipality, and on receiving one month's notice that any existing hut, hovel, or other unsightly building must be removed, the owner or occupier thereof shall remove the same under a penalty of not exceeding ten pounds, and a further penalty of ten shillings a day for every day that any such building as aforesaid is allowed to remain after the expiration of the said notice, or the Town Council, after the expiration of any such notice, may cause any such building as aforesaid to be removed, and the cost of the same shall be a debt due by the owner or occupier to the Town Council, over and above the fine hereinbefore imposed. No new building shall be covered with thatch, straw, or reeds, within the precincts of the city, nor shall buildings now covered with such materials be recovered with similar materials within the said limits, unless the sanction of the Council be first obtained, under a penalty, to be paid by the owners of the said buildings, not exceeding five pounds, and not less than one pound per month, until the said covering be removed: Provided that nothing in this regulation shall be construed to interfere with the right of proprietors of houses now covered with thatch, to repair such thatch when occasion may require.

Registration of Sales of Landed Property.

No. 4. No sale of landed property within the boundaries of the Municipality shall take place without a registration of the same by the seller, in the Town Office, within thirty days of the day of sale, under a penalty of ten shillings for every month after the first month that this duty is neglected; and the seller shall continue liable for all Municipal rates on such property till the registration is made.

On registering any such sale, the seller shall be entitled to a certificate of such registration on the payment of one shilling fee.

SCHEDULE OF REGISTRATION OF THE SALE OF LANDED
PROPERTY.

Place and description of Property sold.	Name of Seller.	Name of Buyer.	Date.

Storage and Carriage of Gunpowder and Paraffine.

No. 5. The Council shall have the power to cause magazines to be erected on such sites as shall by it be deemed suitable, in which all gunpowder or other explosive or inflammable materials in the city, except that which dealers and private individuals may lawfully have in their charge, shall be stored, and the Council shall be entitled to charge such reasonable sums for such storage as from time to time it may determine. No vehicle carrying gunpowder shall be allowed to remain standing in the streets, but shall, if the powder is for a dealer in the town, proceed at once to the magazine and off-load there, or if merely passing through town, shall continue in motion for the whole time it is within the precincts of the city, and no gunpowder exceeding in quantity 130 lbs. weight, shall be off-loaded at any other place than at the magazine, save and except such powder as shall be drawn from the magazine by licensed dealers, in accordance with authority from the Resident Magistrate. No paraffine exceeding in quantity ten cases, shall be stored in any building within twenty-five feet of any other building, except with the consent of the Council.

Injury to Trees in the Streets.

No. 7. Any person who shall break, throw down, spoil, injure, or damage any trees, unless by permission of the Council, which are or may hereafter, be planted in any public street, roadway, or avenue, whether such trees be planted by the Council or private persons, or who shall break any public lamp or lamp post, or wilfully damage the same, shall forfeit any sum of money not exceeding five pounds, and not less than one pound, and shall also make full satisfaction for the damage done.

Dog Tax.

No. 12. All persons keeping dogs shall annually register them at the Town Office, and pay for each dog the sum of five shillings annually, on payment of which a stamp, with the Municipal arms and a number, shall be given to the owner of the dog registered, which stamp shall be attached to the collar of the said dog.

All persons refusing or neglecting to register their dogs shall be liable to a penalty of not less than ten shillings; any dog found in the streets without a collar bearing the aforesaid stamp, shall be taken to a kennel to be provided for that purpose,

and kept there twenty-four hours, and if not claimed within that time shall be destroyed, or disposed of in any way the Council may direct.

When any such impounded dog is claimed, the owner shall pay a fine of ten shillings, and the costs and charges for placing the said dog in the kennel.

This regulation shall not apply to dogs travelling with their owners through the city from parts beyond it.

Means of exit from Public Buildings.

No. 15. In all public buildings capable of holding three hundred persons, means of exit in case of panic are to be provided to the satisfaction of the Council.

The entrance doors of such buildings to open outwards.

SECTION II - MARKET REGULATIONS.

Market Dues.

No. 5. The Market-master or his Deputy or Representative shall levy and take, in addition to the registry fee, from all sellers upon the market, a percentage of not more than two per cent on the amount of purchase money, the percentage in any particular case to be fixed by resolution of the Mayor and Council, who shall also be empowered to fix the fees to be paid on all animals and articles to be put up for sale and not sold.

Sales to be for Cash.

No. 7. All sales on the market shall be for cash, unless the terms of credit be publicly declared and entered into the book of the Market-master or his deputy before the commencement of the sale. No private arrangements made by the parties for any particular mode of payment previous to the exposure of the produce on the market shall be admitted by the Market-master.

Any person selling goods or produce on the market, whether publicly or privately, and neglecting to pay the market dues as fixed by the Council, shall be subject to a penalty of not exceeding five pounds and not less than one pound, for each offence.

The Market-master shall hold himself responsible to the seller, where the sale is for cash, for the payment of the money for which the articles have been sold; and all cash purchases shall be paid for by the buyer to the Market-master or his representative, either on the spot at the time of the purchase or at the Market Office, provided the article has been delivered, at such hours as the Council shall from time to time appoint.

But it shall be competent for the Council, at any meeting

where sixteen members are present (due notice of motion having been given), to cause the buyer to be directly responsible to the seller, with or without recurrence on the Market-master. The dues and fees to be payable to the Market-master on the delivery of market note to seller.

In all cases when the seller shall declare to sell upon credit, the dues and percentage shall be paid to the Market-master forthwith; and in all cases when the seller shall agree to sell, and shall sell, upon credit, the Market-master shall not be responsible for the solvency of the purchaser, or for the payment by him.

Articles to be sold by Samples.

No. 11. All persons offering forage, grain, butter, meal, potatoes, wool, or brandy for sale on the public market, shall be bound, before sale, if required to do so, to deliver to the Market-master a sample of such produce, or specified article, for comparison with the article which is to be sold upon the market, such sample to be ticketed, and if not applied for within twenty-four hours to be appropriated for Municipal purposes.

Any person placing on the market any article for sale not in accordance with the sample exposed by him shall be liable to a penalty not exceeding five pounds, and not less than two pounds, and the buyer shall not be compelled to take any such article.

Delivery of Purchase on the Market.

No. 14. The seller on the public market shall, within a reasonable time, deliver to the buyer, at any place at the option of the purchaser (provided the same be within the limits of the city), the produce and other article sold on the market, without making any charge whatever for so doing; and any person neglecting or refusing to deliver to the purchaser shall be liable to a penalty not exceeding five pounds and not less than one pound, except when the seller at the time of sale objects to deliver.

The Market-master shall deduct from any moneys due to the non-delivering seller the sum of £1 sterling, reporting the case to the Council.

License for Guides on Market.

No. 17. No person shall act as guide on the public market with wagons or carts therefrom except he is licensed by the Council.

All licensed guides shall be provided by the Council with a badge containing a number legibly marked thereon, which badge shall be worn by the guide so that it may be readily distinguishable.

The license and badge to be renewed annually, and to be charged for at the rate of one guinea per annum.

Any person acting as guide without the license of the Council

shall be liable to a fine from one pound to five.

All licensed guides shall, on being convicted of any offence in the Magistrate's Court, or of making unreasonable charges, in the opinion of the Council, or for any general misconduct whilst in the performance of their duty as guides, be liable to forfeit their license and badge, in addition to any other legal penalty that may be incurred by them.

SECTION III - Streets and Thoroughfares.

Footpaths.

No. 1. The Council shall have the power to fix from time to time the width and level of all footpaths in the streets and thoroughfares of the city, and to determine the material with which they are made and repaired.

Carriages in Streets.

No. 6. No wagon, cart, carriage, or other vehicle with animals harnessed thereto, shall be allowed to stand in any street, or in the intersections of any street or road, without a person to take due and proper care thereof; nor shall any wagon, cart, carriage, or other vehicle remain in any street or thoroughfare without draught animals harnessed to them during the day, after notice has been given to owners or persons in charge of them that they must be removed; and after dark, all such vehicles shall be taken to and shall stand during the night at such places as shall be by the Council appointed for that purpose. All ox-wagons passing through the streets or roads of the city shall be provided with a leader in front of the oxen, and a driver.

Riding on Footpath.

No. 7. Any person who shall drive or ride, or who may cause or permit to stand or be driven, a horse, ass, mule, ox, or any other animal on any public footpath, or who shall draw trucks or wheelbarrows on footpaths, or who shall cause or permit any wagon, cart or other carriage drawn by cattle, mules, or horses, to be drawn on the footpath, or shall cause any carriage of any description to be washed on the footpath, shall be liable to a penalty of not more than one pound, nor less than five shillings, and shall be liable for any damage done in consequence.

Awnings in Streets.

No awning shall be permitted to extend from any house or shop over the footpath without permission first had and obtained from the Council, and no part of any awning so permitted shall be less than seven feet higher than the ground, under a penalty of not more than one pound, with a further penalty of five shillings a day for every day that any such awning is permitted to remain after conviction.

Disturbances and unseemly Noises.

No. 11. No person shall make or cause to be made within the Municipality any loud or unseemly noise or disturbance, either by shouting, screaming, or yelling, or by means of horns, steam whistles, or other instrument, which noise, or disturbance, may in any way interfere with the rest, peace, or tranquility of the inhabitants, after having been desired by any policeman to desist from making such noise, under a penalty not exceeding one pound, or in default imprisonment, with or without hard labour, for one calendar month.

Discharging Firearms, &c.

No person shall discharge in the public streets of the city, or on private property adjacent thereto, without lawful cause, any firearms, or throw any stone or missile, whether by catapult or any other engine or not, to the damage or danger of any person or property; neither shall any person trundle hoops, fly kites, light fireworks or tar-barrels, or engage in any game in the streets or thoroughfares of the city, to the annoyance or danger of the inhabitants, without incurring for such offence a fine not exceeding twenty shillings, and not less than five shillings.

Obstruction.

No. 12. No person or persons shall stand or congregate on any footpath or public street after being requested by the police or Street-keeper to move on or disperse, under a penalty of not exceeding ten shillings, and not less than two shillings and sixpence.

Gutters and Down Pipes to Buildings.

No. 15. All roofs of buildings abutting on a public road or street shall be provided with guttering and down pipe. The water conveyed through the said pipe shall be led to the street gutters, or dealt with in any way the Council may approve.

SECTION IV - SANITARY REGULATIONS.

Licensing Nightman.

No. 9. The Council shall license and appoint as often as it shall see fit, a nightman, or nightmen, for the purpose of removing and disposing of night-soil, for which license the Council may charge a registry fee of not more than one pound per annum, no such license to extend for a longer period than one year.

Any person acting as public nightman by the removal of night-soil without the license of the Council, and all persons employing any such unlicensed person in the capacity of nightman, knowing him to be unlicensed, shall be liable, on conviction, to a penalty not exceeding five pounds, and not less than two pounds.

Disposal of Night-soil.

No. 10. The removal of night-soil by licensed night-men shall be performed under such regulations as the Council may from time to time appoint, and in no case shall any night-soil be carried through the streets of the city between the hours of six a.m. and eleven p.m., and the night-soil shall be deposited only in such places as the Council shall appoint.

No licensed nightman shall refuse to remove night-soil when required to do so in accordance with the regulations of the Council.

For every breach of this regulation a penalty of not more than five pounds, and not less than two pounds, shall be enforced.

The Council to have power to deprive any nightman breaking this regulation of his license.

Every House to be provided with satisfactory means of disposing of Night-soil.

No. 11. The owner of every house in the city, intended to be inhabited, shall provide it with satisfactory means of disposing of night-soil, without prejudice to the health of the inhabitants, under a penalty of not more than five pounds, and not less than one pound.

No new cesspools shall be made within the limits of the Municipality from the date of the proclamation of these Regulations, unless they are made in a manner to be approved of by the Council.

The Council shall have the power of closing any existing cesspools that they may consider prejudicial to the public health.

Power of Sanitary Inspector.

As for 1873 with the following amendments:-

And on any such duly qualified medical man giving a certificate that any house requires cleansing by fumigation or in any other way, in consequence of cases of infectious disease having occurred therein, the Town Council shall order such fumigation to be performed at the expense of the owner or occupier; and if such order be not complied with, to cause such fumigation to be done, and to charge the expense incurred on the owner or occupier, together with a fine not to exceed five pounds sterling, which shall be recoverable by suit in any competent Court.

The Sanitary Inspector as aforesaid shall have the power to enter on any private premises where he may have been informed, or where he may have good and sufficient reason to believe, any accumulation of noxious or offensive matter exists, or when he may be directed by the Police Committee to do so, and to report on the condition of the said premises to the Town Clerk, who shall immediately lay such report before the Mayor or any two Councillors, when, if it should appear to the Mayor or the aforesaid two Councillors

that an immediate removal of noxious or offensive matter is required, they shall have the power to order the same to be removed and the premises be thoroughly cleansed; and if the owner refuse to comply with this order, the Mayor or the aforesaid two Councillors shall have the power to cause the removal of the noxious or offensive matter, and the cost of the same shall be due to the owner or occupier of the said property to the Town Council, and shall be recoverable by suit in any competent Court, and shall be further liable to a penalty of not more than ten pounds, nor less than five pounds sterling.

No Dam to be erected in Streams.

No. 14. No person shall erect or have any dam in any of the streams that pass through the city, or cause any obstruction to be made to the flow of the water in the same, nor shall any water be led from these streams for any purpose whatever, except by permission of the Council, given in writing, which permission shall in no case endure longer than six months, at the expiration of which it may be renewed or not, at the option of the Council: Provided that this shall not apply to dams in the Botanic Gardens, which are subject to special agreement between the Council and the committee.

SECTION V - WATER REGULATIONS.

Water Rate. - Water Rate payable in advance.

No. 3. The Water Rate, to be paid by persons to whom water from the city pipes shall be supplied, shall be such amount as the Council may from time to time in each particular case determine, not exceeding £5 per annum nor less than £1 10s. per annum for every leading of 1-inch bore: Provided always, that in every case in which any application for a private water-leading shall be acceded to at any time between the first of January and the thirty-first of March, the applicant shall pay the full rate for a whole year; when such application shall be acceded to between the first of April and the thirtieth of June the applicant shall pay the rate for three-fourths of a year; when such application shall be acceded to between the first of July and thirtieth of September, the applicant shall pay the rate for half of a year; and if such application shall be acceded to at any time after the thirtieth of September the applicant shall pay the rate for one quarter of a year only. Every Water Rate shall be payable in advance: Provided however, that, whenever any Water Rate shall not have been so paid, it shall be competent for the Council to recover the amount against either the owner or occupier, or both, as the Council may elect.

Council may enter into special contract with extraordinarily large consumers of water.

No. 4. It shall be competent for the Council from time to time to enter into special contract with the Government or with

railway companies, manufacturers, or other extraordinarily large consumers of water for the supply of such water as the said Government or such railway companies, manufacturers, or such other consumers may require.

Lowest current rate payable on houses, &c., situated in streets through which mains pass.

No. 5. On every house, building, shop, and store, situated in streets through which the water mains pass the lowest current Water Rate shall be payable, except in cases where, in the opinion of the Council, there is sufficient tank accommodation on the premises.

Branch Pipes.

That with regard to the service to gardens, in each case in which the water is required for such purpose, application shall be made to the Council, when the Council shall decide what shall be paid for the same.

Tanks.

The Town Council shall, every year, a month before the water roll for the year is made out, cause to be inserted in one of the local papers an advertisement, calling on all persons who have constructed tanks on their premises of four thousand gallons capacity or more, to certify the same at the Town Office, within the said month, and all those proprietors or occupiers who neglect to do so shall be liable to pay the current Water Rate for that year, notwithstanding that they may have such a tank on their premises.

In case of fire, charge to Insurance Companies.

In all cases of fire, water shall be supplied from the nearest fire plug, and payment shall be made to the Council for the supply of water at the following rates, viz. :-

For opening the plug and use of the water for the first hour or fraction of an hour	£10	0	0
For the use of the water for every hour or fraction of an hour subsequently to the first	5	0	0

This rate shall be charged to the persons or Companies at whose risk or risks the destruction of goods or houses may be, in proportion to their several risks.

The Council shall have the power, by a suit in any competent Court, to recover these rates from any one person or Company or representative of a Company residing in Grahamstown, who may have a risk on the premises, of goods exposed to any fire immediately endangered by it.

Horses and cattle trespassing in Waterkloofs.

No. 13. All horses, cattle, or other animals found trespassing

within the limits prescribed for the protection of the springs and streams that supply the town shall be impounded, and the owners thereof shall pay to the Poundmaster one shilling for every horse, sixpence for every head of cattle, one penny for every sheep, two shillings for every goat, and five shillings for every pig, over and above the pound fees; and in addition to the pound fees, driving money, which shall be charged as is provided in the Pound Regulations.

Water not to be sub-let or sold.

No. 14. No person to whom water is supplied from the public pipes shall sub-let or sell any of the water supplied to him, except by permission of the Council, under a penalty of two pounds, half the fine to be given to the informer; and no person to whom the water is supplied by the Council shall permit any resident of the city who is not residing in the same house or who has not paid the Water Rate for the current year to take water from his or her service-pipe or cistern under a penalty of two pounds, and all persons so surreptitiously taking water not having paid the current Water Rate shall be liable to a similar penalty of two pounds.

(~~×~~No Assize Regulations appeared.)

SECTION VI - COMMON LANDS.

Brickmaking, &c.

No. 7. No person shall make bricks, quarry stone, or dig or remove gravel, turf, earth, clay, or sand from any land belonging to the Corporation, without first obtaining a license from the Council, under a penalty of not more than five pounds, and not less than one pound, for each offence.

Kraals not to be erected on Common Lands.

No. 9. No person shall, on any pretence, erect kraals, huts, or fences, on the common lands without special permission from the Council, nor shall outspanning be permitted, except at the places pointed out by the Council, under a penalty of from ten shillings to five pounds, or in default one month's imprisonment; and if such kraals, huts, or fences be not removed within twenty-four hours of the penalty being recovered, a further penalty of one pound for every day that they are allowed to remain on the city lands shall be enforced; or the Council may cause such hut, kraal, or fence to be destroyed.

Figs on Commonage to be destroyed.

No. 10. All pigs, whether the property of house-holders or others shall, if found on the common lands, be liable to be destroyed.

Public Auctions on Commonage.

No public auction shall be held in any street or on any part of the town commonage or lands held by the Council, excepting public markets declared to be such by the Council, or in such places as may be permitted by the Council, and in no case may horned cattle be sold by public auction in any street of the city, under a penalty of not more than ten pounds.

Animals trespassing on plantations.

No. 11. All horses, cattle, sheep, and goats found in any of the plantations made by the Council on the Commonage shall be liable to impoundment by any person finding them there, and the charges and driving money payable on such animals shall be the same as the amounts charged on animals impounded from the Waterkloof.

SECTION VII - POUND.

Hours of impounding.

No. 4. All cattle or other animals as mentioned in the preceding clause found trespassing shall be sent to the pound during daylight, and it shall be lawful for the Poundmaster to refuse to receive or deliver any cattle or animals after sundown or before sunrise.

Pound Fees.

No. 6. The Poundmaster is hereby empowered and authorized to demand from all persons applying for their cattle or other animals as abovementioned the following sums of money, to wit:-

For every stallion horse or ass above two years old	£5	0	0
For every bull, ram, he goat, or boar ..	2	0	0
For every horse, mule, ass, ox, or cow a fee of	0	0	6
For every goat or pig not including sucking pigs	0	2	6
For every sheep per dozen	0	1	0
For grazing and attending every horse, not an entire horse, mule, ass, ox, or cow per diem	0	0	4½
For grazing and tending any number of goats or sheep under fifty per diem	0	2	6
And for all above fifty at the rate of per hundred per diem	0	2	0

Bulls and entire horses shall be kept securely tied up in the pound, and fed there, and the charges for feeding them shall be such reasonable charges as the Council may fix from time to time, not exceeding:-

For every stallion, horse, or ass, per diem	£0	2	6
For bull, per diem	0	1	6

For boars, per diem	£0	0	9
For rams or he goats, per diem	0	0	6
Pigs shall also be kept and fed in the pound, and the charge for feeding them shall be each, per diem			
	0	0	6

Driving Money.

No. 8. Persons taking cattle or other animals to the pound from any part of the Municipality shall be entitled to receive as driving money:-

For every horse, mule, or ass, each ..	£0	0	6
For every cow, calf, ox, or bull, each	0	0	6
For every sheep or goat, when the number is twelve, or less than twelve, each	0	0	3
For every dozen or fraction of a dozen, in addition to the first dozen, each	0	0	3
For every pig, each	0	5	0

Disposal of Unclaimed Impounded Animals.

No. 13. It shall be the duty of the Poundmaster, in the event of the cattle or other animals, with exception of pigs or goats when the latter are less than ten in number, sent to the pound not being claimed or released by any one within seven days, to advertise the same for public sale once a week for four weeks in one or more of the local papers, giving a minute description of the cattle or other animals as above-mentioned to be sold, and the sale of all such cattle or other animals as abovementioned shall be fixed at one month from the date of the advertisement, and after deducting the expenses of sale and pound fees, and all other lawful charges, he shall pay over the proceeds to the Council, on behalf of any future claimant of such proceeds; and the Poundmaster shall make a correct entry of all such sales, and of the proceeds thereof, in the book hereinafter mentioned, and in the extract or copy thereof to be furnished to the Council; and in case the owners of any animals sold, in respect of which any sum of money shall have been paid over to the Council, shall not within the space of twelve months from the day of such payment claim the said money, the same shall become the property of the Council.

SECTION VIII - THE NATIVE LOCATIONS.

Inspector.

No. 1. That an Inspector be appointed to supervise and manage the Native Locations in Grahamstown with duties as provided in the Native Locations Act of 1876.

Inspector's Salary.

No. 2. That the Inspector be paid such salary as the Town

Council may fix, the half of which shall be paid and contributed in equal shares by the occupiers of the huts and dwellings in the Location, the remaining half to be paid by the Town Council provided that no hut is taxed to a greater extent than ten shillings per annum.

How Paid.

No. 3. The said salary to be paid quarterly, and the contribution of the occupiers of the huts shall also be paid quarterly to the said Inspector, and in case of default, for one month after the aforesaid contribution is due, the said Inspector shall be authorised to recover the same in the Magistrate's Court.

Power of Inspector.

No. 4. The said Inspector shall have the same powers and authorities, and it shall be lawful for him to perform all such duties within the Location or Locations over which he has been appointed, as if he were a Field cornet or Police-constable.

Register Huts, &c.

No. 5. It shall be the duty of the Inspector as aforesaid to keep a true and correct register of the number of huts or dwellings within the Location, together with the names and occupation of the occupants of such huts or dwellings, and the number, marks, and other description of the horses, horned cattle, sheep, and goats belonging to every such occupier, and such register shall be open to inspection at all reasonable times.

Information to be given to Inspector.

No. 6. For the purpose of enabling the Inspector to keep such register as aforesaid, every inhabitant of such Location shall give to him such information as he may require for the purpose, and every such person who shall, upon being required so to do by the Inspector, neglect or refuse to give any such information, shall be liable to a fine of not exceeding two pounds, and in default of payment thereof, to be imprisoned with or without hard labour for not exceeding one month.

Notice of new Hut, &c.

No. 7. It shall also be the duty of every such inhabitant as aforesaid, without any request so to do, forthwith to give notice to the said Inspector, of any new hut or building erected by him in Such Location, of any horses, horned cattle, sheep, or goats, which from time to time have come into the possession of such inhabitant, and of the way by which they came into his possession, and of the death of any person in the hut or dwelling of such inhabitant, and any such person who shall neglect to give any such notice as aforesaid shall be liable to the same penalties as in the last preceding section mentioned.

Cattle not registered, &c., to be impounded.

No. 8. All horses, horned cattle, sheep, or goats which may be found in any Location, and which have not been so registered as aforesaid, or of whose arrival there no notice has been given to the Inspector, and of the right to, or ownership of which no satisfactory account shall be given to him, may be seized and taken possession of by him and impounded in the nearest accessible pound, and shall thereupon be dealt with and treated as other impounded animals in the said Pound, provided that no animals so impounded as aforesaid by the Inspector shall be delivered up by the Foundmaster to any inhabitant of any such Location without a written order for such delivery, signed by the said Inspector.

Resident Magistrate to adjudicate.

No. 9. It shall be lawful for any person who may feel himself aggrieved by any seizure so made by the said Inspector or by his refusal to grant any such written order as aforesaid, to complain to the Resident Magistrate of the district, who shall inquire into and summarily adjudicate upon the matter of such complaint, and make such order thereon as to him shall seem proper.

Obstruction of Inspector.

No. 10. Any person who shall obstruct the Inspector as aforesaid in the execution of his duty shall, on conviction, be liable to a fine of not exceeding five pounds, and in default of payment thereof to imprisonment, with or without hard labour, and with or without spare diet, for not exceeding three months, or to such imprisonment without the option of a fine.

Charge of theft dealt with.

No. 11. In case any inhabitant of any Native Location, as aforesaid, shall be charged with having stolen any horse, head of horned cattle, sheep or goats, or with having received any such animal in respect of which the charge is made having been found in the possession of such person without the same having been registered as aforesaid (a reasonable time to enable such person to have had such animal registered as aforesaid having elapsed from the time he became possessed of the same) shall be prima facie evidence of the guilt of such person, and the onus of proving that he is not guilty shall be thrown upon him.

Persons ordered to remove from Location.

No. 12. Any person having no right or authority to be in the Native Locations as aforesaid may be directed to remove therefrom, by order, in writing signed by the Resident Magistrate of Grahamstown, such person having been first summoned before the Court of such Resident Magistrate to show cause why he should not

remove from any such Location, and no sufficient cause to the contrary having been proved to the satisfaction of such Court; and any person, who may be so ordered to remove as aforesaid, who shall disobey such order, shall be liable to be summarily removed from any such Location by the Inspector of such Location, or by any Police Constable.

Rent.

No. 13. The Council shall have the power of charging a rental of two shillings and sixpence per erf per quarter to the persons to whom the erven are allotted in addition to the Government tax and the provision for the salary of the Inspector.

Penalty Clause appertaining to all Sections of the Regulations in which no Penalty is mentioned.

For and in respect of any contravention of any of the foregoing regulations, in regard to which no penalty shall have been hereinbefore expressly provided, every person so contravening the law shall incur and become liable to a penalty not exceeding five pounds nor less than ten shillings, or, in default, to imprisonment for any period not exceeding three calendar months; and in any clause where a penalty may have been mentioned, but no provision made for default of payment, it is hereby provided that such defaulters shall be liable to imprisonment for any period not exceeding three calendar months, and the convicting magistrate shall have the power to award to the informer any proportion of the fine inflicted, not exceeding one-half.

Sections omitted are sections which are the same in earlier Regulations.

APPENDIX F

EXTRA TO "THE JOURNAL,"
WEDNESDAY, FEBRUARY 15th, 1865.

CORPORATION OF GRAHAMSTOWN.

SUPPLY OF GAS
FOR THE CITY OF GRAHAMSTOWN.

SEALED TENDERS will be received at the Town Office, Grahamstown, addressed to the Town Clerk, and marked on the envelope, "Tenders for Supplying Gas," until the 30th DAY of JUNE, 1865, from such persons as may be willing to Establish Gas Works, and supply the City with Gas, on the following

CONDITIONS:

- 1st. The CONTRACT to be for a period of 21 years.
- 2nd. The GAS WORKS to be erected on a piece of Municipal ground, in size not less than 3 Acres, situated as marked on the annexed Diagram letter A, which will be leased to the Contractors for a term of 21 years at a nominal rent; or on such other site as may be approved of by the Council.
- 3rd. The QUALITY or PURITY of the GAS to be supplied must be such as is directed to be supplied to the Inhabitants of London by an Act of the British Parliament, passed in the year 1860, viz.: "As to its illuminating powers, to be such as to produce from an Argand burner, having 15 holes, and a 7 inch chimney, consuming 5 cubic feet of Gas per hour, a light, equal in intensity to the light produced by not less than 12 sperm candles of 6 to the pound, each burning 120 grains per hour. And as to purity, so free from Ammonia and Sulphuretted Hydrogen, that it shall not discolour either tumeric paper, or paper imbued with Acetate or Carbonate of lead."
- The GAS to be delivered at the burners at a mean pressure of half-an-inch, so as to produce a steady light.
- 4th. Within SIX MONTHS of the date of Contract, the Council shall receive from the Contracting parties a complete PLAN of the MAINS, with all the Governors, Water Receivers, &c., on a scale of 250 feet to an inch, with contour lines for every four feet of height, and the currenting of every Main figured. The Mains to be laid, at least, 18 inches beneath the surface of the ground; where crossing water pipes, the Gas Mains are to be underneath.
- 5th. PUBLIC INSTITUTIONS and PRIVATE CONSUMERS shall find their own Fittings, buying them of the Contracting or any other party; the Contractors lending to each Consumer a best Croll's Dry Meter, at a fixed price, and giving assistance and full powers to connect free of charge.
- 6th. The CONTRACTORS to take charge of all the public Street Lamps and Posts, keep them in good serviceable order at their own risk and expense, and hand them over in that condition to the order of the Council at the expiration of the Contract. The Pillars and Lamps to have, every two years, two Coats of Stone Colour Paint, mixed with genuine White Lead.

APPENDIX C

CENSUS FIGURES

CENSUS FIGURES 1865

SEX AND RACE

	Male	Female	Total	European	Hottentot	Kafir	Other
Port Elizabeth Municipality	4 628	4 072		6 886	338	696	780
Graham's Town Municipality	2 981	2 968		5 265	193	202	289
Native Location	971	1 152		125	411	813	774

Figures taken from Cape Annexures G 20 of 1866.

TABLE XIV - RELIGIONS OF THE PEOPLE - Shewing the Numbers and Religions of the Population - Males and Females - in each City, Town, Village, and in certain Institutions, according to the Census of March, 1875 - continued.

RELIGION		GRAHAM'S TOWN.											
		European or White		Malay		Hottentot		Fingo		Kafir and Betschuana		Mixed and Other	
		Males	Females	Males	Females	Males	Females	Males	Females	Males	Females	Males	Females
Episcopalians	805	858	..	..	2	3	22	9	123	79	20	24
Protestants and Christians (so returned)	287	322	..	..	3	1	..	1	2	1	6	7
Presbyterians	117	134	..	..	19	41	..	1	4	..	27	31
Independents	201	211	3	4	81	105	3	6	54	52	60	87	
Wesleyans	537	572	..	..	10	24	87	126	40	37	52	58
Baptists	175	174	..	..	1	..	..	..	..	..	4	8
Lutherans	15	4	..	..	..	..	..	..	..	..	..	..
Dutch Reformed Church (including Reformed Church)	70	105	..	..	5	3	..	..	3	1	9	7
Moravians .. .. .	..	..	..	..	..	..	..	..	1	..	..	..
Unitarians .. .. .	..	..	..	..	..	..	..	..	..	..	..	..
Other Protestants	12	8	..	..	..	..	..	..	..	..	..	..
Roman Catholics	310	344	..	..	..	..	..	..	..	..	..	..
Other Denominations .. .. .	..	..	..	..	..	..	..	..	2	1	2	3
Jews	14	11	..	..	..	..	..	..	..	..	2	2
Mohammedans .. .. .	..	..	1	1	..	..	..	..	..	..	..	..
Pagans .. .. .	..	..	1	1	..	..	..	..	21	35	..	..
No Denomination	8	2	..	..	..	..	..	..	..	..	..	..
Unspecified	30	28	..	..	21	36	9	3	..	..	32	16
Object to state .. .. .	..	..	..	..	..	..	..	..	..	..	..	..
Totals	2 581	2 773	5	6	142	213	121	146	252	206	214	243	

Taken from Cape Annexures G 20 of 1876.

7th. Within TWELVE MONTHS of the acceptance of the Tender, the Works, &c., are to be completed for the manufacture and distribution of Gas, to such Streets of the City from which there may be a sufficient demand, that is to say where there may be required one light for every 50 feet of Main.

8th. The Council shall appoint an INSPECTOR who shall, at all times, have free access to the Works, and see that the articles of contract or agreement are properly and fully carried out.

9th. Should the CONTRACT not be RENEWED at the end of the 21 years, the Council shall have the option of purchasing the whole or any part of the Plant and Works at a valuation, giving 12 months' notice. The valuation to be fixed by arbitration.

10th. In case of any doubt or dispute arising between the CONTRACTORS and COUNCIL, with regard to the meaning or intention of the Contract, the same shall be referred to the Inspector of Gas, or such other competent person as the Council may deem fit to appoint, whose award shall be finally binding and conclusive upon all parties, notwithstanding any rules of Court, either in law or equity, to the contrary.

11th. The PARTY whose Tender is accepted will be required to enter into an agreement with the Council, based on these conditions.

TENDERS,

SUBJECT TO THE FOREGOING CONDITIONS, WILL BE REQUIRED TO STATE:-

1st. The ANNUAL RENT for the GROUND on which the Works are to be erected.

2nd. The PRICE, each, at which Cast Iron Lamp Posts and complete Lamps will be supplied - the Lamp Posts to be the No. 1, in Colebrook Dale Catalogue; the Lamps to be of the pattern used in London, each provided with a Batswing Burner, to consume 5 cubic feet of Gas per hour at half-inch pressure - to be erected when and where the Council may direct. The Council, however, reserves to itself the right, if it should see fit, to provide itself with the necessary Posts and Lamps.

3rd. The PRICE for supplying GAS to each Street (sic) [Lamp] per hour; Contractor to light and extinguish the Lamps; to be paid for by the Council.

4th. The MAXIMUM PRICE at which Gas per 1 000 cubic feet will be supplied to Public Institutions and Private Consumers, together with the Rent of Meter, to be paid for by the Consumers. Any dispute arising between the Consumers and Contractors, to be settled without the intervention of the Council.

By Order of the Council,

B. J. GLANVILLE, Town Clerk.

Town Office, 11th February, 1865.