

SIR RICHARD SOUTHEY
LIEUTENANT GOVERNOR OF GRIQUALAND WEST
1872 - 1875

University of Cape Town

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TABLE OF ABBREVIATIONS

The following abbreviations are used in the text and footnotes:

GH - Government House, Cape Town

HMG - Her Majesty's Government

IDB - Illegal Diamond Buying

OFS - Orange Free State

SAR - South African Republic

PREFACE

The idea of using Southey's letters as the basis for a study of his administration of Griqualand West was suggested to me by two historians, one South African and one American, almost simultaneously. Thus inspired, I spent many hours in the Cape ~~State~~ Archives where I became fascinated by Southey, his friends and his numerous adversaries. Southey was a tireless correspondent, and from his detailed accounts of the day to day happenings in Griqualand West and his definite opinions on people and events, a vivid picture emerges of Southey as a man. Stubborn, irascible, protocol minded and disorganized on one hand; humanitarian and imperialistic to the point of being almost visionary in his dreams for Africa on the other.

The difficulty was to present Southey in depth without drowning in detail. Certain aspects of Southey's administration I have deliberately omitted; for instance, the complicated issue of ownership of the land which became Griqualand West and the endless boundary squabbles with the OFS and the SAR. Others, such as Southey's relations with Barkly, Carnarvon and Froude I have only touched upon from Southey's point of view as they have been dealt with in great detail by Mr. Goodfellow and Mrs. Macmillan. I have concentrated on the specific issue of Southey's administration and why it failed.

Southey's attitude toward the natives which affected his views on the arms trade, complicated the settlement of the land problem, and soured his relations with the diggers was one factor. There were others as far flung as the fluctuation of the world diamond market, and as near as Southey's inability to compromise and his knack ~~for~~^{of} making both warm friends and bitter enemies.

The research, absorbing and rewarding, was done in Cape Town. As well as the Southey papers, there were the newspapers and books necessary to give a certain amount of background and to supplement Southey's writings. The unexpected transfer of my husband made it necessary to write up this paper in Mauritius and Philadelphia and mail to Cape Town for comment. This process was much more time consuming and tedious than being able to talk over the drafts, and it is only due to the kindness and patience of Mr. Davey that it was possible to finish at all. I also owe many thanks to Clare Graaf, a friend, and Miss Davies of the Cape Archives for verifying references for me and encouraging me to continue.

CHAPTER I

BACKGROUND

Griqualand West was unique and set apart from the other South African States because of its diamonds. On the problems it shared with the other states and colonies, Griqualand West had a special slant. Its views of the question of arms to the natives was coloured by the fact that it was the hope of buying a gun which attracted the necessary labour to the mines. The broad issue of the role of the native became narrowed in Griqualand West to that of his place in the mining community, specifically if he should or should not be allowed to own claims. Griqualand West's other problems were peculiarly its own; the sudden wealth and desperate depression as the value of diamonds fluctuated; the congregating of a heterogeneous white population dependent upon a large native one, and the difficulty of establishing who owned the land and the diamonds under the land.

Until diamonds were discovered there, the barren land between the Hart and the Vaal Rivers was indistinguishable from the wasteland all around it, and therefore of no particular interest to anyone but the people, white or black, who lived there. Most of the natives were Griquas, a people of mixed blood who had wandered northward under a freed slave, Adam Kok.¹ A disgusted missionary described them in 1800 as "...a herd of wandering and naked savages, subsisting by plunder and the chase...bodies daubed with red paint...heads loaded with grease

and shining powder, with no covering but the filthy Kaross over their shoulders."² By 1821 this group had crossed the Orange River to settle on the London Missionary Society station at Phillipolis and was sufficiently under missionary sway to accept the missionaries' protege, Andries Waterboer, a recent arrival from Capetown as their "Captain."

There they formed a part of the buffer of "civilized" natives the missionaries planned to place between the colonists and the natives of the interior.³ As all the Bushmen had been driven out, the name of this area was changed from Bushmanland to Griqualand.

In 1837 and 1838 by treaties witnessed by the British Resident, the Griquas officially divided into two groups. Adam Kok's group remained near Philippolis with Waterboer and his people to the north west. A line drawn from Ramlah to David's Grave to Platsberg marked the border between them.⁴ At the time the treaties were drawn up these points seemed definite as both chiefs knew from what point on Platsberg and exactly where on the south bank of the Riet River, David Isaac, a warrior of Waterboer's, had been buried when he had died on the way home from an expedition in late 1829 or early 1830.⁵

The confusion inherent in the South African situation of increasing confrontation of colonist and native in the search for well watered land and in the raid and counter raid which grew into a series of wars, was compounded by the swings of British policy towards South Africa. While in the main Colonial policy (no matter which of the twenty-six Secretaries of State for the Colonies between 1825 and 1868 was in office) was "tinged with humanitarianism and dominated by materialism,"

emphasis and method differed. Parliament was easily bored by colonial problems and imaginative schemes to attempt to work out a modus vivendi between advancing Boer and native along the South African frontier were strangled for lack of funds, although money was reluctantly forthcoming to pay for the wars that these measures were designed to prevent.

In 1820 six thousand settlers were sent out from England in a double-barrelled move to relieve the economic situation in England and to provide a barrier between the restless tribes and the Cape Colony. Twelve year old Richard Southey came out with his family at this time. These scattered settlements, although inadequately supplied from the colonists point of view, were an irresistible temptation to the cattle hungry natives. Predictably they were subject to constant raids and by their mere presence exacerbated the friction and ferment which they were supposed to help calm. The colonists clamoured for the protection they felt was owed to them by the British Government, and in a short space of time came to adopt the "Boer" point of view of keeping the native in his place.

It was obviously intolerable from the colonists' point of view to live in constant fear for the safety of their stock and even the lives of their families and unrealistic not to expect them to take what measures they could to protect themselves. It was just as impossible for the natives, in a period of turbulence, to whom raiding and war was part of a way of life not to find the settler's cattle irresistible and to resent his concept of "owning" land. It was an insoluble problem in the nineteenth century and in the twentieth a fair

and workable solution for joint white and African control and use of the resources of their country has still to be found.

After the Frontier War of 1834 Sir Benjamin D'Urban, the Governor of the Cape who arrived just before the war broke out, attempted to pacify the frontier by a series of treaties with the chiefs which brought them directly under the Crown in the hopes that through the influence of British missionaries and British magistrates they might be gradually detribalized and made peaceful and useful.¹⁰ Waterboer signed a treaty in 1834 in which he promised to keep order in his district, protect the frontier from invaders or marauders and to send back fugitives and criminals to the Colony for which he was to receive £ 150 a year and an adequate supply of munitions. Dr. Philip felt that such a treaty was better than nothing, but what Waterboer needed was to have his land incorporated in the Colony before the encroaching Boers had reduced the Griquas to landlessness once again.

Sir Harry Smith, generally referred to as "dashing", who had been military commander in Cape Town and therefore commander-in-chief during the last war threw himself as enthusiastically into administering the D'Urban treaties as he had into "exterminating the Kaffir". But he and D'Urban were recalled to England (in 1836 and 1837 respectively) partly because of missionary accounts of the way the war of 1834 had been conducted. The succeeding Governor, Sir Peregrine Maitland, attempted to impose a solution by force, but his handful of troops was not sufficient to "over awe" seventy-thousand natives and the War

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of the Axe ensued. Smith was sent back to South Africa as Governor at Cape Town in 1847 to put into effect the schemes of the third Lord Grey, Colonial Secretary in Lord John Russell's administration, which were basically an extension of D'Urban's treaty system: an effort to civilize the natives by exposing them to British religion, education and commerce. ¹⁴

Imaginative but unrealistic, (Grey's Indian experience was not really applicable to South Africa), this programme was doubly handicapped by insufficient financial backing from London and by too much dash and drama on the part of Sir Harry. ¹⁵ An attempt to redirect and defuse tribal life called for a delicate understanding of native thinking and subtle guidance toward a slow but fundamental change in their way of life, which was not at all Sir Harry's forte. He both underestimated the natives and overestimated his personal effect on them. In an effort to bring the trouble spots under tighter control, he kept pushing the frontier northwards until he had annexed the whole region between the Orange and the Vaal (including Griqualand) as the Orange River Sovereignty. ¹⁶ Earl Grey carried the Cabinet in support of this action, but this marked the zenith of colonial responsibility in South Africa and it did not last long. There was a growing feeling in England that South Africa was a bottomless pit into which British soldiers and money were being poured to no advantage to England. ¹⁷ Even humanitarians were beginning to doubt the wisdom of interfering in a situation which they could not control. ¹⁸ When the Eighth Frontier War broke out in 1850 and

Sir Harry's debonair assurance that only two thousand troops were needed to keep the peace was remembered, he was once again recalled. "There is nothing so difficult to defend against public opinion as optimism shown to be unjustified,"¹⁹ is the apt conclusion of a historian of British Colonial policy.

In 1852 the section of public opinion led by Richard Cobden and Sir William Molesworth which insisted that the colonists should manage and pay for their own affairs had its heyday. Great Britain abandoned the fiction that it could control the trekking Boers, who until that time were technically subject to British law, and the ideal of Imperial protection of the natives. By the Sand River and Bloemfontein Conventions of 1852 and 1854 the British Government, in return for a promise of no slavery and an assurance that some land would be reserved for the natives, declared a policy of non-interference by abrogating existing treaties and promising to make no others with the natives outside of British possessions--beyond which the natives might "slaughter each other" with Boer and missionary help without any imperial interference.²⁰

This repudiation of treaties was particularly hard on the Griquas who had been British subjects at the time they left the Cape, had always considered themselves British subjects and had been recognized as such.²¹ Other aspects of this policy of disengagement were the granting of representative government to the Cape Colony in 1853 and recognition of The Orange Free State in 1854. The existence of the independent Boer Republic increased the pressure on Griqua land. Griquas,

who had leased grazing lands to Boer farmers on long leases, found that when the lease was up the Boer had an OFS title to the farm, or that he demanded payment for the improvement he had made during his lease, virtually an impossibility for the cashless native.²²

In spite of complicated arrangements of alienable (possible to sell) and inalienable (reserved for tribal use) land which was supposed to reserve sufficient lands to the tribe, Griquas sold or otherwise lost so much land that Adam Kok's group was persuaded to sell the rest to the Boers and move to the south of the Drakensberg in Nomansland (which then became Griqualand East) as a buffer against the Basuto.²³ When Kok left, he gave his agent Henry Harvey the power of attorney to sell the remaining lands for him, i.e., The Philippolis lands in the southern Free State. For some reason now unknown Harvey threw into the sale with the OFS "the lands of the late Cornelis Kok," the Griqua chief at Campbell who had willed his land to Kok. David Arnot, the Griqua lawyer, a former agent for Kok who at this time was acting for Waterboer, persuaded Kok to deny having authorized the sale of these extra lands and claimed them for Waterboer on the ground that Cornelis Kok had not been an independent chief but a vassal of Waterboer.²⁴

This was the situation until 1867 when an alert farmer noticed a particularly bright pebble some children had found on the banks of the Orange River which proved to be a diamond. When two years later the same farmer bought a much larger diamond (The Star of Africa) from an African witch doctor who had found

it in the same area, the rush for diamonds was on. At first the diggers were mostly solid and law abiding Boers who worked hard with their families at sifting the sand and mud of the river banks, generally knew one another and lived in cordiality and mutual regard. One nostalgic participant declared that most of the people of the rivers diggings in 1870 and 1871 were happier than ever in their lives before or since. "If ever there was a land of liberty, perfect liberty, religious, ²⁶ political, commercial and social, it was there and then."

Like most paradises this one was short-lived. By 1871 the river diggings were almost finished and the rush had moved twenty-five miles east to dig on the farms of Dutoitspan, Bulfontein, De Beers and Vooruitzigt²⁷. There were more Europeans on these diamond fields than had taken part in the great Trek, not only from the Boer states and the Cape Colony but from Australia, Great Britain and even the United States. After the miners had come the shop keepers, saloon keepers, speculators and diamond buyers typical of any rough and ready mining town. Peculiar to South Africa were the hordes of natives who came to do the actual digging for the "diggers" and to take home a gun.

An arrival of November 1871 found paradise lost indeed! "The road was lined with bones and half-dry carcasses and the flies put us in terror of our lives. The canvas walls were black beneath their hosts. Dishes and drink choked with them." He described the tents along the ridge; the pale grey mounds of "sorted stuff"; the lonely little camps of the Boers who

took their earth home to be sorted and the more pretentious houses made of canvas stretched on wooden frames with neat windows cut out bound with coloured braid or ribbons about the edge, and the "...old broken tents, rusted and rotted sieves, holes abandoned...as well as the vile smells that assailed the nostrils" and the utter "recklessness of decency." Less dramatic but also important he found prices monstrously high on some produce, and everything to do with the government in desperate confusion.

As was to be expected the fortune in diamonds changed everyone's attitude toward this erstwhile wasteland. No one expected the diamonds to last long, but everyone wanted a share in the boom. The OFS claimed the land because it was part of the Orange River Sovereignty and because it had purchased the lands of Cornelis Kok from Adam Kok via Harvey. (It was never possible to be certain whether Cornelis Kok or Adam Kok or Waterboer had the tribal right to sell the Campbell lands), and sent an Landrost, Truter, first to Pniel and then to administer the Dry Diggings at Dutoitspan. The SAR took the stand that any British action, such as the acceptance of Waterboer's request to be taken under British protection was a violation of Article three of the Sand River Convention which specifically forbade any alliances with natives north of the Vaal, and granted a monopoly to a SAR group for development of the mines. When the SAR representatives arrived to take possession they found the diggers had already declared themselves the Independent Klipdrift Republic under President Stafford Parker. President

Pretorius visited the Fields himself, was feted at a ball, and came away with the realization that the miners were too well established to be dislodged. However the very idea of SAR control left a residus of suspicion among the diggers towards the SAR.³⁰

In 1870 Waterboer had asked for help in keeping order on the Fields and Lieutenant General C.V. Hay, Acting Administrator of the Cape Colony appointed Mr. John Campbell as Magistrate at Klipdrift. President Parker anxiously awaited Campbell's coming as the symbol of British rule and resigned upon his arrival in December of 1870.³¹ It was obvious that even with Campbell's help Waterboer could not control such a mixed population as that at the mines, and it was highly unlikely that the Boer Republics could either. Sir Henry Barkly, Governor of the Cape Colony ~~in February 1871~~ came up to the Fields ^{in February 1871} to see for himself what should be done.

President Brand met Barkly and offered to submit his claim to the Campbell lands to foreign arbitration (which was swiftly vetoed by London) but he did not consider the ownership of the Dry Diggings open to question. Barkly met the Chiefs and was impressed by the plight of the Baralong tribes under Mankoroane and the Batlapin of Montsioa who had been told to become Transvaal subjects or to move away from their lands. President Pretorius agreed to arbitration on boundaries and to joint arbitration with John Campbell to try British subjects until the final settlement. President Brand, cordial but unhelpful insisted that he needed his force of burghers there to keep the

diggers in order; the SAR had its commandos too and Barkly had sent for a detachment of the Cape Mounted Police to give Campbell equal status.³²

Barkly returned to Capetown convinced that something had to be done before the various factions came to blows. As Great Britain was obviously the only power in South Africa strong enough to maintain order, he came to agree with Colonial Secretary Southey, probably the best informed man in the Cape Government on this subject, that the best solution would be to accept Waterboer's preferred allegiance. This Barkly was specifically forbidden to do by a despatch of November seventeenth 1870. He pressed London to change its mind and allow him to receive this territory for the Queen.³³

The Attorney-General of the Cape Colony and Colonial Secretary Southey, after careful study of all the available evidence, had concluded that Waterboer's claim was valid.³⁴ Britain, in an awkward position after its public and unequivocal abandonment of this land before it knew about the diamonds, was nevertheless not prepared to have the Boer states suddenly rich and powerful, so it agreed to annexation if the Cape Colony would accept responsibility for governing it and British troops would not be involved.³⁵ However, when Southey moved that the Cape House go into committee to consider the bill to annex the Diamond Fields, John Moltano, Southey's chief political opponent and leader of the "pro-Responsible Government" party, protested so vigorously that Barkly felt compelled to postpone it. Moltano, who had just achieved a delicate balance in the Cape

Parliament between East and West, was afraid representatives from the Diamond Fields would combine with the Eastern delegates to control the Government. Both Houses of the Cape Parliament gave verbal backing to the idea of annexation. Barkly felt that both London and the Cape really wanted it, in spite of their reluctance to accept the onus of action, so he announced the annexation of the Diamond Fields on 31 October 1871.

Governor Barkly asked Keate, the Lieutenant-Governor of Natal, to arbitrate the question of the disputed boundaries, and he came to the conclusion that Waterboer's boundary was as claimed. President Pretorius accepted this decision, but his Volksraad did not and repudiated both the award and the President.

Barkly had already made up his mind that Southey was the logical choice to govern this temporary Crown Colony, but as Southey was unwell at this time, Barkly appointed J.C. Thompson, the Public Prosecutor and J.C. Bowker, the Commander of Police, to form a triumverate with Mr. Campbell. Dr. J. Mathews, a self-appointed one man citizens' committee, claimed that government by the Commissioners was a mistake from the beginning as it lacked both the "main de fer" and the "gant de soie" needed to deal with such a heterogeneous community. He considered that the system and the material were alike bad and in spite of Barkly's exertions, doomed to failure.

Campbell, not surprisingly, did not consider this period such a failure and pointed out that when he had "the entire

management of the Field on the right bank of the Vaal River where thousands of British subjects were engaged in searching for diamonds there was¹¹ not a single instance of tent-burning or of the flogging of Natives to death, which of late has unhappily been so prevalent" and that he had successfully established "British Rule and Order." It was only, he explained when the OFS territory on the left bank of the Vaal was added and came under Colonial Law which was totally unsuited to the circumstances, (i.e. natives could own claims) that opposition to British rule grew strong. He also pointed out with justice that the Commissioners, while nominally the Government, had no power to remedy any grievance as all decisions had to come from Cape Town whence it took three weeks to get an answer.⁴¹

Barkly, who felt experienced in the ways of diggers from his tour in Australia, considered Campbell to have been the right man to keep order among the unruly adventurers who came first to the Dry Diggings. However, now that a better class of diggers had arrived, Barkly thought that Campbell lacked "tact and temper" for the job, especially as he resented any form of digger participation in the government.⁴²

In face of the Molteno Government's continued reluctance to the incorporation of the Diamond Fields into the Colony and the diggers expressed distaste for being so annexed, Barkly began to question the feasibility of fitting this turbulent, but possibly temporary, population into any existing state. He came to believe that the best (or only) solution would be to have it come directly under the Queen as a separate entity

which would eventually join with the other states and colonies in a South African Federation.

Meanwhile the Commissioners were having a difficult time over the violent disapproval of most of the white diggers of allowing non-whites to own claims, expressed dramatically by rioting and the lynching of an Indian. Commissioners Bowker and Campbell finally agreed to give in to the diggers' demand to allow only white claim owners. (Only Thompson had held out, explaining to the diggers that such discrimination was contrary to British law in which he was upheld by Barkly.) Barkly went back to the Fields himself to try to straighten things out and found the miners calmer and more cooperative than they had been during his last visit. In a speech to one hundred and forty leading citizens at a "Tiffen", the Governor praised them for their energy, perseverance and organization and promised that he would ask for a constitution and a representative government for them. He assured them that they would not be forced into union with the Cape Colony against their wills. As to the burning issue of claim owning, Barkly sympathized with the diggers over their losses, but said that he could not admit the justice of depriving all coloured persons of their rights as citizens because some were dishonest. It was a statesman-like speech appealing to the best in his audience-- although the phrase "something of the kind as the Legislative Chamber in Natal" was to lead to trouble later.

Unaware of Kimberley's mutterings of disapproval or his critical minute when he had heard of Barkly's annexing the

Fields before the Cape Parliament had passed the bill, Barkly proposed a Crown Colony constitution and the appointment of Richard Southey as the first Lieutenant-Governor of Griqualand West. Kimberley, ever loyal to his governors, sanctioned it at once.⁴⁴

At the time Southey was offered this position, he was one of the most prominent men in the Cape Colony and had just declined the honour of being the first Prime Minister under Responsible Government. In some ways Southey was a typical frontiersman; in others a statesman of unusual vision.

The "romantic" man of action admired by Barkly, who knew the country and rode and shot well enough to serve as guide or soldier at a moment's notice, was the product of a rigorous childhood on a struggling farm near Grahamstown with the threat of African raids always present. As soon as he turned twenty-one Southey left the store where he had been a clerk for five years (except for a brief period of military service at Fort Beaufort in 1828) to go on a trading and hunting expedition in Pondoland and Bovanaland. Apparently this trip contributed more to Southey's understanding of the natives than it did to his fortune, as too many of his cattle were declared sick and feasted upon by the "slim" tribesmen. On his return Southey married Isabella Shaw and settled on the farm, Kap River, which Southey had bought with his brothers. In 1835 the Southey's were warned of a "Kafir" raid just in time to escape with their two children by ox-cart to Grahamstown, stopping at each farm en route to warn the other families. The Southey's farm was

burnt down with everything in it and most their stock was lost.⁴⁵

Colonel Harry Smith dashed to the rescue of the colonists and shortly after his arrival asked Southey to be the guide for the Headquarters column, and later to form and captain a Corps of Guides. The natives were defeated, and Southey with Smith and his brother George Southey were escorting Hintze, the vanquished chief, through his country to collect the cattle and horses forfeited by the peace treaty, when the chief bolted. He was cornered by George Southey and raised his assegai to strike. George shot him. Although it seems fairly well documented, this story of "shot while attempting to escape" did not go over well in England where it was taken as proof of the missionaries' charges of undue brutality in putting down the uprising and helped to bring about the recall of Smith and D'Urban.⁴⁶

Southey settled in Graaff-Reinet where he farmed and ran a law agency until Sir Harry returned to the Cape as Governor in 1847, when he persuaded Southey to become his private secretary. Southey fought courageously in the battle of Boomplatts and when Smith reproclaimed the Orange River Sovereignty on 7 September 1848, Southey was left behind to collect the fines levied upon the defeated ^(Boers) Without apparent difficulty he collected the full sum due, which had not been considered likely, and managed to establish friendly relations with his recent enemies. Southey stayed on as the representative of British Government until Major Warden's installation as

British Resident.

In 1849, Southey was appointed Civil Commissioner and Resident Magistrate at Swellendam, which involved recruiting natives and getting accurate information for Sir Harry Smith during the 1850-1852 Frontier War. ⁴⁸ In 1852 when John Montagu, the Secretary to the Government in Capetown, had to go to England on sick leave, he suggested Southey as his replacement. Montagu had asked Southey to keep him au courant of affairs in his department, but when Southey complied, the new Lieutenant-Governor with whom Montagu had fallen out before his departure, suspended Southey from office. Southey had to go to London to present his case. The Colonial Secretary, The Duke of Newcastle, reinstated Southey and reprimanded Darling for over-reacting to a simple misunderstanding. ⁴⁹

After a short stint as Secretary to the Lieutenant-Governor in Grahamstown, Southey became once again a temporary Secretary to the Government in Capetown when the incumbent was on leave. This entailed Southey giving the Budget Speech in the Colonial Parliament of 1861 which the Lieutenant-Governor at Capetown found "the best and most straightforward thing of the kind" he had seen for many days. ^{The Governor,} Sir George Grey wrote to the Duke of Newcastle that "Mr. Richard Southey conducted the Government business throughout the entire Sessions with very marked ability, and great moderation, coolness, and temper." ⁵⁰

Admiration between Southey and Sir George Grey was mutual. Southey referred frequently to the fact that he felt Sir George Grey had a better understanding of the native problem and had

done more to attempt a solution to it than anyone else. After graduating from Sandhurst and spending ten years as an army officer largely in the unexplored regions of Australia, Grey was appointed Governor of South Australia in 1840. While there he became interested in the culture and welfare of the Maoris of New Zealand. After his eight^{years} of despotic but successful rule had put the colony on its economic and political feet, Grey was moved on to Cape Town. He decided that there could never be peace between native and European as long as the tribes lived under their system of chieftanships with raiding and warfare their "raison d'etre", so he embarked on a programme to civilize and Christianize the tribes by means of jobs, health care and education "into friends having common interests". Sir George had won the approval of both London and Cape Town for his efforts and kept peace on the frontier with troops to spare to send to India at the time of the Mutiny, when as so often happened in South Africa before a policy came to fruition, the Government in England changed once again. Lord Stanley, the new Tory Colonial Secretary, informed Grey that his annual grant for British Kaffraria had been halved, therefore no more money at all could be spent that year. Grey continued to finance his treaty system from his own pocket, but gained no favour for it, especially with Lord Carnarvon, the parliamentary under secretary for the colonies, who considered him "a dangerous fellow". Grey was ordered to resign after he brought an OFS proposal for a federation of South African

countries before the Colonial Government. Although Grey was returned to Cape Town in 1860 when his admirers returned to power, he was warned that The Cabinet would not support an confederation of South African states. ⁵¹

In January 1862 Sir Philip Wodehouse arrived to replace Grey as Governor. Southey had just been made Treasurer of the Colony and in 1864 when Rawson retired, he was made Colonial Secretary to the Government, a post he held until the advent of Responsible Government in 1872. ⁵² The issues confronting the new Governor were Responsible Government and the possibility of Eastern separation. Wodehouse, who was openly antagonistic to any lessening of ties with the Mother Country, had the 1864 session of Parliament move to Grahamstown in the hope of diminishing the influence of the Cape and the partisans of Responsible Government. A stormy session resulted and that of 1865, back in Cape Town was worse, although the Government achieved the annexation of British Kaffraria by a careful balancing of eight Western members with eight Eastern. In spite of Wodehouse's appeals to the country to work together, the economic situation went from bad to worse. Lord Carnarvon's decree that Imperial troops must be withdrawn or paid for by the Colony did not help. In 1867 the Government proposed a smaller, simpler Parliament as an economy measure. There was an immediate outcry. Molteno proposed Responsible Government which did not pass, but the Government withdrew its measure. ⁵³

Into this economic chaos and political dissension came the new Governor, Sir Henry Barkly, who was known for his tact

and had proven himself in difficult situations in British Guiana, Jamaica, Victoria and Mauritius. His instruction in South Africa was, while remembering the large native populations, to see that South Africa followed the path of Australia and Jamaica in adopting Responsible Government, (or failing that become a quasi-Crown Colony -- but to do something to make it workable). Barkly tried, without success, to pin London down on what ⁵⁴ it meant to do or did not intend to do to protect the natives.

Barkly handled the subject very gently in his first speech, discussing the frontier, the Eastern province and Federation and then remarking mildly that as a Crown Colony Government had been voted down, Responsible Government seemed the only alternative. ⁵⁵ Molteno proposed a bill for Responsible Government and a no holds barred debate was on. One speaker said the Cape Colony was too corrupt and ignorant for Responsible Government, and Southey defended the Wodehouse administration. Southey and three other members of the Executive Council drew up a Minute explaining their reason for opposing Responsible Government, which was the sparseness of population (2.82) per square mile); the lack of education (only 65,000 people out of 496,000 could read); the strong prejudice of the Dutch against the English and especially the English idea of how to treat the native races and the strong feelings of antagonism between white and black, particularly on the frontier. The Crown, in the eyes of the signatories, was the chief bond in holding these disparate

elements together and therefore its influence should not be reduced. ⁵⁶ As an imperialist and a humanitarian Southey could not support a weakening of the ties with Britain or the prospect of the natives falling under a government which would inevitably be predominately Dutch.

On the other hand it must have been infuriating to Barkly to have had members of the Colonial Government "lobbying" against a Colonial Office policy. When he protested to Southey, Southey wrote that he thought Britain wanted to do what was best for South Africa. Sir Henry, an able negotiator and smooth compromiser, managed to get the Responsible Government Bill through the Parliament of 1872, albeit by one vote. ⁵⁷ It was unfortunate for Barkly that this feat of diplomacy, instead of winning praise in England only served to embroil him with ~~the~~ Lord Carnarvon who, in a new switch of Government, became the Colonial Secretary and found the new Cape Government an insurmountable barrier on the road to Confederation.

In the fall of 1872 Barkly and Southey were corresponding over Southey's future. Southey had declined to become the first Prime Minister under Responsible Government because he felt he would not be able to agree to the increase in expenditure which the new Government would want (after too many years of struggling to make ends meet before the miracle of diamonds saved the day) and because of the stand the new Government might wish to take in regard to the natives, a question in which he had "ever taken a lively interest". He pointed out that in

spite of the undeniable advances which the natives had made in the last few years and the progress which they were still making "the white population living near the border are not satisfied, and I shall not be surprised to find that pressure be brought to bear upon the Government for special and exceptional laws, applicable to Natives alone, such as I, holding the strong opinions that I do on the matter should not be able to comply with." In fact Southey felt so strongly on these issues that he considered running for Parliament as an independent.⁵⁸

It is perhaps easier to understand why Barkly offered Southey the difficult position of Lieutenant-Governor of Griqualand West than to understand why Southey accepted it. Southey was, after all, the man who knew most about that area, had been the keenest to annex it and had the wealth of his economic and political experience in the Cape administration to guide him. On the broader issues of imperialist expansion into the interior of Africa and trying to bring the natives under British rule, Barkly and Southey thought alike. Barkly must have known that sending a man of Southey's positive views into a community which was constantly agitating for just such special legislation as Southey most abhorred, was taking a certain risk, and therefore presumably felt that the diggers had settled down and that "Southey, imperturable, suave, and resourceful"⁵⁹ could handle it. The Governor may also have felt that Responsible Government would have an easier time finding its feet if Southey were not there to criticize.

Why did Southey accept this almost impossible task? Probably for the reason he gave to Currey, he had made it a life-long rule never to refuse a duty that he was called on by God to undertake. Also he had been one of the first to appreciate the importance of the diamonds, remarking: "This, gentlemen, is the rock upon which the future success of South Africa will be built" upon seeing the Star of South Africa. It seemed too interesting a challenge to refuse, but he had no illusions about it. J.B. Currey, who was so excited when Southey first asked him to come to be Secretary to the Government, wrote that the more he talked to Southey about the whole situation, the more his morale sank. "If the Cape was the grave of reputations, Griqualand West might well be the bottomless pit. At all events the chances were heavily against us." On the borders were the hostile Boer states and the people, some gentlemen apart, were on the whole "unruly and turbulent... the easy making of money without conventional restraints had its charms and the rough life they led in tents with the general carelessness in manners and dress and language disposed them to follow the bolder spirits without any well defined republican ideas aimed at the utmost freedom from recognized authority."

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CHAPTER TWO

ADMINISTRATION

The warm and colourful welcome given to Lieutenant-Governor and Mrs. Southey upon their arrival at the Diamond Fields in January of 1873 gave no hint of the dark days to come. A number of Southey's oldest friends rode ahead to greet him. An hour before he was due a throng of horsemen and carriages bearing the "beauty and fashion" of the Fields rode out to meet him and escort him into town. The road was packed with cheering well-wishers, and the fireworks in the Southey's honour that night ended literally in a blaze of glory as a spark fell into the box of firecrackers, and the remaining rockets, roman candles and Catherine wheels "blazed, crackled, fizzed and went off together."¹

Southey took the oath of allegiance before Recorder Barry and assumed office on 10 January 1873. His first letter to Barkly was a curious mixture of public policies and private problems. In general Southey found Griqualand West quiet and in good order. Although he had not yet attempted to deal with the conflicting interests of the diggers and the proprietors which he knew would be difficult to reconcile, he hoped soon to try to persuade both parties to adopt a "reasonable" point of view. He noted that as well as these opposing factions within ^{Griqualand West} G.W., he had the Boer states with their unsettled boundaries

without. However, he ended with the firm statement that he did not expect "England to aid in paying. The Revenue being quite sufficient here to defray the cost of our Government."²

On a personal level, Southey was distressed by Lord Kimberley's hesitation in approving his salary of £ 3,500 p.a. and asked Barkly to urge Kimberley to confirm this sum.³ As evidence that he could live better in Wynberg on half as much money, Southey described the "best" house which had been borrowed for him -- three small rooms with wooden frames covered with sheets of iron which was about the worst possible construction for the climate.⁴

Both newspapers commented favourably on Southey's arrival. The Diamond News reported him as "highly gratified" to find the people so loyal and warm-hearted. The Diamond Field thought he was the right man for the job. Both papers felt it was essential to have a man on the spot to take prompt action when a problem arose and both hoped the land question would be given top priority.⁵

Southey's first move was to appoint his staff. Mr. Giddy, who had been a magistrate and civil commissioner, was named Treasurer and Postmaster General.⁶ Southey had written a polite note to Giddy in November 1872 saying that he was glad that Giddy approved of his appointment to ~~SA~~^{Grigueland West} and that he was sure that he and Giddy would "work together very agreeably."⁷ This proved not to be the case as a few days after accepting this appointment, Giddy requested six to nine months sick leave. Southey was angry and "astonished", particularly as Giddy had

been well enough to attend every entertainment when he travelled up with the Southeys. He felt that Giddy should not have accepted these appointments and pointed out that he was needed for continuity in the administration.⁸ However Barkly, with Kimberley's approval, let Giddy go on six-month's sick leave at half salary but without most of the allowances he had hoped for.⁹ Giddy may well have resented the new administration, but Southey never forgave him for leaving him in the lurch, so that Giddy is nearly always presented in an unfavourable light in Southey's letters. However an eyewitness account of Magistrate Giddy, alone and calm, presiding over a trial of three rioters amidst a drunken and angry crowd, and resolutely carrying out his duties, shows that he could be a dedicated public servant.¹⁰ When Giddy went on leave, Currey became Acting Postmaster in addition to his normal duties as Secretary to the Government and D'Arcy, the civil commissioner at Pniel, struggled with the Treasury.¹¹ The loss of an experienced official and the consequent over-burdening of the others, handicapped the efficiency of the administration from the start.

As Attorney-General, Southey chose John Cyprian Thompson, who had been a Commissioner and was once described as a man of uncompromising principle with a clear sense of what was due to all classes, high and low, rich and poor, British and Dutch, white or coloured.¹² In June Thompson became ill and was replaced by Sidney G.H. Shipard as Acting Attorney-General. Francis Henry S. Orpen, who had been the civil commissioner and resident magistrate at Hay, was made Surveyor-General.¹³

The first act of the administration was to pass an Ordinance

(#1) for the suspension of "jumping" the rule whereby a claim was forfeit if it had not been worked for three days.¹⁴ An unusually heavy rain had swamped the claims and no one had been able to work for eight days. This rule was obviously unfair under the circumstances and both the public, in a mass meeting, and the press wanted it stopped.¹⁵

The second Ordinance which closed the gambling houses was also clearly in tune with the popular will. Gambling had been, according to Currey, a "sore eating the very vitals of the people", and took place in a variety of establishments, from those where clients wore evening dress and drank champagne to filthy canvas dens run by Malays and Chinese. In response to a general demand for its suppression, Currey, with help from young C.J. Rhodes, whom Currey found quick and intelligent, drafted a bill to close down the gambling houses and reported: "It was delightful to legislate for such reasonable and appreciative people." ¹⁶

Other ordinances imposed a tax on the sale of guns, reduced to ten shillings at the request of the Chamber of Commerce who were afraid that too high a tax would drive away trade and encourage smuggling. Southey disagreed with this reasoning but agreed to the decrease in order to keep the support of the Chamber of Commerce for the introduction of the tax; reduced the auction duty on the sale of diamonds, and abolished the Priel toll and pont licenses.¹⁷

The Diamond Field considered that Southey had set about

reform in good earnest and in accordance with public opinion in issuing these six proclamations.¹⁸

Southey had gotten off to a good start, but he had not yet come to grips with the three major problems facing his administration. The first was the reorganization of the government under the constitution promised by Governor Barkly which would bring to the fore the delicate issues of what exactly Barkly had promised and how much real self-government was to be given to the colony. The second was the sorting out of conflicting claims for land in order to grant titles to the farms as fairly as possible while seeing to it that enough land was kept for the natives. The third was the relations of the diggers and proprietors to one another and the relations of both the diggers and the proprietors with the government.

When Barkly had gone up to ^{Grigqualand West} ~~the~~ in 1871 to quell the uprising over digger-native relations ~~(and background)~~, he had "assured his excited hearers that people of such energy and intelligence required and were entitled to self-government and that a liberal Constitution would be forthwith prepared for their acceptance".¹⁹ This helped to calm the diggers who envisaged a constitution like that of Natal, which would have given sufficient power to the elected members of the government to pass such laws as they deemed necessary to regulate the ownership of claims, i.e. to whites only.

The Constitution, which Southey received in mid-April was not proclaimed until mid-July, partly because Southey felt

certain modifications were necessary, partly because Thompson was seriously ill. Barkly was kept informed by Southey as to its progress. The fiscal districts were to become electoral districts after being renamed.²⁰ (Lord Kimberley refused to be connected with such a vulgarism as New Rush and could neither spell nor pronounce Vooruitzicht.)²¹ All voters would have to pay for a five shilling stamp (reduced to two shillings at Barkly's suggestion) and take the vote of allegiance. Any Free State or subject of the SAR who wished to vote would have to be naturalized. The necessary amendment was made to permit Waterboer's "subjects" to vote.²²

The press manifested its impatience, the Diamond Field blaming the delay on Southey's "naturally slow disposition... and his well-known aversion to place more power in the hands of the people".²³

On 17 July, 1873 the Letters Patent organizing the government and giving instructions for the necessary elections were published. The Territory of Griqualand was henceforth the Province of Griqualand West with Southey as its Lieutenant-Governor. De Beers' New Rush was renamed Kimberley, Klipdrift became Barkly, and Griquatown Hay. The Lieutenant-Governor was to govern with the advice and consent of an Executive Council composed of the Secretary to the Government, the Attorney General and the Treasurer and a Legislative Council with four elected and four nominated members, a majority vote determining, with the Lieutenant-Governor casting the deciding

vote in case of a tie. Only the official members could bring up legislation and all laws had to be submitted to the Governor for assent. A candidate had to be a registered voter, invited in writing by twenty-five other registered voters and lodge a deposit of fifty pounds.²⁴ Property qualifications and length of residence to qualify for voting were given.²⁴

Barkly wrote to Kimberley that he agreed with Southey's changes in the Constitution and explained that the delay in publishing it was due to Thompson's illness. He enclosed an article from the Diamond News expressing satisfaction at the Constitution.²⁵

This satisfaction, however, was short-lived as the next leader declared: "Prima facie it does appear as if the Government will be able to do just as they please and the popular representation will not go for much." It also wondered why Dutoitspan should be left out in the cold without an elected representative. Surprisingly, the Constitution inspired a spate of letters from a group considered not interested in politics. One of the oldest inhabitants howled: "We have been sold" when he discovered that his "nigger, a scheming, idle blackguard" whom he had to pay twenty shillings a week for chopping wood and carrying water had the same right to vote as he himself and the others like him who with thousands of pounds of capital formed the basis of employment for these "savages". He too was distressed that Dutoitspan had not even been "alluded to." "Civis" considered that under this

Constitution Representation of the People was destined to become a "mockery, a delusion and a snare". "Humility" was beset with patriotic anxiety that he would not be able to vote as he had sold his business in ^{Griqualand West} G.W., gone to Cape Town, and had been back only two months.²⁶

The Diamond Field was bitter. "The fact is, Lord Kimberley, Sir Henry Barkly, and the Honorable Richard Southey have all put their heads together to frame a pleasant little jest, and now they are all laughing in their sleeves to think how poor stupid Diamond Field diggers are fooled by their merry humour" in setting up a representative government with five government votes and only four for the whole body of the people where the digger working on shares was not able to vote and a "coolie cook" could.²⁷

The diggers got together a protest meeting with W. Ling as Chairman. With a passion for cricket his only redeeming feature, Ling, a Natalian, was described by Wilmot as "little above the peasant class...a typical digger, shrewd, dogged and overbearing." Ling estimated that two to five thousand protesters attended; the government's estimate was from one thousand two hundred to two thousand.²⁸ The motion of the first speaker that the constitution was contrary to the British Constitution especially as to its representation and its electoral franchise and "that it should be utterly rejected" was passed. So was Mr. Jamison's motion for twelve elected and four nominated members with the vote given to every white man

over 21 who was not a felon; voting to be for the province as a whole and not by district.

Mr. Buchanan stated that the constitution appeared to have been studiously prepared with a view to frustrating "the granting of the ordinary political rights and privileges to which British subjects are entitled." Not only was it calculated to alienate the loyalty of British subjects and lead them to erect republics like the OFS or SAR, but it would lead to the disintegration of the Colonial Empire, and therefore it must be defeated. They must not accept less than Natal, as a constitution which prevented the exercise of a wholesome "opposition" was a huge political fraud. This motion was passed as was Mr. Hamilton's resolution that no one should accept nomination as a candidate for the existing Legislative Council.²⁹

Southey forwarded the "Resolution" drawn up at the meeting asking him to withdraw the constitution to Barkly. The Diamond News of 2 August exhorted the people to "Register, Register, Register" and published the letter from Currey for the Government to William Ling pointing out that the proper and legitimate procedure to amend the constitution was "through the agency of the people's representatives in the Council." Barkly sent the Resolution on to Kimberley. Both Barkly and Kimberley were satisfied with the Government's reply to Ling.³⁰

In spite of the resolution of the diggers' meeting not to register, a number of candidates were requisitioned in the manner indicated in the Letters Patent and in their answers

to their Requisitionists they outlined their platforms. Mr. Green wrote that the constitution was a "great mistake" and that he would work for more unofficial members, as well as on the land question, proprietors' rights, a revised mining law and a comprehensive system of education. He labeled himself a "Government man" pointing out that Southey was a colonist too which gave him a natural understanding of the colonists' problems, but took great pains to point out that he was not directly nor indirectly interested in Arnot's land claims.³¹

Southey (in what seems an unusual letter from the head of government to a potential candidate for election) wrote to Arnot urging the residents of his district to work towards registration of people who could "vote for the right man" by which he seems to have meant Arnot whom he felt should agree to becoming a member of the Council. Southey also remarked that the two shillings required for voting would eliminate some Dutch farmers who would not be willing to pay for that privilege and many coloured people who could not afford it.³²

In Mr. Henry Tucker's acceptance he demanded justice for Dutoitspan and a speedy settlement of the land question which he considered absolutely necessary to the prosperity of the province in view of the need for home grown produce. He advocated granting land to those who occupied it, and promised to watch vigilantly the proceedings of the claimants to large tracts of land. As to mining, he would be fair to the proprietors, but would enforce the crown rights to precious stones and metals by taking over the farms at a valuation. By

having an elected board with clearly defined powers and duties for the management and overseeing of the mining operations he would put an end to the antagonism between the Government and the diggers' committees. Tucker urged the people to register and vote and said he was willing to serve them on "the understanding that I shall neither be required blindly to oppose, nor tamely to approve of Government measures."³³ This was a reasonable program akin in many ways to that of the Government and in marked contrast to that of the next candidate to declare himself, Mr. Buchanan.

Buchanan began his answer to the requisitioners by saying that there was not much point in giving a program "seeing that we start with obstruction." But he would deal with the proprietors and back a diggers committee with definite powers to enable prompt and economical action in all practical mining matters. He would cope with the land question and recognize the "Colonial fraternal feeling" with the OFS and SAR. He felt that the people of ^{South Africa!} ~~GN~~ ^{West} should have complete self-government as obviously they knew better what was needed than a man in Downing Street and another in Cape Town dependent on letters from men at the Fields.³⁴

Mr. Graham complained of a do-nothing oligarchy of "petty and insolent officialism" and promised to see to the election of mining boards with real authority over everyone especially the inspector of roads. He would also care for the municipal institutes, and stamp out dishonesty in land affairs.³⁵

The public continued to be apathetic. As Southey had

predicted the Dutch residents at Hay were not registering as they objected both to the two shilling stamp and the oath of allegiance.³⁶ The "Buchanan lot" was also not registering but had a band and natives carrying placards saying "Taxation without Representation is Tyranny" and other things considered "harmless" by Southey; Buchanan had made such a violently anti-British speech that Southey felt that some of his own supporters were disgusted.³⁷

Mr. Stafford Parker, once the ruler of the Diggings (see Background), would have tripled the elected members, revived the river diggings and created a mining committee with "real and substantial authority". He promised to look carefully into the land question and discourage the schemes of those who "claim immense tracts of country and who have with questionable honesty been dabbling in land". He would have liked to see a confederation of states with Griqualand West as the keystone. ³⁸

"You perseveringly and unhesitatingly gave up the best years of your life in advocating the cause of the real owners of the soil, in opposition to those whose creed was 'might is right'", began the letter asking Arnot to be a candidate. If the digging community could be judged by the reports of the mass meetings it was "wise indeed to keep them in a minority", it continued, as although at the moment they constituted the principal part of the population, they held "no stake in the land and were merely birds of passage." His supporters pointed out that as Arnot had no connection with either proprietors or diggers he was qualified to judge fairly between them. They

felt that land was the most important problem of all, but did not mention Arnot's enormous claims.³⁹

Arnot thanked them for the above recommendation and urged them to "gird up their loins" and work until South Africa was wholly and exclusively a British country from Cape L'Agulhas to the Equator. He would support the Government when he felt that it was doing its best for the whole province, but would fight any measure which seemed unjust to him. He would approve immediate annexation of the Batlapin territory and more for the federation of South African states.⁴⁰

The elections took place in a general depression. Graham with a total of 850 votes and Green with 812 were chosen to represent Kimberley. Tucker, the losing candidate, polled 650 votes. Thompson, who won in Barkly, got fifty-two votes to Robinson's forty-one and Arnot, unopposed in Hay, received thirty-five votes.⁴¹

Tucker's defeat was considered a public misfortune by the Diamond News as he had had large parliamentary experience in the Legislative Council of the Cape.⁴² He used his talent and experience from this time on to help lead the anti-Government faction in ^{Orange} ~~OW~~, and became a leader in the "rebellion". Perhaps if he had been elected he might have chosen to work for reform within the government.

Currey, always a man to call a spade a spade, commented: "Our elections passed off very quietly indeed and none of the foremost men in the Kimberley Diggers Committee seemed anxious

for such Parliamentary honours as we could offer." ⁴³

"No farce or comedy yet acted at the Music Hall comes near that humorous drama which was performed there on Thursday last...when His Excellency the Lieutenant Governor opened the droll assemblage with an address which may be described as a masterpiece of dry quiet humor" ⁴⁴ was the Diamond Field's description of Southey's sober address to the first meeting of the Legislative Council, in which he discussed the problems it had to face. First and foremost, Southey put finance: "how to regulate the financial affairs so as to provide means to defray needful expenditure, without pressing unduly upon any particular industry or overtaking the people generally". He felt that the importance of the diamond mining industry could not be over-estimated and promised to try to regulate it for the general welfare of the inhabitants. (see Mining). The largest part of his address was devoted to the complications of land settlement and the history of the land commission. ⁴⁵ The Legislative Council expended its major effort on these subjects about which passions ran high and opposition became heated. The ordinances passed on these subjects were frequently those objected to or disallowed by London.

A number of local administrative laws passed without difficulty. After Dr. Mathews' vivid description of the hospital tent, twelve feet by nine, with the rain beating through, the sun blazing in and the wind funneling across the poor wretches huddled on the floor or Mr. Rausch's piteous

complaints that his child died because of the "pestilential pit" near Colesberg Kopje, it is not surprising that a hospital and sanitary ordinances were given early consideration.⁴⁶ Both the hospitals, one at Barkly and one between Kimberley and Dutoitspan had asked to be taken over by the government and Southey had agreed subject to a guarantee of the funds required and provision for the treatment of sick coloured persons. Southey was prepared to make it a case of no coloured patients equalling no government funds.⁴⁷ The Hospitals and Sanitary Regulations Bill (Ordinance 2) passed on 4 February 1873. Unfortunately the new hospital built between Kimberley and Dutoitspan in 1874 caught fire two days before the contractors turned it over to the government and the government was too short of funds to rebuild it, so they made do with the half that was left standing. Southey wanted and the Legislative Council of ^{Griqualand West} ~~the~~ passed a medical tax of one shilling a month payable by each native, but the diggers made such an uproar over it that it was not enforced until 1882 when it was revived and paid without demur totalling £ 10,000.⁴⁸

Ordinances regulating justices of the peace, barristers and attorneys, jurors, physicians and surgeons, and notary publics were passed without difficulty. Southey and Barkly made a deliberate effort to have Griqualand West administrative procedures as like as possible to those of the Cape Colony in view of a possible merger.⁴⁹ The bills to establish a post office and banks were generally approved of. (The mails were

slow and irregular, as Southey complained constantly, and under the existing banking arrangements all the profits went to Capetown.) The OFS flatly refused to cooperate in a Postal Convention because it still considered ^{Griqualand West} SW as part of its territory and did as little as possible to recognize its separate status. ⁵⁰

The new liquor law was much more controversial, and the Legislative Council received a number of petitions from those who sold liquor praying for free trade and from those who feared drunken natives running riot praying that the restrictions against selling liquor to the natives be not removed. ⁵¹ Carnarvon assented to this Ordinance but complained that it had stated the minimum fine or imprisonment for selling adulterated wines and spirits ~~had been given~~ and not the maximum which should be done henceforth. Southey, after politely saying that Carnarvon's directions would be carefully attended to, attempted to explain why this had been done. The Legislative Council, distressed by the various concoctions, (some actively dangerous), sold to the natives as brandy, had hoped by stating the minimum penalty to discourage this practice. (In the Cape Colony minimum fines had been stated for certain offenses with salutary effect). ⁵²

A gun control bill passed in spite of some protest from dealers and Carnarvon worried about its being a hardship to the natives, but Southey explained it applied only to guns going through Griqualand West to be sold elsewhere and therefore

did not affect the natives on the Fields.⁵³

Carnarvon remarked on "the great inconvenience" caused by most of the acts not having the certificate of approval of the Attorney-General, and the Government blamed "inadvertance" and said ^{it} would do better.⁵⁴

A bill was passed to oblige the natives to wear clothes; their nakedness was considered to be unseemly in a settled community with wives and children such as Kimberley had become. The Diamond News was not amused by Currey's remark during the debate on this bill that to the pure all things are pure.⁵⁵

True to his election pledge, Dr. Graham tried persistently to get a vote on his motion that "in the opinion of this House an increase in the number of elective or non-official members is necessary for the better and more effective representation of the people." On August seventeenth he succeeded in proposing the motion and Green seconded it. Arnot proffered an amendment saying that while in theory it was always desirable to have adequate representation due to the peculiar circumstances the time had not yet come for Griqualand West. Messrs. Currey, Shippard, Giddy, Arnot and Thompson voted for Arnot's resolution with Graham and Green opposing it.⁵⁶

So ended any attempt for true representative government. None the less on the final day of the legislative session, Southey could point with pride to the thirty-one ordinances passed; eight were on mining (see Mining), six dealt with the better administration of justice, three were on land and public

works, and the others had to do with the gun trade, the mails, the police, the hospitals and clothing for the natives.⁵⁷

It looked as if the limited self-government of the province had at least faced up to most of the problems and taken some sort of action. This proved to be but an illusion when Carnarvon disallowed most of the substantive ordinances passed at this session of the Legislative Council.

Before the disallowances were known, The Diamond News of fifteenth of August 1873 remarked that "all in all" the experiment of Constitutional government had worked well and that Southey's marked ability was recognized everywhere.

Southey was experienced in financial matters, and so conscientious that fear of extravagance on the part of the new Cape Government was one of the reasons he gave for not participating in it, but the cards were stacked against him in Griqualand West. Nearly all the revenue came from diamond mining or related trade and shortly after Southey's arrival the sudden and steep increase in the world supply of diamonds depressed prices at the same time as a world-wide financial crisis dislocated the buying market. At the mines themselves unprecedented rains flooded the mines making it impossible to dig.⁵⁸ Even Southey basically an optimist, acknowledged a state of depression. Everyone was affected including tradesmen and auctioneers but hardest hit were those with no capital to fall back on who dealt largely in diamonds. Nevertheless, Southey considered that the Diamond News was exaggerating the

seriousness of the situation, as the Cape Colony had experienced equally bad moments and survived them.⁵⁹

That one could not count on diamonds indefinitely, was agreed upon by Southey, Kimberley and Carnarvon.⁶⁰ However Southey and Barkly were convinced that once the land was given out and used profitably a sound financial basis would be established for the province. They envisaged Griqualand West expanding in territory and in prosperity, in which case it would need and could pay for the civil service structure which was obviously too heavy for the mining community alone during a depression.⁶¹ Carnarvon did not consider land any safer than diamonds,⁶² and as he really did not want Griqualand West at all, he was not prepared to wait. Because they started from different premises, most measures that Southey submitted upon which to build a sound future from extending the boundaries of the province to include the tribes to floating a loan for public works, Carnarvon vetoed as being too expansive or too expensive.

The Expenditure for ^{Griqualand West} ~~CA~~ in 1872 had been reported as £ 48,604 and the Revenue as £ 58,437 by Giddy, but Southey said that at the time of this statement not all expenses had been paid and that actually there was a deficit.⁶³ This financial statement noted carefully that the money owed to ^{Griqualand West} ~~CA~~ by the Cape Colony for the bank note duty collected in Griqualand West, after what ^{Griqualand West} ~~CA~~ had spent on postage to Europe had been deducted, was not yet paid. This was a complicated issue and involved much

correspondence. Nothing was clear, except Cape reluctance to part with the money, variously estimated from £ 3,000 to £ 8,000. Southey found Molteni "to lack understanding of this issue," but finally the Cape Ministry decided to return 1/3 of the bank note duty collected in ^{Griqualand West} ~~the~~ ⁶⁴ The Cape Assembly, however, refused to give it up, thereby giving another shake to ^{Griqualand West} ~~the~~ ⁶⁴ a precarious financial structure.

The Southey administration was as slow in its financial accounting as in everything else in spite of pressure from London via Barkly, in the Legislative Council and in the local press. ⁶⁵ The Diamond News urged the Government to hurry up with these returns as it "must be aware that the most ugly and damaging rumours are afloat as to the state of the public finances", which the Diamond News did not believe, but which were given credence in the Diamond Field by the Government's ⁶⁶ "culpable tardiness" in publishing its financial report.

Finally on May 20th the Secretary of the Government tabled the Receipts and Payments of 1873, and Southey's speech on the budget to the Legislative Council was published in its entirety in the Diamond News of 6 June 1874. Southey began by explaining that in January 1873 the treasury had been empty and that the tardiness in presenting this budget was because he hoped to work out the bank note duty with the Cape. As the bank note duty paid to the Cape in 1873 was four times that of 1870 before the establishment of banks in Griqualand West, obviously a great deal of that should be retained. (£ 15,036 as opposed to

£ 3,247) However, there was also the postal fees to be subtracted, so it was not known if the bank duty would wipe out the 1873 deficit or not. The Revenue for 1873 had been estimated at £ 66,822 and £ 66,973 had been received although in some categories such as Land Revenue less had been taken in than expected and this loss had been made up by others such as fees for guns and fines for illicit traffic in diamonds.

Southey found "little cause" for surprise and "none for alarm" in the fact that £ 9,000 had been spent in excess of the revenue received considering the expenses of the new government. The goals had been expanded, the two hospitals had been taken over and the unprecedented drought had made the cost of living excessively high. But no taxes had been added except the gun tax. Southey's confidence was based on the reserve of lands. If, as Southey thought it should be, the £ 7,000 paid from ordinary revenue for surveys and public works were repaid from the sale of crown lands, most of the deficit would disappear. To repay this sum and take care of the necessary public building and future surveys, Southey planned to float a £ 25,000 loan to be repaid from the sale of crown lands.

In 1874 Southey estimated a total of £ 83,000 estimated revenue. He hoped for an increase of £ 4,000 on the £ 16,000 of 1873 for blank stamps, from an increase on gun duty and the duty on gunpowder and ammunition and a total of £ 20,000 on stamped licenses. Land revenue and transfer dues were expected

to bring in £ 2,500 and auction dues £ 3,000. After the Free State postal agency in Griqualand West was discontinued and the Post Office was expected to increase its revenues by £ 1,000 up to £ 6,000, fines and fees were estimated as about the same and market dues to decrease due to a 5% reduction in dues. The total proposed expenditure was to be £ 78,747 exclusive of public works or surveys in spite of having postponed more of the requested increases in pay or allowances. Police and gaols (£22,500) would include the establishment and maintenance of two convict stations. The rest of the expenditure was to be worked out in detail in committee.⁶⁷

Southey was certain that when titles were issued and the farms occupied and cultivated the budget would balance even if the diamonds should diminish in quantity or value and Barkly and the Diamond News agreed.⁶⁸ Southey felt that the loan of £ 25,000 pounds for public works and the surveying of Crown lands was essential. It was "hardly to be expected", as Carnarvon seemed to, to pay for public works each year out of public revenue and the Cape Colony had borrowed for that purpose. Griqualand West urgently needed a new magistrate's court and a new gaol. In 1873 4,000 criminal cases and 1,000 civil had been tried and numerous board meetings had been held in the wretched iron building where extremes of heat and cold were almost insupportable. The gaol was such a small iron shed that the lash had to be used as a punishment instead of jailing. The crown lands had to be surveyed before being leased or sold, but Southey felt this expense would soon be repaid from the

sale or lease of the land.⁶⁹

"Highly unsatisfactory" was Carnarvon's brutal comment upon receiving these accounts. Not only had they arrived "too late" to be of value, but they were "wholly insufficient in information" -- lacking quarterly returns of expenditure and revenue and any statement of assets and liabilities. Furthermore he considered the land a "precarious" source of revenue and therefore refused to sanction the loan ordinance. Expenditures for police, gaols and hospitals seemed large to him, and he warned Southey once again that although he appreciated his difficulties, Griqualand West's recent origins and the uncertainty of its prospects necessitated great caution in expenditure.⁷⁰

Southey was deeply discouraged. The general depression continued with the revenue for the first three quarters of 1874 amounting to only £ 46,137 instead of the anticipated £ 62,500.⁷¹ An article in the Standard Mail summed up the difficulties of Griqualand West -- dull diamond market and flooded mines with little digging and less trade, which naturally made the people discontented and troublesome. However, it said Mr. Southey should not be blamed as in a situation where it was impossible to make the Government prosperous and popular, he had at least maintained it with some success and dignity.⁷²

Only his determination to put the province's finances on a sound footing, had kept Southey from resigning in view of the

lack of confidence and evident cross purposes of the Home Government, and when Carnarvon disallowed the loan, he felt completely betrayed.⁷³ Especially as immediately after Barkly's assent to the loan, it had been advertised at 6% and Southey had borrowed the whole sum and spent all but £ 5,000. Southey had accepted the fact that Carnarvon might wish to modify the ordinance, but the possibility of its being disallowed had never entered his mind. He considered it inconceivable that in view of his embattled position, Carnarvon would weaken and humiliate his government like that -- giving joy to the disaffected population, slapping the Legislative Council in the face, and adding fuel to a rumour that the British Government was going to withdraw from Griqualand West. Southey pointed out that the values of land had been based on experience in the Cape Colony and local values in the OFS, and that the lease of the first thirty-five farms on crown lands in December had realized enough to pay the interest on the loan and that the sale of these same farms would pay off the principal.⁷⁴

Southey wrote to Barkly that "making public the disallowance of this Ordinance is the most painful act which I have been called upon to perform in my official life" and that only his sense of duty prevented him resigning from an appointment he had accepted with some reluctance. Barkly from his unenviable position in the middle told him that when the Secretary of State's objections were explained the credit of the Government would not suffer to the extent that Southey had predicted. To

Carnarvon, Barkly explained that the phrase "best and most favourable terms" to which he took exception was from the Cape Act No. 26 of 1874. (Carnarvon seemed to have been totally uninterested in Cape precedent as obviously this was not part of his experience). Barkly further pointed out that Southey was in the midst of an inflammable community and so beset with dangers and difficulties that Barkly, for one, would be relieved when he could report that the announcement of the disallowance had passed off quietly.⁷⁵

In an effort to economize, Southey stopped convicts working on a Vaal irrigation scheme and suggested abolishing the Treasury Department. Obviously the administration was too expensive for the community in its present depressed state, but whether the Treasury was the most expendable or whether Southey felt that if it had to cut down he might as well start with his least "loyal" official, is hard to tell.

Southey had been seriously annoyed by Giddy's taking leave just after accepting office and when, upon his return, Giddy hinted that all was not well with the books kept by D'Arcy during his absence and admittedly badly in arrears, Southey found it inexcusable.⁷⁶ Matters came to a head in a scene in the Legislative Council when Arnot asked to have the accounts of revenue and expenses for the year tabled, and Currey told him that owing to the absence of the Hon. Treasurer and the other duties of his substitute, the accounts were in arrears. Giddy stalked out in a fury; he refused to allow

D'Arcy who was sick at home to have the books there to work on; and insisted on appointing a Commission to inspect the books. Giddy made an official accusation that D'Arcy was planning to run away after Southey forbade him to go around hinting at it. When Southey asked D'Arcy about the horse and cart which seemed to have been the basis for this accusation, D'Arcy said he had bought them for his leave. Southey commented to Barkly that in all his experience he had never seen a person so bent on ruining another as Giddy was on ruining D'Arcy.⁷⁷ Barkly reprimanded all concerned, telling Giddy that he was unnecessarily touchy in leaving the Council chamber and that D'Arcy, all difficulties notwithstanding, should have balanced the cash book regularly. However Barkly concurred with Southey in assuming that the accounts when finally finished would prove to be perfectly correct.⁷⁸

The dislike and distrust of the various members of Southey's government for one another was well known in Griqualand West and did nothing to enhance the reputation of the administration which was already a little tarnished by accusations of land-swindle. Southey tried to avoid an open break with Giddy for the sake of the Government and recognized that Giddy's admirers included the respectable and numerous Wesleyans. On the other hand rumours that Giddy owned some claims and had perhaps lent money at 10% made Southey uneasy, and he evidently believed reports that Giddy told his friends everything that went on in the Legislative Council.⁷⁹ Giddy shared the dislike

of many of the diggers for Currey. (It was said that when a digger woke up with a headache he cursed Currey) -- and was continually telling Southey how unpopular Currey was. This did not unduly perturb Southey who felt that Currey, although neither tactful nor popular, was respected by the more responsible citizens.⁸⁰ Oddly enough, it was the Diamond Field (before Aylward took it over) which came to Currey's defense saying that while Southey and Giddy had their supporters, Currey had none although he was the most able man in the Council and a diligent and active public servant.⁸¹ Thompson had long disliked Currey and Southey himself mistrusted Shippard as being too close to certain diggers.⁸²

Finding competent and disinterested personnel for the administration of Griqualand West was a problem at all levels. The ^{Griqualand West} civil service had an unduly large number of old and incompetent men farmed out by Cape Town.⁸³ And the conditions of service were not likely to attract anyone better--unless they were interested in mining on the side. The climate, according to Southey, was either freezing cold or boiling hot with clouds of dust alternating with torrents of rain, which made health precarious and comfort impossible. Housing consisted of tin huts and food was five to five hundred times as expensive as in Cape Town.⁸⁴ Small wonder, then, that many of the civil servants for whom life was nightmarishly expensive fell prey to money lenders and tried to make ends meet by any possible means, including the washing of debris so annoying to the

proprietors.⁸⁵

Southey had understandable difficulty finding a new magistrate for Dutoitspan, ideally an Englishman who knew the Dutch character, could speak their language, be both firm and conciliatory, all for four hundred pounds a year.⁸⁶

The War Office refused Southey's request to release his son, a lieutenant, to be his Private Secretary in order to have someone he could trust.⁸⁷ And unfortunately Southey's impassioned plea for higher wages to attract better civil servants came at a moment when Carnarvon was planning to cut all personnel in Griqualand West to the bone.

A perfect example of the kind of government official not to have was Mr. P.L. Buyskes whose "case" occupied hours of Southey's time and entailed an endless correspondence. Buyskes had been a sheriff since 1871 and was the only functioning member of the Land Commission when Southey abolished it. Southey found out later that when Buyskes had been clerk to the Civil Commissioner at Port Elizabeth he had been charged with gross neglect of duty, disregard of instructions and other misconduct and that, when clerk of the peace in Graaf-Reinet, he had been reprimanded and pensioned. Southey did know that in Buyske's short time as sheriff there had been unpleasant correspondence respecting the accounts, but Southey considered his legal background and South African Dutch antecedents qualified him for the £ 600 a year job of magistrate at New Rush.⁸⁸ Southey's hope that Buyskes would be too busy

to be involved in any trouble proved short lived, as almost upon arrival Buyskes was lined up with Dom's supporters against Arnot and Orpen and suspected of collecting information against Waterboer for the OFS and SAR. Southey felt one of Buyskes's troubles was that he was always feeling snubbed. (If D'Arcy had called him a "scheming Africander" one can sympathize.) But so far from Southey's honorable standards was Buyskes that when Southey thought Buyskes was offering to decide the cases in his court according to Southey's wishes and was frankly horrified, Buyskes must have felt snubbed once again.⁸⁹ Buyskes was suspected of having written a letter criticizing Government land policies, but what really got him into trouble was the discovery of over two-hundred illegal sentences given in his court, mostly in master-servant cases; such as illegal floggings or spare diet on consecutive days. Southey commented that Buyskes knew the law but chose to flout it, probably because he shared the conviction of the diggers that the legal penalties were not sufficiently severe.⁹⁰ It also came to light that Buyskes had let people out on cash bail paid into a private account of which no records were kept. The most dramatic one being that of a man who had beaten a woman to death and when arrested for assaulting another woman, who subsequently died, was released on one hundred pounds bail never to be seen again.⁹¹

By March 1874 the Council had decided to "reduce" Buyskes, back to sheriff as an "act of grace" instead of dismissing him.⁹² Buyskes, not a bit grateful, wrote directly to Barkly,

which drove Southey into his usual frenzy over anyone writing out of the proper channels.⁹³ A "Buyskes Defense Committee", formed by his friends and supported by the Diamond Field, petitioned for the removal of Southey, Currey and Shippard.⁹⁴ Giddy, more identified with the Government than Southey gave him credit for, was furious at being left off this list.⁹⁵ In July of 1874 the Legislative Council voted unanimously that Buyskes must go (especially as he had overstated his allowance to the Treasurer and received more than he was entitled to). Barkly confirmed this suspension and Carnarvon approved it.⁹⁶ Southey sighed with relief: "We are now rid of the worst public servant I ever came across."⁹⁷

More difficult of solution was the problem of the Police. Too expensive, as Carnarvon had pointed out, they were also ineffectual.⁹⁸ The Cape Police upon which they were modelled had not had to cope with the thieves, gun-happy natives, and drunkenness, endemic to the mixed population of the Diamond Fields.⁹⁹ Southey realized at once that a smaller, better organized force was needed so they had complied cheerfully with Molteno's request to send the unit of the Frontier Force back to the Cape (to make sure it was not used against the OFS). Currey, ever practical, realized that this left ^{Erzuland West} ~~the~~ without enough police and saw no prospect of sufficient revenue to pay for the kind of force needed on the Fields.¹⁰⁰

Percy, the chief of police, was the principal obstacle in the way of Southey's proposed reorganization. As in any civil

service, it was hard to get rid of a man who was neither disloyal nor dishonest, but merely incompetent. A suggestion that Cape Town might like him back was ignored. By May crime was on the increase; women were no longer "perfectly safe", and the police were accused of never being where they were needed.¹⁰¹ Southey uncovered more and more laxity in police management. The gaol was appalling and the gaoler drunk.¹⁰² Dr. Mathews exposed the deplorable state of the prison hospital.¹⁰³

Percy was personally brave but lazy, perhaps "fonder of the Billiard Table than of his duties," and never visited Klipdrift and seldom, if ever, Dutoitspan.¹⁰⁴ More fundamental, he lacked the vital instinct of when to intervene and when to overlook so essential to Southey's rule of holding police action to the minimum necessary to keep public order. Percy arrested a man in a fight which he might have ignored and then, worse, released him when a mob became threatening.¹⁰⁵ And his action in arresting a well known Jew for being in the wrong stand at the races, infuriated the whole Jewish Community, a group generally well-disposed towards the Government, who took it to the High Court.¹⁰⁶ In everyday criminal matters, such as leaving the tent of a murder suspect unguarded and unsearched for three days, so that the defense got the probable murderer off on the grounds that the bloodstained weapon finally found there could have been planted, the police were incredibly inefficient.¹⁰⁷

The general inadequacy of the police was one of the excuses for the forming of the Vigilance Committee, and Southey's decision to let four special constables go for economy's sake was unwise (as Carnarvon pointed out) at a moment when the situation in Griqualand West was so unstable.¹⁰⁹ A lot of money could have been saved by whipping the natives who had committed minor crimes instead of sending them to ^{goal} jail. This was the solution favoured by many of the diggers who felt that ^{goal} jail was just a holiday for the "nigger" involved, but it was abhorrent to Southey who had been fighting all along for a civilized system of justice and equality before the law for black and white.

ADMINISTRATION FOOTNOTES

1. A contemporary observer quoted in O. Doughty, Early Diamond Days, London 1963, p. 110.
2. GW 12/3 No. 1: Southey to Barkly, 12 January 1873.
3. Reluctantly granted for Southey; not to be a precedent. GH 1/69 No. 52: Kimberley to Barkly, 24 April 1873.
4. GW 180 p. 21: Southey to Barkly, 12 Jan. 1873.
5. The Diamond News, 11 Jan. 1873; The Diamond Field, 16 Jan. 1873.
6. GH 28/93 E-15: List of appointments and salaries of Griqualand West.
7. GW 180 p. 1: Southey to Giddy, 7 Nov. 1872.
8. GW 180 pp. 35-35: Southey to Barkly, 18 Jan. 1873
9. GH 23/32 No. 30: Barkly to Kimberley, 15 March 1873; GH 1/69 p. 51: Kimberley to Barkly, 24 April 1873.
10. F. Boyle, To the Cape for Diamonds, London 1873, p. 225-227.
11. GH 28/93 E-15: List of appointments and salaries of Griqualand West.
12. Ibid., The Diamond News, 14 January 1873.
13. GH 28/93 E-15: List of appointments and salaries of Griqualand West.
14. GH 28/93 E-19: Ordinance for Suspension of Jumping.
15. The Diamond News 1 Feb., 4 Feb., 8 Feb., 18 Feb., 1873.
16. J.B. Currey, Half a Century in South Africa, unpub. manuscript., 1899-1910, p. 220.
17. GW 180 p. 145: Southey to Barkly, 21 March 1873.
18. The Diamond Field, 20 March 1873.
19. Currey, Half a Century, p. 214; see Background p. 14.
20. GW 180 p. 219: Southey to Barkly, 4 May 1873.

21. Currey, Half a Century, p. 228.
22. GW 180 p. 219; Southey to Barkly, 4 May 1873; GW 180 p. 287; Southey to Barkly, 29 June 1873.
23. The Diamond Field, 10 May 1873; The Diamond News, 26 June 1873; The Diamond Field, 28 June 1873.
24. GW 3 No. 31; Barkly to Southey, 28 August 1873; GH 1/69; Proclamation in The Diamond News of 17 July 1873. All male persons not subject to legal incapacities (such as being a minor, not being a British subject or a naturalized one, being of unsound mind or of having been convicted for a serious offense) were eligible to vote who for six months before registration had occupied separately or jointly any house, shop or other building worth £25 for each occupant seeking to register. Also qualified were all licensed claim owners of three months or more and persons whose salary for six months before the date of registration equaled £100 a year or £50 a year plus board and lodging, which was twice the Cape Town figure because salaries on the Diamond Fields were twice as large as those in Cape Town.
25. GW 23/32 No. 75; Barkly to Kimberley, 24 July 1873.
26. The Diamond News, 19 July 1873.
27. The Diamond Field, 19 July 1873.
28. GW 181 pp. 7 & 8; Southey to Barkly, 31 July 1873; Wilmot, Life of Southey, p. 256.
29. The Diamond News, 29 July 1873.
30. GW 3 #31; Barkly to Southey, 28 Aug. 1873; GW 3 No. 41; Barkly to Southey, 27 Nov. 1873.
31. The Diamond News, 2 Aug. 1873.
32. GW 181 p. 18; Southey to Arnot, 30 July 1873; Ibid; p. 204, Southey to Arnot, 14 Aug. 1873.
33. The Diamond News, 23 Aug. 1873.
34. The Diamond News, 28 Aug. 1873.
35. The Diamond News, 28 Aug. 1873.
36. GW 181 p. 22; Southey to Barkly, 28 Aug. 1873.

37. GW 181 p. 40: Southey to Barkly, 30 Aug. 1873.
38. The Diamond News, 4 Sept. 1873. *Background* p. 9.
39. The Diamond News, 23 Sept. 1873.
40. The Diamond News, 23 Sept. 1873.
41. GW 182 p. 86: Southey to Barkly, 27 Nov. 1873.
42. The Diamond News, 27 Nov. 1873.
43. Currey, Half a Century, p. 230.
44. The Diamond Field, 3 January 1874.
45. GW 2: Minute Book of the Legislative Council, 30 Dec. 1873. (Members: Lt. Gov. Southey, Secretary to the Government Currey, Acting Attorney-General Shippard, Treasurer Giddy and I. I. Harman Graham, H. Greer and Thompson, D. Arnot elected members).
46. J. W. Mathews, Incwadi Yami, New York, 1887, p. 104; The Diamond News, 16 Dec. 1873.
47. GW 180 p. 147: Southey to Barkly, 10 July 1873.
48. Mathews, Incwadi Yami, p. 104.
49. GH 23/32 No. 11. Barkly to Carnarvon, 20 Jan. 1875.
50. GW 180 p. 329: Southey to Barkly, 3 July 1873.
51. GW 2: 16 Feb. 1874; 23 Feb. 1874; 26 Feb. 1874.
52. GH 28/95 B 11 75: Southey to Barkly, 6 Jan. 1875.
53. The Diamond News, 15 August 1874; GW 2: 17 Aug. 1874.
54. GW No. 140: Barkly to Southey, 31 Dec. 1874; GH 23/33 No. 11: Barkly to Southey, 20 Jan. 1875.
55. The Diamond News, 1 August 1874.
56. GW 2: 17 Aug. 1874.
57. The Diamond News, 1 August 1874.
58. C. De Kiewiet, The Imperial Factor in South Africa, London, 1965, pp. 16-17.

59. GW 183 p. 39: Southey to Barkly, 2 March 1874.
60. H. Macmillan, Sir Henry Barkly, Mediator and Moderator, 1815-1898, Cape Town 1970, p. 202; GH 23/32 No. 77: Barkly to Carnarvon, 13 July 1874.
61. GW 2: 31 Dec. 1873, Southey's speech to the Legislative Council.
62. C. 1342, p. 32, Carnarvon to Barkly, 9 Sept. 1874.
63. GW 180 p. 59: Southey to Barkly, 4 Feb. 1873; GH 23/32 No. 55: Barkly to Kimberley, 11 June 1873.
64. GW 108 p. 229: Southey to Barkly, 8 May 1873; GW 180 p. 236: Southey to Barkly, 11 May 1873; GW 180 p. 247: Southey to Barkly, 18 May 1873; GW 180 p. 295: Southey to Barkly, 15 June 1872; GW 183 p. 252: Southey to Barkly, 18 June 1874; GW 183 pp. 264-266: Southey to Barkly, 25 June 1874; GW 184 p. 195: Southey to Barkly, 31 Dec. 1874.
65. GH 2: 29 Jan. 1874; GW 3 No. 55: Barkly to Southey, 21 Feb. 1874.
66. The Diamond News, 3 February 1874; The Diamond Field, 15 April 1874.
67. The Budget Speech, The Diamond News, 6 June 1874.
68. GW 183 p. 165: Southey to Barkly, 30 April 1874; CP, 1342 p. 271: Barkly to Carnarvon, 13 Aug. 1874; The Diamond News, 21 May 1874.
69. GH 23/32 No. 20: Barkly to Carnarvon, 1 March 1874.
70. CP, 1342 p. 32: Carnarvon to Barkly, 9 Sept. 1874.
71. The Diamond News, 5 December 1874.
72. Quoted in The Diamond News, 10 Sept. 1874.
73. GW 184 pp. 188-189: Southey to Barkly, 24 Dec. 1874.
74. GW 28/95: E 21: Southey to Barkly, 4 Feb. 1874.
75. GW 23/32 No. 21: Barkly to Carnarvon, 27 Feb., 1874.
76. GW 182 P. 131: Southey to Barkly, 18 Dec. 1873; GW 182 p. 155: Southey to Barkly, 25 Dec. 1873; GH 12/4: Southey to Barkly, 2 Feb. 1874.

77. GW 182 p. 29; Southey to Barkly, 8 Nov. 1873; GW 182 p. 219-224; Southey to Barkly, 30 Jan. 1874.
78. GW 3 No. 55; Barkly to Southey, 21 Feb. 1874.
79. GW 180 p. 278; Southey to Barkly, 8 June 1873; GW 182 p. 29; Southey to Barkly, 8 Nov. 1873; GW 183 p. 37; Southey to Barkly, 2 March 1874; GW 185; Southey to Barkly, 10 April 1875, Confidential.
80. De Kiewiet, Imperial Factor, p. 50; GW 183 p. 68; Southey to Barkly, 10 March 1874; GW 185; Southey to Barkly, 10 April 1875.
81. The Diamond Field, 4 February 1874.
82. GW 28/94 E. 77; Southey to Barkly, 20 June 1874; GW 180 p. 329; Southey to Barkly, 3 July 1873.
83. De Kiewiet, Imperial Factor, p. 16.
84. GW 180 p. 60; Southey to Barkly, 4 Feb. 1873.
85. De Kiewiet, Imperial Factor, p. 16.
86. GW 180 p. 194; Southey to Barkly, 15 June 1873.
87. GH 23/32 No. 10; Barkly to Kimberley, 26 Jan. 1874; GW 3 No. 71; Barkly to Southey, 14 May 1874.
88. 28/93 E 84; Southey to Barkly, 25 July 1874; GW 176: 8 Jan. 1874 - Memo from Port Elizabeth on Buyskes.
89. GW 180 p. 206; Southey to Barkly, GW 181 p. 42; Southey to Barkly, 30 Aug. 1873; 29 April 1876.
90. GW 182 p. 137; Southey to Barkly, 20 Dec. 1873.
91. GW 183 P. 178; Southey to Barkly, 9 May 1874; GW 183 p. 321; Southey to Barkly, 30 July 1874; GW 183 pp. 241-247; Southey to Barkly, 1 Aug. 1874; 28/93 E 84; Southey to Barkly, 25 July 1874; The Diamond News 23 July 1874.
92. GW 183 p. 46; Southey to Barkly, 4 March 1874.
93. GW 183 pp. 274-277; Southey to Barkly, 27 June 1874.
94. GH 12/4 16 May 1874; The Diamond Field, 13 May 1874.
95. GW 184 pp. 5-8; Southey to Barkly, 8 Aug. 1874.

96. GW 3 No. 90: Barkly to Southey, 26 July 1874,
GH 23/32 No. 84: Barkly to Carnarvon, 1 Aug. 1875;
GW 3 No. 199. Carnarvon to Barkly, 22 Sept. 1874.
97. GW 184 P. 115: Southey to Barkly, 31 Oct. 1874.
98. GW 180 p. 278: Southey to Barkly, 8 June 1873.
99. De Kiewiet, Imperial Factor, p. 15-16.
100. GW 180 p. 60: Southey to Barkly, 4 Feb. 1873; Currey,
Half a Century, p. 214.
101. The Diamond News, 29 April; 3 May 1873; The Diamond Field,
30 April 1873.
102. GW 180 pp. 278 ff: Southey to Barkly, 8 June 1873.
103. The Diamond News, 8 July 1873.
104. GW 180 p. 300: Southey to Barkly, 19 June 1873.
105. GW 181 p. 9: Southey to Barkly, 21 July 1873.
106. GW 182 PP. 29-51: Southey to Barkly, 16 Nov. 1873.
107. GW 182 p. 29: Southey to Barkly, 13 Nov. 1873.
108. GH 23/33 No. 45: Barkly to Carnarvon, 24 April 1875.

CHAPTER THREE

TRADE IN ARMS

Southey favoured a laissez-faire attitude towards the arms trade which at first seems surprising considering his frontier background and experience in native wars, as well as the obvious danger to the white minority in allowing unlimited numbers of natives to obtain firearms. However, from Southey's point of view there were three good reasons. Idealistically his belief in an equality of rights included the right to buy arms. Pragmatically he could not support the kind of arms control which, if strictly enforced, would forbid the sale of arms to natives in Griqualand West. The mines were dependent upon native labour; most of the natives came to buy a gun; therefore a stringent control of arms could result in closing down the diamond mines. Finally, and this was Southey's chief argument, he was convinced that control of the trade in arms, even if desirable, was impossible.¹ Certainly it could not have been controlled without far more altruism on the part of all the Governments in South Africa than seemed likely. Profits from the trade were enormous; much of South Africa was enjoying a sudden prosperity based on the mining of the diamonds. Local regulations on the trading in or possession of arms reflected a gamut of emotions from pure fear to naked greed, and the whole problem cried

out for an overall policy as Carnarvon explained in his controversial Confederation Despatch.² However, a common arms policy could only be successful if part of an overall native policy, so the selling of guns to the natives remained a burning issue between Griqualand West and its Boer neighbours throughout the term of Southey's administration.

The OFS's strict gun control ordinance forbade the sale of guns or pistols to any coloured person without a written order from a Landdrost. Special permission from the Landdrost was required for any coloured person to have a gun except in the service of a white person. No white person was to convey any firearms except for "personal use" without written permission of the State President and any arms found in violation of this Ordinance would be confiscated. Punishments for violation of this ordinance were severe; fines from ten to five hundred pounds and imprisonment, with or without hard labour, from three months to three years. Any native from beyond the OFS was required to have a paper signed by his missionary or his chief stating his place of residence and the object of his trip plus a list of his possessions; otherwise he risked a fine, imprisonment or being contracted as a labourer.³ Add to this the fact that a small section of the main road from Hope Town to the Diamond Fields went through territory claimed by the OFS and Griqualand West, and the stage was set for an "incident".

Shortly before Southey's arrival in December of 1872 in

Griqualand West, an OFS Justice of the Peace with the aid of two farmers seized some ox-wagons loaded with arms as they crossed the disputed stretch of road and took them to Jacobsdal. This so enraged the diggers at the Diamond Mines that they armed themselves and prepared to recapture the wagons by force. Only Commissioner Thompson's promise to go himself and exact reparation prevented this sortie. Thompson duly went to Bloemfontein, but returned "crestfallen, snubbed, subdued" (according to the Friend of the Free State) without having accomplished anything as the Commissioners of the OFS refused to recognize the Government of Griqualand West and, therefore, Thompson's official capacity.⁴

Currey was finally sent to Bloemfontien with what he termed an "ultimatum" from Barkly. Aware of the sensitivity of the Boers and somewhat cynical about this high level effort to protect the "profit of the British merchant", Currey waited patiently for a hundred hours and tactfully agreed to accept any language not "absolutely discourteous" by which the Free State might seek to show its people that it had not given up any rights nor suffered any diminution of its dignity.⁵ Currey returned with the compensation of six-hundred pounds and the Commissioners reluctant recognition of Southey as Lieutenant-Governor of ^{Griqualand West} ~~SA~~. Lord Kimberley approved Currey's handling of the affair.⁶ Southey, unappeased, gave his formula for avoiding war with the OFS which was to gain the "whip hand" and "stand no nonsense" from them.⁷

The OFS ended its despatch about the seized wagons with a strong protest against the "reckless manner" in which the temporary fortune hunters at the Fields were arming the natives of the interior with a total disregard for the dangerous consequences for the whole of South Africa.⁸ At first the natives coming to the mines had bought beads and blankets, but they were soon surfeited and turned to guns which became the most salable and profitable item for shop keepers. Currey admitted that, although ~~we~~^{Grigqualand West} had no intention of making trouble for the Republics, its restriction of the sale of firearms was inadequate. The only requirement was a certificate from a Justice of the Peace stating that the buyer was a "fit and proper" person to have a gun. These certificates were granted with "scandalous laxity" so it was small wonder that Free States farmers who came to sell their produce in ~~we~~^{Grigqualand West} went home with disquieting tales of a general arming of the natives.⁹

Southey did make some effort to tighten the enforcement of the regulations, but he never seemed to be convinced of the gravity of this problem, partly because of its tie-in with labour for the mines and partly because he felt that the guns sold to the natives were so old and so poor in quality that they were less dangerous than an assagai. Mr. Boyle, a contemporary observer did not share this sanguine view. He thought that at least ten thousand, maybe as many as twenty thousand, good guns had been sold and that scarcely a man

left without buying one. Boyle complained about the general slackness in enforcing the restrictions on arms and worried in particular about its effect in Natal. Although he considered the natives there to be brave, powerful and contented, he felt to arm them was "an act of madness".¹⁰

Southey was more concerned about the dangers for the natives journeying to and from the Fields. One of his pet schemes which came to naught for lack of funds was for the establishment of a set of wayside stations to lodge and feed the natives in transit to the Fields.¹¹ Many died on the way or arrived more dead than alive, and those going home had the problem of how to get their hard earned guns through the commando patrolled Boer territory which lay between ~~the~~ ^{Grigqualand West} and their homeland. It was an explosive situation which exploded when a Free State commando stopped a band of eighty Basutos on their way home from the Fields and demanded that they give up their guns for which they had no OFS permits. When the natives refused, the Boers fired, killing two of the Basutos and wounding several others. Those who could, returned to ^{Grigqualand West} with the story.

That any natives had been killed in such a manner was bad enough, but that the natives were Basutos made it much worse as the annexation of Basutoland in 1871 had made the Basutos colonial subjects of the Queen. Southey was outraged and immediately took evidence from the "more intelligent" of the Basuto with the view to demanding a judicial inquiry. Meanwhile,

in order to prevent a recurrence, he forbade the issue of permits to buy guns to natives about to return home via the OFS or SAR.¹² The only eye-witness, an Australian who happened to see the whole incident was quoted as saying that in most civilized countries the Boers involved would have been "indicted for willful murder", and Southey pointed out that even under OFS law the punishment for a native carrying a gun was imprisonment, not death.¹³ "The people of England, will not, I fancy, submit to have British subjects shot down with impunity..." he wrote hopefully to Barkly, in a letter declaring his wholehearted agreement with Musgrave, the Attorney-General of Natal, who considered this conduct by the Free State "tantamount to a declaration of war".¹⁴

Barkly wrote to the OFS asking for a judicial inquiry into the killing of "Colonial subjects of Her Majesty" and Kimberley approved of his so doing.¹⁵ The Free State did not conduct any inquiry merely restating its position that it would not permit any infringements of its gun laws in order to fix all the blame for arming the natives on those who sold arms for profit now which would be used against their neighbours later. (i.e. Griqualand West). The Friend of the Free State regretted that the OFS had not held an investigation just to show that they were not indifferent to cruelty.¹⁶

By April Barkly was much calmer and remarked that the Basutos were wrong in having guns in the OFS, but they may have thought that their passes from the British Magistrate

were adequate permits. He felt the OFS Police might simply have stopped them at the border. Regarding the inquiry, Barkly and his advisors came to the conclusion that they were not disposed "to risk a serious collision" with the OFS Government over a question rooted in the facility with which natives could obtain firearms at the Diamond Fields, as many people in the Colony sympathized with the Free States' point of view. Barkly decided to discontinue his one-sided correspondence with the OFS and turn the problem over to London.¹⁷

Southey's almost fanatical efforts to further British interests as he saw them were frustrated by the very existence of the Boer states which constantly infringed upon land which Southey had ear-marked for the natives under British colonial control. In the context of his unenviable position as the administrator of Griqualand West the smooth and profitable working of the mines was essential. While trying to convince London on the one hand that he was right in his expansionist views, and to cope, on the other hand with the manifold internal problems of Griqualand West, Southey found the interference of the Boers with the tribes and his labour supplies unwarranted and unpardonable. The depth of his dislike of the Boer Republic is betrayed in the letter he wrote to Barkly about the Basuto shooting in which he stated that HMG's lack of attention to the affair and Brand's "contempt" for Barkly's demands had "seriously weakened us and strengthened the enemy."¹⁸ Considering the Boer Government as enemies, Southey allowed his hostility to blind him to their genuine and well

founded fears at the continual stream of armed natives fanning out from the Diamond Fields.

Although the Free State action in the Basuto affair may have been unnecessarily violent, it "at least betokened a sense of responsibility in which the British authorities were lacking." The three British colonies, rivals for trade and revenue, displayed stark greed where the gun trade was concerned. For every gun imported the Cape made twenty shillings, Natal ten and Griqualand West twelve shillings and sixpence. Although the Cape had a theoretical control over where its guns ended up in demanding a bond from the exporter of guns from the Cape, fear of losing the profitable trade to the interior made it convenient not to follow up to see to whom the guns were actually sold. When Natal suggested that the Cape bring its law in line with Natal's, the Cape suggested that Natal double its duty on guns. Southey, faced with the same request, remarked that in a colony like Natal that oppressed its natives it might be just as well for the natives to be armed.¹⁹

In spite of Southey's conviction that nothing could stop the trade in arms, he did ask the Magistrates not to grant permits to specific groups of natives in Griqualand West in response to specific events such as to natives returning home via the OFS or the SAR after the Basuto shooting or to Zulus returning to Natal in the unsettled months after the Langalibalele incident in 1873. In general he felt that if the trade was going to flourish in spite of all efforts to blight it,

Griqualand West might as well profit from it. Southey thought the time was near when the Cape would have to give up its restrictions as valueless, as the Cape merchants simply shipped their wares direct to Natal and bypassed the Colony and its high import duty.²⁰ Barkly tried to explain to Kimberley why it was "impossible" to put a stop to this time honoured trade, how it was part and parcel of ivory, ostrich feather and skin trade in the interior and involved countless merchants from the Cape, Natal and the OFS. He spelled out the controls that did exist. Permits for arms and ammunition to cross a border required the endorsement of a magistrate and proof of permission of the government of the state to have them come in. The trader further had to sign a pledge not to sell them illegally or to natives of tribes at war with the OFS or the SAR.²¹ Apparently these quite reasonable restrictions were not observed. Two traders wrote to Southey that they considered the law a "dead letter" which lowered the standard of English influence. They cheerfully exchanged guns and ammunition for ivory and feathers with the comforting conviction that the guns would not last more than a year.²²

In his disinclination to take action against the gun trade, Southey reflected the views of many in his community. When he did suggest raising the tax on guns in Griqualand West to one pound in an effort to slow down the trade and step up the revenue of ^{The province} GW, the resultant "stir among the mercantile

community" who were afraid the SAR would corner the lucrative gun trade, persuaded Southey to reduce it to ten shillings. The Diamond Field congratulated him for having "acted wisely."²³

The whole issue of arms to the natives came to a head in November 1873 in Natal when in a clash between thirty volunteers and hundreds of Langalibalele's Zulu tribesmen, the volunteers were defeated and three of them were killed. The Natalian nightmare of a native rising seemed about to be realized. A group of the leading Natalians on the Diamond Fields, led by Mr. Ling, Chairman of the Diggers Committee, called upon Southey to tell him about it and to urge him to forbid the sale of arms and ammunition to the natives for the present. Southey explained that he would be loath to legislate except in the case of "urgent necessity", that if he did act, it would be to forbid the sale of arms altogether, not just to one section of the community. To Barkly, Southey pointed out that although one tribe of Zulus had rebelled against what they undoubtedly considered an unjust demand to give up their guns, the other tribes had remained faithful even to the extent of helping to punish the rebels.²⁴ If the tribes had rallied to Langalibalele's defense in a general uprising, Southey would probably have recognized it as an "urgent necessity". Nevertheless Southey decided to check on the number of Zulus on the Fields, ascertain how near they were to leaving (this was more difficult than it sounds because Zulus, Basutos, and Griquas, generally signed up for

short terms of a month or two) and try to persuade them not to go to Natal. The Magistrate's clerk, Buchanan, whom Southey considered "an intelligent Natalian" was responsible for issuing permits for guns, and he thought most Zulus got their guns nearer home from traders in the direction of Delegoa Bay. Southey admitted that he could have prevented the sale of guns by demanding the presentation of a special certificate which would not be given to natives, but felt that would be unfair to the dealers who had paid taxes on the firearms in Cape Town and in Griqualand West.

Southey and Ling's ideas of what constituted an emergency differed widely because their attitudes on the whole native question were poles apart. According to Southey, Ling was "an admirer of the Natal policy of making distinction between Black and White; and of depriving the former of privileges enjoyed by the latter," and even of the Free State and SAR policy of considering "the natives more like the lower animals" than human beings. And many others in Griqualand West agreed with Ling.²⁵

As Southey explained over and over again the miners could bring the arming of the natives in ^{Griqualand West} ~~SA~~ to an immediate end any time they wished. In order to buy a gun each native had to present a certificate from his master approving the sale. If any master felt strongly enough, he could refuse the certificate. But many men who decried the arming, gave their labourers certificates because without the lure of the

guns far fewer natives would come and the mines could not have been worked. Ling denied giving certificates to his workers, (although the registering clerk said that he did) but Ling admitted that his sons gave certificates, and Southey thought it was a family partnership.²⁶

The native policy of the Cape Colony Southey described as that of one law for all, black and white, with an effort to help the native to become civilized by individual acquisition of property and by "undermining the power for mischief of the Chiefs." He believed that Natal's effort to steer a middle course between that of the Cape Colony and the Boer concept of "annihilating and exterminating the coloured races" would last only as long as Shepstone lived. Already the whites and the blacks lived separately, thought differently and were governed by different laws which resulted in mutual antagonism and mistrust. No wonder, Southey wrote, "the seventeen thousand whites in Natal wanted to keep the hundred and fifty thousand blacks unarmed, but as in the long run it was impossible, they should have started long since, to have set about arrangements by which the feeling of estrangement should become less and less every year."²⁷

As to Langalibalele, Southey considered that he had been cornered. He could not have given up his people's guns and retained control over his tribe. Furthermore Southey did not credit the Standard Mail's statement that two thousand of Langalibalele's Zulus had come "very lately" as only about two

thousand Zulus come in a year to the Fields and only about two hundred of these were from Langalibalele's tribe. Southey agreed that those who came took home guns by traveling at night and hiding during the day.²⁸

The Natalians in ^{Griqualand West} ~~SW~~ continued to be highly excited, even writing to President Brand to ask him to disarm all natives returning from the Diamond Fields and offering men to help him do so. The petition they presented to Southey asking him to ban the sale of arms in ^{Griqualand West} ~~SW~~, declared flatly that if it had not been for the arms procured in ^{Griqualand West} ~~SW~~, the outbreak would never have occurred.²⁹

Although Southey never acquiesced in this widely bruited accusation, he did appreciate the fears of this moderate and respectful delegation for their families in Natal, and decided to tighten the gun laws. First he recommended that the employers should not give Zulu workers certificates to buy guns, and then he limited the right to issue permits to magistrates only. It turned out that the existing regulations had been very casually observed. Instead of each prospective buyer appearing in person before the magistrate with the certificate from his employer affirming that he was a "fit and proper" person to have a gun, the dealers had been selling a number of guns, and then coming in afterwards to get permits, thereby invalidating the personal control of the magistrates over who should buy guns.³⁰

Southey, when asked by Ling if he would object to the Natalians on the Field forming and drilling a volunteer Corps

for Natal, not only gave his permission but offered to provide them with arms and ammunition if they had to go to Natal.

The Diamond News praised the formation of this Corps as chivalrous and patriotic proof of true British feeling, but felt everyone would feel more secure if British rule was backed by British troops. The Diamond Field called for action to show the chiefs that they had "miscalculated the supplies of munition of war to shoot down Englishmen."³¹

In late November Southey forwarded all the pertinent information on this subject to London, including the Natalians' memorial describing the disturbance and urging action to prevent arms from ^{Grigualand West} getting to the rebels. Southey reiterated his convictions that ^{Grigualand West} ~~was~~ was not the only source of guns and that as servants needed masters' permission to buy guns, control of the sale of guns had all along been in the hands of the white population of the Diamond Fields. In order to keep the mines working, the Diggers signed the certificates. This being the case, Southey did not feel the Government should bear the onus of a ban on arms. If the British intended to disarm the natives, he declared, it would take "a large military force or a process of oppression and all but extermination-- revolting to contemplate and with great danger to the white population."³² This opinion found unexpected backing when President Burgers declared that the gun trade could not be prevented except with the assistance of a strong military force.³³

The natives who got through to the Diamond Fields and home again with their guns were the lucky ones. The Boers, who both resented the drain of their potential labour to the Diamond Fields and feared the resultant increase of arms, did their best to stop them. Southey's anti-Boer bias interpreted this as an attempt to "squeeze" Griqualand West by frightening off or intercepting her native labour. Southey had heard "on good authority" that not only did Government officials confiscate the native's guns but so did any white man who got the chance. A Free State newspaper boasted that two thousand guns had been taken from returning Basutos. "Legalized highway robbery" snorted Southey.³⁴

The case of Mrs. Helps's Zulus was probably typical of many others who did not have the vocal Mrs. Helps to give them publicity. Whilst in Natal Mrs. Helps engaged fourteen Zulus to work for her at the Fields and their contracts were signed before the Resident Magistrate at Pietermaritzberg. En route to Griqualand West, according to their story eight of the Zulus were arrested at Bethlehem, imprisoned a whole month without trial, fed once a day on boiled mealies, and after a hard day's work put into the stocks at night. Their blankets were taken away and an attempt was made to make them stay on and work for ten shillings a month. Three of the group were waylaid at Winburg after their release from jail when they were once again heading for the Diamond Fields. The others got to ^{Griqualand West} ~~the~~ with their story. Southey commented that,

although an "outrage", it was a common affair in a country where a coloured man had no rights.³⁵

The Diamond News complained that it was shameful of the OFS to treat British subjects thus and in the matter of "neighbourly civilities" the civility was all on the ^{Orange} side as the OFS showed a total disregard for the rights of labour in appropriating "our native servants."³⁶ As to Southey's protest President Brand remarked coldly "As to the facts upon which His Excellency Lieutenant Governor Southey's reasoning is founded are proved to be erroneous, the conclusions of the reasoning cannot be admitted."³⁷ Southey's furious reaction was to consider that the issue of "Is the Free State a Nation" might well be revised.³⁸

Almost every prominent citizen and every newspaper took a stand on the trade in arms. An exception was the Natal Witness which admitted to being confused and wondered where the "Gun Difficulty" would end. The Diamond News answered that it would end with Natal and the other states giving up the attempt to control the trade. Nine thousand of the ten thousand guns imported into Natal each year went to "the Kaffir" according to the Diamond News and the merchants of Natal supplied many of the guns at the Fields.³⁹ General Sir Arthur Cunyngame, the ranking British officer in South Africa considered it a great mistake to allow the natives to arm themselves with "excellent modern rifles" and Sir Benjamin Pine, the Lieutenant-Governor of Natal, remarked that the traffic in arms was a

"traffic in human blood."⁴⁰ Southey remarked witheringly that while this was a popular stand to take, it was not a very profound thought. Southey felt that if the blood of blacks was considered as human as the blood of whites, less bloodshed might result from both sides receiving arms than from one sided arming of the whites.⁴¹

The Diamond News categorized Sir Benjamin's remark as "objectionable and uncalled for" and insisted that it was ridiculous to consider the traders in ^{Brigualand West} ~~the~~ who happened to deal in guns as more bloody minded than those in Natal who dealt in sugar and coffee. Why, it asked, should the traders in GN ruin themselves in a fruitless effort to keep the peace in Natal? There would be no security, the Diamond News declared, until a common solution was forged. In a federation of all the states, under one flag, governed by a congress in which each state would be fairly represented, South Africa might find greatness.⁴²

The new year came, and with it the same old complaints about the arms trade. Southey argued that it would be easier to stop the south-east winds from blowing over Table mountain than to put an end to this trade and its critics, instead of wasting their breath should turn their energies to educating the natives and making them feel that "we were men and brothers." Southey explained to Barkly that guns could not be lawfully brought into ^{Brigualand West} ~~the~~ without a permit and the payment of two shillings six pence per gun, and he thought that smuggling was

"the exception to the rule."⁴³ However to be on the safe side he sent Captain Marshall and four or five men to check on smuggling across the OFS-~~the~~^{Groenland West} border. Southey and Barkly were as one in the belief that the gun trade was too closely entwined with the immense and profitable ~~in~~ trade to the interior so vital to the Cape Colony, to be interfered with. Furthermore, warned Southey, if the Cape Colony allowed the Americans to establish a trading base at Walwich Bay and shut their eyes to SAR encroachments over the tribes, they would discover that they lost control over the gun trade without checking it or stopping it.⁴⁴

Southey's passionate desire for a British Africa kept him alert to any rumour of foreign interest -- be it an American trading post or a possible German bid for Delagoa Bay.⁴⁵ It also spurred him to make contact with the chiefs of the interior--sending them small presents, warning them of HMG's disapproval of the slave trade, and exchanging with them messages of friendship or even views on education.⁴⁶ He listened avidly to traders' and missionaries' descriptions of tribes they had encountered (such as Schele's who lived in greater luxury than many a Boer farmer) and especially to the willingness of such tribes to adhere to the Empire.⁴⁷ Southey was convinced that it would indeed be an error to allow the Boers to absorb and ultimately annihilate these people or to "let the trade slip through our fingers, to please a stupid lot of people in Natal."⁴⁸ A very Southeyish blend of

humanitarian concern, thirst for trade, and impatience with those who did not share his views.

The very first guns sold to native workers on the Fields had been of such poor quality that they were often more dangerous to the proud owner than anyone else, frequently blowing up in his hands. But as early as 1872 many of the guns were good enough to make them "decidedly effective in the event of a native outbreak." The trade had started cautiously anticipating a serious opposition which never materialized, but it soon grew by leaps and bounds into an enormously profitable venture to all concerned, including merchants from Natal.⁴⁹ Southey resented Natal's "holier than thou" attitude toward ~~the~~ ^{Grigualand West} as he was certain that "The guns that come from Natal, call them what they like, are for the native trade and no other." And had nothing but scorn for the Natal conscious salving assumption that their guns were "not of a description that the natives buy" pointing out just at the time of the outbreak, Natal had granted more permits for the conveyance of guns to ~~the~~ ^{Grigualand West} than during any of the previous months of the last year.⁵⁰

Barkly began his comprehensive despatch on the traffic in arms and measures to be taken to discourage it, by apologizing for its tardiness but said as he felt that Southey's measures "seemed sufficient," he waited to see what Natal and the Cape Colony would decide to do. The Cape Government opted for more stringent enforcement of the laws regulating

the sale of fire arms and Barkly's earnest wish was that Griqualand West would follow suit. Among the measures which would ensure accurate identification of the real destination and simplify the collection of the duties was an amended form of bond which demanded authorization by the Griqualand West Government for any arms and ammunition which came into the Province and proof that they had been received at their destination. The Governor anticipated Southey's protests by agreeing that this would not put a stop to the traffic in arms, but said he had long felt it was a sound policy to make it as difficult as possible for warlike tribes to arm themselves. He tried to awaken Southey's appreciation of the genuine fear of the "mere handful of Europeans" living in the midst of hundreds of thousands of Zulus in Natal and stated his intention of doing everything in his power to enforce the restrictions on the sale of arms. Specifically he wanted the Government of ^{Griqualand West} ~~the~~ to withhold permission from every Zulu to purchase a gun, unless he had a certificate from the Government of Natal authorizing him to have it. If this required altering the law, the law should be altered. Any Government which gave formal notice that it did not want its subjects to receive arms should be treated in like fashion.⁵¹

Southey, never one to pull his punches, wrote to Barkly that the "new rules and regulations won't be worth the paper they are written on", and that the only sure way to stop the trade would be to prohibit any importation of arms into the

Colony. Even then there would be smuggling from the coast, but it would be difficult and prices would go up. Southey suggested that Natal could prevent its Kaffirs coming to the Fields as he did not see how "we can single them out".⁵²

When Lord Carnarvon assumed office early in 1874, he had mentioned the possibility of reopening the case of the Basuto shooting. Southey's hopes had risen, to be dashed down when Carnarvon decided not to reconsider the Basuto case but to instigate a searching inquiry instead into the gun trade and "how far this trade had proven a real source of annoyance to neighbouring states."⁵³ Barkly explained to Southey that he had not sent on to Carnarvon copies of the letter he and Southey had exchanged on this subject because the Cape Colony and Natal were involved.⁵⁴ Southey, blind to the folly of arming the natives due to his praiseworthy determination not to discriminate against them in any way and his practical need to keep the mines going, was also blind to signs of Lord Carnarvon's change of policy. Barkly, more sensitive to the climate in Downing Street may not have wanted his views on the impossibility of stopping the arms trade on record in London, but he may have also been trying to protect Southey too, who had been and continued to be, most outspoken. Southey prepared a paper for Carnarvon presenting "another side to the question" so that the Colonial Secretary would not come to any hasty decision "for want of full information" which he felt proved that neither Boer Republic^{had} reasonable grounds for complaining of the trade

in arms. 55

Mr. Froude, Carnarvon's unofficial representative, blamed Southey personally for the gun trade. After praising Southey as "admirable in many ways" (a little like "Brutus was an honorable man") who believed in England's mission in Africa and was liked and trusted by the natives, he described Southey in his awkward situation at the Diamond Fields with two Dutch states and an unhelpful Colony as neighbours. Because Southey was desperate, Froude said, he turned to his native friends. "Hitherto the rule in South Africa had been that firearms should not be supplied to the natives. It was a very good rule...But the native unarmed would not have been of much service against the Dutch. Native labour was wanted at the mine; the chiefs wanted rifles and powder. The two wants corresponded to one another, and trade and politics could be combined." Froude claimed that half a million rifles were supplied in four or five years to the chiefs. Froude's accusation contained some truth. Southey was in a difficult position in Griqualand West; he did dislike the Boer States; and he did need the labourers that the guns lured to the mines. But it was grossly oversimplified as was much of Froude's reporting on South Africa. The onus for the gun trade should not be laid on Southey alone. Every trader who imported a gun; every official who neglected to enforce the law; every digger who signed a permit; every Government who profited from the duty on guns deserves a share. But there

is no doubt that Southey stood out as the frankest exponent
of a free trade in arms.

TRADE IN ARMS FOOTNOTES

1. GW 182 p. 88: Southey to Barkly, 29 Nov. 1873.
2. C.F. Goodfellow, Great Britain and the South African Confederation 1870-1881, Cape Town, 1966, p. 63.
3. GH 23/93 E. 55: OFS Ordinance No. 7 of 1858.
4. GH 23/32 No. 20: Barkly to Kimberley, 3 Feb. 1873; The Diamond News, 4 Jan. 1873.
5. GH 12/3: Currey's Account of his interview with the Commissioners, 30 Jan. to 3 Feb. 1873.
6. GH 12/3 No. 22: Barkly to Kimberley, 18 Feb. 1872.
7. GW 180 p. 214: Southey to Barkly, 1 May 1873.
8. GW 3 No. 3: Barkly to Southey, 1 Jan. 1873.
9. J.B. Currey, Half a Century in South Africa, unpub. manuscript, 1899-1910, p. 221.
10. F. Boyle, To the Cape For Diamonds, London, 1873, p. 159.
11. GW 180 pp. 203-204: Southey to Barkly, 26 April 1873; GW 180 p. 304: Southey to A. Anderson, 26 June 1873; GW 180 p. 325: Southey to C. Barry, 2 July 1873.
12. GW 180 pp. 31-33: Southey to Barkly, 18 Jan. 1873; The Diamond News, 4 Feb. 1873.
13. GW 3 No. 18: Barkly to President of OFS, 22 March 1874; GW 180 p. 49: Southey to Barkly, 30 Jan. 1873.
14. GW 180 p. 144: Southey to Barkly, 21 March 1873.
15. GW 3 No. 12: Barkly to Southey, 19 Feb. 1873; GW 1/69 No. 61: Kimberley to Barkly, 9 March 1873.
16. GW 3 No. 3: Barkly to Southey, 1 Jan. 1873; The Diamond News, 3 May 1873.
17. GH 23/32 No. 40: Barkly to Kimberley, 4 April 1873; GW 3 No. 22: Barkly to President of OFS, 2 April 1873; GH 23/32 No. 35: Barkly to Carnarvon, 13 April 1874.
18. GW 182 p. 190: Southey to Barkly, 15 Jan. 1874.

19. C.D. DeKiewiet, The Imperial Factor in South Africa, London, 1937, pp. 18-19.
20. GW 180 p. 85: Southey to Barkly, 16 Feb. 1873.
21. GH/32 No. 20: Barkly to Kimberley, 3 Feb. 1873.
22. GW 183 pp. 203-204: Southey to Barkly, 21 May 1874.
23. The Diamond Field, 27 March 1873.
24. GW 182 pp. 42-43: Southey to Barkly, 15 Nov. 1873.
25. Ibid., pp. 43-47.
26. GW 182 p. 46: Southey to Barkly, 15 Nov. 1873; GH 12/3: Southey to Barkly, 22 Nov. 1873.
27. GW 182 p. 69: Southey to Barkly, 20 Nov. 1873.
28. GW 182 p. 70: Southey to Barkly 20 Nov. 1873.
29. GH 12/3: Southey to Barkly, 22 Nov. 1873.
30. GW 182 p. 68-69: Southey to Barkly, 20 Nov. 1873.
31. GW 182 p. 70: Southey to Barkly, 20 Nov. 1873; The Diamond Field, 19 Nov. 1873.
32. GW 3 No. 35: Southey to Barkly, 22 Nov. 1873.
33. GW 182 p. 80: Southey to Barkly, 22 Nov. 1873.
34. GW 180 p. 98: Southey to Barkly, 16 Feb. 1873; GW 180 p. 288: Southey to Barkly, 12 June 1873; GW 180 p. 332, 5 July 1873.
35. GW 3 No. 38: Government House to Currey, 25 Aug. 1873; GW 181 p. 70: Southey to Barkly, 11 Sept. 1873.
36. The Diamond News 26 Aug; 28 Aug. 1873.
37. GW 3 No. 48: President OFS to Governor, 13 June 1873.
38. GW 182 p. 215: Southey to Barkly, 29 Jan. 1874.
39. The Diamond News, 10 Dec. 1873.
40. General Sir A.T. Cunynghame, My Command in South Africa 1874-1878, London, 1880. Preface p. xi.
41. GW 182 pp. 210-211: Southey to Barkly, 23 Jan. 1874.

42. The Diamond News, 23 December 1873.
43. GW 183 p. 63; Southey to Barkly, 10 March 1874.
44. GW 183 pp. 82-83; Southey to Barkly, 18 March 1874.
45. GW 180 p. 237; Southey to Barkly, 11 May 1873; GW 180 p. 332; Southey to Barkly, 5 July 1873.
46. GW 183 pp. 56-57; Southey to Chiefs, Montsioa, Molena, Sechela, 9 March 1874; GW 180 p. 286; Southey to Barkly, 12 June 1873; GH 12/4 No. 14; Southey to Barkly, 9 Feb. 1875.
47. GW 180 p. 202; Southey to Barkly, 26 April 1874; GW 183 pp. 174-175; 7 May 1874.
48. GW 183 p. 89; Southey to Barkly, 18 March 1875.
49. The Diamond News, 25 Feb. 1875.
50. GW 183 pp. 71-73; Southey to Barkly, 10 March 1873; GW 183 p. 133; Southey to Barkly, 2 April 1874.
51. GW 3 No. 59; Barkly to Southey, 21 March 1874.
52. GW 183 pp. 76-77; Southey to Barkly, 10 March 1874.
53. GW 3 No. 91; Barkly to Southey, 23 July 1874.
54. Ibid.
55. GW 183 p. 320; Southey to Barkly, 30 July 1874; GW 184 p. 9; Southey to Barkly, 13 Aug. 1874.
56. J.A. Froude Two Lectures on South Africa, 1880, pp. 37-39.

CHAPTER FOUR

LAND

The land question was probably the most critical of all the thorny problems Mr. Southey had to face. Not only was the very existence of Griqualand West as a territorial entity disputed by the neighbouring Republics, but the ownership of land within the province was inextricably entangled in claims and counter-claims. Before the discovery of diamonds there, no one had felt the need to be precise about tracts of this pitiless wasteland. Boer farmers had acquired native territory by simply pushing the natives off, by leasing land for grazing and staying on it, or by buying from a native, who might or might not have had the right to sell the land. There were often several sincere claimants to the same land, each one positive as to the validity of his claim. Added to these genuine claimants were a number of unscrupulous land speculators who took advantage of drunk, or simply uncomprehending, natives to have them sign away land whether it was theirs to sell or not. The situation was chaotic in itself. The greed and dishonesty of those who sought to profit from it as well as the never solved question of what the place of the native was to be, compounded ~~in~~ the confusion.

Southey was aware of how vital it was for him to bring

order into this chaos. Until the land could be allotted and farmed, mining was the only major industry in Griqualand West and the mining population with its group of volatile leaders the only element of real importance. Southey felt that if the miners could be balanced by a stable farming community not dependent upon the fluctuating diamond market, Griqualand West might gain the financial and political stability it so sorely lacked.

Just as the Boer Republics felt that ~~SA~~^{Griqualand West} had no right to exist, so Southey felt that the SAR and OFS were unfortunate aberrations from British policy and should be reabsorbed as soon as practicable.¹ He was on the watch for the right moment, and meanwhile strongly disapproved of any territorial aggrandizement by them. As a dedicated exponent of the Victorian theory described by Houghton of bringing civilization to the native by means of Christianity-and-trade,² Southey felt strongly that the natives must be saved from the Boers and their abhorrent master-servant decrees.³ After civilizing them through education and replacing tribal responsibility with the British concept of individual responsibility, Southey hoped to see the natives side-by-side with the settlers and the new immigrants building a prosperous British Africa under the Cape Colony concept of equality for all men under the law.⁴

The Keate Award was supposed to have defined the ~~SA~~^{Griqualand West}-SAR boundaries, but once Kimberley had made his statement that

the British Government would not defend it by force, the Boers continued to expand into the disputed area. The natives were forced away from the watering places and soon "the distribution of the European settlement provided...a fairly reliable map of the country's water supply."⁵

President Burgers's efforts, reported as early as December 1872,⁶ to persuade the chiefs of land in this disputed area to cede it forever to the SAR kept Southey in a ferment of anxiety. He worried about Burger's activities as rumours wafted back to him that Burgers had been seen here or there and had met with this or that chief.⁷ He despaired, rightly as it turned out, of making London understand his point of view. Still less could he make them comprehend the ins and outs of an issue like that of "Who was the Paramount Chief of the Baralong?" (in Southey's view there was not one)⁸ or of the Batlapins? involving as it did such African concepts as the "Great Wife".⁹ Southey was sure that Mankoroane was the legitimate heir of the last Paramount Chief, Manhura, although Southey admitted that the chief did not have much real control over his people--"everyone does as he likes".¹⁰ The SAR had also recognized Mankoroane as Manhura's successor, so Southey felt that its new conviction that Gasibone was the rightful heir was pure expediency, and Barkly considered it a "somewhat suspicious discovery."¹¹ (However when Palgrave, Southey's emissary to Mankoroane, in an excess of zeal, found a young man he felt had the best claim

of all, Southey was not especially pleased and said that he was to be associated tactfully with Mankoroane which must have been satisfactory to all as he was never mentioned again.¹²

Another complication was that David Arnot, the Griqua lawyer, was Mankoroane's advisor. Arnot was a highly controversial figure. The facts about him were that he fought to keep Boers out of the Griqua lands, that in 1867 he was responsible for collecting a group of British colonists from the Eastern Province to settle in the southeast corner of GN as a barrier between Griqua and Boer, and that he was a claimant to vast tracts of land in native territory. Interpretation of these facts differed dramatically. A contemporary admirer described Arnot as "one of those gentlemen who... make history... diplomatist born, thoughtful, tenacious, of unflinching memory, expedient inexhaustible, courage undaunted..." who had guided Waterboer's destiny for seventeen years without a single mistake toward the final goal of British acceptance of this territory.¹³ To others he was "an enterprising lawyer of poor reputation" who engaged in land speculation¹⁴ or "as dangerous as a puff adder".¹⁵ Southey was in complete accord with Arnot's imperialistic aims but deplored his greediness for land which made for an ambivalent relationship.

Southey strongly approved Mankoroane's proffered allegiance to the British Crown but, as Arnot was behind it, Southey wanted to be absolutely sure that these Batlapinas

really wanted it and that they knew what it entailed. In spite of hints from Arnot that Mankoroane was "queer tempered" and only Arnot could handle him, Southey insisted on seeing the Chief alone.¹⁶ It turned out that Mankoroane had thought that under the Queen he would not only keep all his present prerogatives but that the British would force all the Batlapin to acknowledge him as Paramount Chief. Southey not only had to disabuse him of this hopeful notion, but to explain that if he became a British subject he would have to repudiate all grants and leases of lands (such as the huge tracts claimed by Arnot and Wayland) and, that after due provision had been made for the natives, the Crown would deal with the rest as it saw fit.¹⁷ After a consultation with his Council, Mankoroane agreed to stand by his request for British protection, but became very discouraged when no answer was forthcoming and the Boers continued to "eat up" his land.¹⁸

Everything depended on an affirmative answer from London, and there Southey was helpless. He bombarded Barkly with information about Burgers' moves and complaints from the Chiefs. Southey could only give advice, or in a real emergency send Palgrave as an advisor to Mankoroane.¹⁹ (Barkly approved but warned Southey to "take care" that he only aided and advised.)²⁰ But he could promise nothing without explicit instruction from London. Burgers, beholden to no one, could and did act on the spot.

Southey's torrent of letters and pleas finally swept

Barkly along and in mid-January 1874 he wrote to the Colonial Secretary describing the situation in GW and asking to be allowed to take action. He reviewed the Keate Award which was supposed to have distributed the territory between the Batlapin and Baralong tribes and the SAR. He pointed out that since February 1872, when he had been instructed by London to inform the SAR that Her Majesty's Government would not admit the right of the Republic to set aside the Keate Award and to hold out to Mankoroane no expectation that his proffered allegiance would be accepted, Barkly had not interfered. Because of his disapproval of Arnot's land claims and a reluctance to seem to be advocating expansion, Barkly had not even forwarded Southey's complaints about SAR treatment of British subjects in the area and pressures upon Mankoroane and Montsioa.

Now, Barkly continued, Burgers was treating Gasibone as Paramount Chief and had accepted his allegiance to the SAR, thereby depriving Mankoroane of his rights and property as affirmed in the Keate Award. Barkly begged London to allow him to inform Burgers that "this act of spoliation would not be tolerated."²¹

Southey had a positive program toward the tribes--stop Burgers and annex to the Crown those chiefs who so desired--and it was London that held him back. In dealing with the problem of untangling the overlapping and conflicting claims to land in order to issue clear titles to the farms in Griqualand West, Southey was less sure of himself. He thought about

it a great deal and wrote endlessly to Barkly about it. Unless one is prepared to consider the Semi-Official letters one vast Machiavellian deception, Southey's agonizing over the distribution of land, as seen in letter after letter, is enough to absolve him of any involvement in a land swindle. His passion for public and private morality and his long career as an honest public servant make this hard enough to believe in any case. Why then, was progress here so slow? Possibly, simply because it was so complex, and Southey was such a stickler for detail and so determined to find justice for all. The whole problem was too much for Southey on top of the other crises he had to face. He was tired, overworked, had no one on hand he could trust, and was frequently under attack from London as well as from the dissident elements in Griqualand West. It is small wonder that he did not have the time and the energy to deal definitively with this, particularly as the accusation of "Great Land Swindle" must have made the whole subject very distasteful to him.

There were essentially three classes of claimants. The first were those persons who had bought farms with definite boundaries from individual natives. (small native chiefs had made grants of land to their followers who had often sold them to white people.) Warden, when administrator of Bloemfontein had refused to give titles for grants in the so-called "unoccupied land" but had issued British Land Certificates which the OPS, when it formed its government, had made

official in spite of Waterboer's protests. These rights were those supposed to be guaranteed by Barkly's Proclamation of 1871. Secondly, there were persons who claimed under grants made by the Griqua Government, of which some had definitely marked boundaries. The Englishmen recruited by Arnot for Waterboer to lease farms along his frontier with the OFS fell into this category. Thirdly, there were those who had purchased farms from Theodor Doms, the alleged agent of certain Batlapin chiefs, none of which had had the boundaries marked or been occupied by the buyer. Between 1869 and 1870 Doms disposed of over 280 farms between the Hart and the Vaal Rivers, partly within and partly without the boundaries assigned to the Griqua people by the "Bloemhof Arbitration" of 1871. These farms of 3,000 morgen each were reportedly sold for 25 pounds each, subject to a small annual quit-rent. Dom's power-of-attorney was properly filed and was purportedly signed by the late Chief Mahura and the present Chief Mankoroane, but Mankoroane said he knew nothing about it.²² (Chief Jantje also named as a party to the sale, denied it too.)

Doms further claimed to have been granted sole right to dig and search for diamonds, gold and other minerals in the Batlapin and Barsalong territory for 30 years in return for treating on the tribes' behalf with the Transvaal Boers who were overrunning their territory, destroying their sons and enslaving their women and children. Doms wrote to Barkly demanding a large compensation for this valuable concession invalidated by the establishment of Griqualand West. Barkly,

fuming at Dom's audacity in claiming compensation for a "pretended concession", duly forwarded it to London.²³

The Land Commission set up by Barkly in 1871 to look into the various claims had exceeded its terms of reference, Southey explained to the Legislative Council. Instead of merely collecting information as to who claimed what, what the merits of conflicting claims were and what land was available to satisfy these claims, they had gone on to decide to whom to award the land. This would and could not work, Southey stated. As there were several claimants to most farms with their alleged rights derived from different sources and in some areas not enough land to go around, some over-all plan had to be decided upon before any titles were issued.²⁴

The membership of the Land Commission was as dissatisfying to Southey as were its actions. Orpen, who had quarreled with the other two members and gone home, was a claimant of much land and should never have been on it in the first place. Southey, distrusting Buyskes, and considering Bowker his "tool" wanted to have the Commission disbanded as soon as possible.²⁵ The Diamond Field, which rarely agreed with Southey on anything concurred in the uselessness of the Land Commission and asked Southey to find out who the legal proprietors were of "the farms now lying waste and to grant title accordingly."²⁶

The settlers in Albania were so eager for action that they had met Southey with a petition of welcome which stated their conviction that there would be no further delay in

issuing formal titles to the land acquired before the assumption of British rule. They felt sure of Southey's support as in their opinion the establishment of the settlement of Albania was a principal piece of evidence as to Waterboer's right to cede the country to Her Majesty's Government when the right moment came.²⁷

The need for action was the only point of agreement among the parties concerned. In April Southey had Bowker and the Land Commission's records moved to New Rush and wrote Barkly that he thought the time had come to end the filing of claims as everyone had had plenty of time except the native who had been the original proprietors and the Government would be responsible for them.²⁸ As the two factions, Arnot and Orpen and the others who had grants from Waterboer, and the Rev. William Robinson and Byron Sampson, two principal claimants under Doms who were backed by Bowker, Buyskes and the Diamond Field, prepared to do battle for "their" claims, it became obvious that protection of the native was no light responsibility. London, always afraid that colonial action would lead to Imperial spending, agreed something must be done, but urged caution as they were determined not to be liable for compensation for any farms which might be returned to the Republics in a final settlement.²⁹

The great stumbling block to any settlement of the land claims was the "immense quantities of land" claimed by Arnot and half a dozen others. Southey suggested admitting the

claims of this group in Lower Albania only and repudiating any others, but he wished to talk to Waterboer and his councilors first. A surveyor had reported a considerable number of natives between the Hart and Vaal Rivers but Arnot's schemes for this area seemed to lack any provision for them except to squeeze them out. Southey considered it "quite impossible" that HMG could be made a party to such an action. On the contrary, the natives must stand first, he wrote, and sufficient land must be carefully set aside for them.³⁰

After bemoaning once again the complexity of land matters, especially the large grants made in the name of Waterboer and the chiefs, Southey raised the sinister suggestion that neither he nor Barkly knew one half of what would yet come to light.³¹

Feeling ran high in the spring. There was such a violent attack against Arnot in the Diamond Field that Arnot felt the writer, i.e., Buyskes or Bowker, must have had access to the Land Commission papers and threatened to sue.³² Currey had to be sent to Southern Albania to smooth over heated boundary differences between the British and the Boers there and incidentally discovered that in some cases the Boers were claiming £ 20,000 to 30,000^{morger} for a single farm.³³ The Diamond News complained that the people of Griqualand West had suffered through Campbell's threats, and promises and Governor Barkly's "all things to all men" assurances that the land would be given out; a year later they were still waiting for

something to be done about it.³⁴

Southey was discouraged by the undoubted fact that while he fought to protect the natives from the encroachment of the SAR and OFS upon their lands, their own chiefs and representatives lost it for them. Specifically, Lower Albania had been surveyed into 83 farms of 3,000 morgen each, of which 60 were claimed by Arnot, Wayland, Orpen and their families. In Upper Albania Waterboer's grants, according to Arnot, were for 270 odd farms of 3,000 morgen and Doms, the pretended agent of the other chiefs had disposed of 108 farms. Unfortunately the Government surveyor had found only 105 farms of 3,000 morgen. Doms as well as Arnot had made no provision for the natives living there (about 25 to the square mile); and although many were Batlapin and not subject to Waterboer, Southey felt that they could not just be told to move off unless some other ample and satisfactory arrangement had been made.³⁵

Southey was discouraged, but he was also stubborn. A campaign instigated by Orpen of petitions urging immediate issue of Waterboer's grants and letters to the newspapers complaining of the lethargy of the Government merely reenforced Southey's determination not to be hurried. Southey wrote in a blunt letter to Orpen stating that no amount of pressure would force him to issue any certificates until the land had been surveyed and ample provision assured for the native population.³⁶ The only exception Southey made was to even

at Klipdrift which had been sold or granted by the Government itself before the acceptance of Waterboer's allegiance. Southey wanted a "totally unconnected and wholly disinterested" commission to investigate the rights of the natives and see what land should be kept for them, what land should be reserved for public purpose and what European grantees had actually come to occupy farms on Waterboer's invitation before any titles were issued.³⁷ Southey's decision that some claims would have to be repudiated caused such panic among the German missionaries of the Berlin Missionary Society that the German Minister to London became involved and queries on this relatively minor matter came to Barkly from the Colonial Office. Southey reassured Barkly that he had never contemplated entirely repudiating claims like those of the Mission or of the owners of Vooruitzicht.³⁸ He was only attempting to eliminate those grants that Arnot and Doms had made to people who had never been in the country. The German claim is worth looking into as it is one of the better documented examples of how the ownership of land became so impossibly confused.

After the sudden abandonment of British Sovereignty over the country North of the Orange River early in 1854 neither Adam Kok nor Nicolas Waterboer was strong enough to prevent encroachment on his respective territories. The restraints which had been imposed on the acquisition of land by emigrant Boers from individual natives who held land merely under tribal tenure broke down and a general scramble ensued.

Cornelius Kok, a member of the Kok family but without rank and who was an ex-official of Waterboer's, was found to be "ready to sell anything to anybody" and claims to large tracts of land both north and south of the Vaal founded upon papers to which his mark was affixed, had poured in upon the Land Commission. It was clear, Barkly explained to Kimberley, that the richest part of Waterboer's country must have been granted away without his consent and without any provision for the right of the public to search for diamonds. The German Missionary Society, who had occupied the land for twelve years "purchased" it in 1857 for £ 75 from the obliging Cornelius. Barkly wondered how Kok was "all of a sudden... entitled to dispose of the property" and considered that "a more unsatisfactory voucher for the transfer of 60,000 acres of land has never...been exhibited" than the original bill of sale on file at Klipdrift. In it no quantity of land was mentioned; only the "grounds of school place called Pniel"; there had been no survey for thirteen years; the Mission diagram of 1872 tried to include the diamond banks twenty-five miles down the Vaal; no member of the tribal council had been involved although there had been some dubious witnesses. Lest Kimberley think that Barkly was being too harsh in the only case with foreign involvement, Barkly assured him that he was not imputing sinister designs to the local agents of the Berlin Missionary Society who had participated in this dubious sale as they had simply been following the "fashion of the day". Barkly was prepared to issue a British title to

6,000 acres (the Free State and Colony maximum). Barkly suggested further complaints be taken to the Land Court at Klipdrift.³⁹

Southey also had to reassure Chief Jantze in a letter to the resident missionary, to Rev. Ashton, that although the land he lived upon belonged to ~~the~~ ^{Griqualand West} (according to the Bloemhof Arbitration and the Keate Award) and therefore had been ceded to the Queen, it was and would continue to be, a cardinal principle of Her Majesty's Government, not to deprive anyone, white or black of their land-property. Difficult as it might be, Southey promised the British Government would see that all the native residents, Griquas or other, who were in bona fide occupation, would be sufficiently cared for.⁴⁰

The Colonial Secretary in London was involved once more in the land problems of Griqualand West by a Mr. Drury to whom Bowker, a member of the Land Commission, had written saying that he was likely to lose the farms claimed by his late brother under a proposed edict to cancel all titles previous to annexation. In his letter to Drury, Bowker had accused the Government of Griqualand West of being involved in a "Great Land Swindle" in support of the plans of the notorious Griqua Agent Arnot. He said that the "burlesque" of a constitution was framed to facilitate these schemes and suggested to Drury that he demand a commission of Inquiry. Drury, understandably upset, wrote to the Colonial Secretary voicing his fears that an apparently unjust edict was likely to deprive his family of some valuable land. Kimberley saw Drury's letter but

refused to interfere in a private matter. However, as it mentioned a public edict, he had the correspondence forwarded to Barkly, and with it a request that Southey ask Bowker for any justification "for his extraordinary letter" to Mr. Drury.⁴¹ "Extraordinary" seems a mild term for a letter written by a member of a government accusing it of swindling. In view of the circumstances Southey felt obliged to remove Bowker at once from the Land Commission where he dealt with valuable documents, although he pitied Bowker for his "monomania" about his own great doings.⁴²

Unabashed, Bowker answered that he would prove what he had said before any commission. In a passionate letter full of mixed metaphors which gave proof of an overwhelming conceit, Bowker insisted that he had done nothing rashly, that his only crime was that of daring to tell the truth in his effort to prevent "the British Lion's Foot to be made a cat's paw for the most disreputable end." He surveyed his own life in copious detail mentioning in particular how he gave up a "lucrative" career as a sheepfarmer to serve "with distinction" in the wars of 1835, 1846 and 1847, and how Sir Harry Smith had failed to adopt his "simple" plans for handling the natives. Bowker said that he had helped Arnot to find settlers to fill the land between Waterboer's territory and the Republics, until he discovered that these lands had yet to be acquired from their owners or inhabitants and resigned. As Secretary to the Land Commission in 1867 he had prevented the passing of

Arnot's claims, in spite of Orpen's protestations of their validity, but became so discouraged by his lonely struggle to uphold Her Majesty's Government that he wrote to Drury. Bowker ended by requesting a commission of inquiry because he refused to be judged by authorities whose integrity he seriously impugned.⁴³

Orpen was so furious at Bowker's description of his activities on the Land Commission that he wanted to sue him for libel, but Shippard advised that although certain words and expressions were probably libelous, nothing could be done without the original of the letter.⁴⁴ Orpen incidentally produced a letter from Bowker showing that he had actually retired from the Waterboer commission in annoyance because a town he had hoped to have named for himself was named after General Douglas, which gave weight to Southey's theory that Bowker was "eaten up with vanity" and had resigned in the hope of being made President of the O.F.S.⁴⁵

Both newspapers took a stand on Bowker. The Diamond Field, claiming that Bowker was a man of integrity, felt he must have written from knowledge and not mere suspicion, and remarked that after all "a territory over which one dusky savage or another has claimed domination, with title more or less doubtful, offered a splendid opportunity for speculation in land."⁴⁶ The Diamond News demanded Bowker produce proof that Southey and Barkly were involved in swindling, as they found that accusation hard to believe.⁴⁷

Bowker's Memorials were sent on to London with Southey's assurance that he had never contemplated an edict cancelling all titles previous to Annexation.⁴⁸ In December Barkly approved the decision of the Executive Council of Griqualand West to suspend Bowker, although he felt the mere dismissal was not enough and asked Shippard to look into the possibility of a criminal charge.⁴⁹ Kimberley vetoed this. Southey said he had never really wanted to prosecute, but thought Barkly did.⁵⁰

Barkly confessed to Kimberley that the whole problem of land titles caused him much anguish in his desire to be fair to conflicting interests and that all steps in the settlement would have to be severely scrutinized.⁵¹ Southey, probably the last to hear what was being bruited about him, wrote to Barkly explaining how people thought the "Great Land Swindle" worked. Patton and Currey lived together, and Patton and Green were partners in a diamond mine and claimants for land under Waterboer. Green was a member of the Legislative Council so that Green, Arnot and Currey, with Southey's casting vote, could carry anything they liked. They were expected to pass an act to give Arnot, Green, and Patton all they claimed... "in fact to legalize all that Arnot had done in land matters and then divide the spoil!" Southey was outraged, and Patton rubbed salt in his wound by saying that when he had been in the OFS he found that everyone believed this and were "in no small delight" about it.⁵² Barkly, haunted by this affair,

wrote Kimberley asking why, since Bowker was Secretary to the Land Commission, he had produced no proof of nor made any specific charge of his intimations of Government complicity with Arnot and remarked bitterly that the Doms sales under a so-called power of attorney from native Chiefs who had repudiated him all along, were just as deserving of the title "Great Land Swindle."⁵³

After his suspension from the Land Commission Bowker became an open partisan of the anti-English faction and joined Doms and Robinson in a visit to some of Waterboer's Raad to persuade them to declare that they had not understood what the petition for British rule meant. Although Barkly had thought a Royal Commission might not be a bad idea, he did not want one when it was asked for by Bowker. In Barkly's opinion the Legislative Council, "fortunately" constituted a competent tribunal for the necessary investigation and a press of "perfect freedom" acted as a guard against abuse.⁵⁴

It seems obvious that at this point some independent commission as requested by Southey was imperative. Except for the Recorder, virtually no one in ^{Grigqualand West} ~~the~~ was uninvolved or impartial, least of all Arnot. Barkly had realized Arnot's presence ^{on the legislative} constituted a problem, but brushed it aside by saying that Arnot presumably represented his fellow landowners as he was elected by them (Robinson had failed to be elected for his district). However, as Southey had just finished explaining how the Legislative Council was considered to be involved in _{Council}

the "Swindle", either Barkly was more naive than seems possible or he was too angry with Bowker and the Doms group to think sensibly.

Arnot's offensive to get his claims passed in the Legislative Council was launched in late January. What steps, he asked, had the Government taken to investigate the validity of land already received and if a board or committee was to investigate, how was it to be constituted and what rules were to be laid down for its guidance? What was being done to find the extent of crown lands? What steps were being taken to define the boundary between the OFS and the ^{Griqualand West} ~~and~~ as ended by inquiring whether there was not some way the Legislative Council could act to allow the Government to issue provisional titles to valid claim holders without waiting for the land to be surveyed.⁵⁵

Southey admitted to Barkly that he did not really understand Arnot, but thought that perhaps his insistence on immediate recognition of all his claims might be aimed at putting him in a position to demand compensation if some of this land was lost to Griqualand West in a final arbitration.⁵⁶ Southey wanted to repudiate Arnot's claims in Batlapina, especially the lease of thirty miles of river front to Wayland and friends which impeded the settlement of that area and was much resented by the natives.⁵⁷ Arnot had written to Barkly about his financial difficulties, and Southey was tempted to help him with an advance, but felt it would be better

not to give him either money or land until the final settlement.⁵⁸ Later Southey decided to consider giving Arnot some compensation for giving up the claim to the river frontage.⁵⁹

Arnot was not alone in his desire to have the land claims dealt with. Dr. Graham asked in the Legislative Council that the land claim be "speedily settled" and Mr. Green presented a petition from a constituent asking for early settlement of claims and compensation for bona fide claimants who lost out.⁶⁰ The Diamond News asked "When?", pointing out that it would be too long to wait until arbitration with the OFS, that £ 200,000 had already been lost to the coffers of ^{Grigualand West} ~~the~~ and that it was sick of the cry of "what is to become of the natives?" as many of them were from other areas and should simply be "turned into honest labourers."⁶¹

Green suggested that if the survey of farms in the District of Barkly had been completed the claims might well be settled, and the Government replied that it would act "soonest". Southey at once appointed Giddy, Shippard and Orpen to decide these claims.⁶² (Orpen was a claimant to large tracts of land, but Southey decided it was possible to use him here because the Recorder, who did not seem to have any claims in ^{Grigualand West} ~~the~~ would judge all disputed cases.)⁶³ Southey often bewailed the difficulty of finding disinterested persons for any job in ^{Grigualand West} ~~the~~, but certainly the cropping up of the same names over and over must have made the charge of government complicity in a land swindle more creditable. After all the

general public did not know of Southey's private comment that he would consider Orpen "a lucky fellow" if he got all he claimed.⁶⁴

In February 1874 Disraeli's Conservative Government came into power, and Carnarvon was made Colonial Secretary to implement the promised "vigorous colonial administration." Southey and Currey were disquieted because they suspected that South Africa would be the stage chosen by an ambitious Secretary of State to display his talents...⁶⁵

While waiting to hear from London as to whether he would be allowed to accept Mankoroane's allegiance, Southey was doing all he could to shore up the natives. He was afraid that if something was not done soon all the natives would have been cajoled or frightened into subjection to the SAR which would assign all the land to white people and leave nothing to the tribes. Although he wrote to Rev. Ashton, the missionary with Jantje, that he had "some reason to hope" that the British Government would step in in time to save them, it is hard to see upon what this hope was based unless he believed that Barkly's despatch would spur HMG into action considering that Southey admitted in this same letter that the British Government was averse to extending its responsibilities.⁶⁶

As an additional prod a "memorial" "carefully worded" by Southey so as not to alarm the Secretary of State, introduced by Thompson, and passed by the Legislative Council found it "expedient and desirable" for Griqualand West to

extend its boundaries to embrace the territories of the various chiefs who were anxious to become British subjects "in the interest of civilization and the spreading of Christianity among the heathen."⁶⁷

Barkly forwarded this, various petitions and memorials from merchants and inhabitants of Griqualand West, Port Elizabeth and Hope Town expressing alarm that the proceedings of the SAR would cut them off from the trade of the interior and the sources of labourers for the Diamond Fields, and Southey's reasoned explanations as to why it was essential to accept these pledges of allegiance. Barkly, who with his responsible advisors in the Cape had decided that this was not the Cape's problem but an Imperial decision, wholeheartedly endorsed Southey's recommendations. He told London that he agreed with Southey that nothing short of the "prompt acceptance" of the proffered allegiance of Mankoroane and the other chiefs and their tribes could effectually prevent the Keate Award "being frustrated by chicanery and intrigue." It might, Barkly remarked bitterly, have been better if the British Government had never tried to stand between the natives and the Boers. By abandoning them at once to their fate, the British would not have led them "to expect protection which it was never intended really to afford." Now, he stated, the Boers were stirring up the tribes to their own advantage and only British intervention could avert civil war.⁶⁸

In March the SAR proclaimed officially that by virtue of their treaties with Chiefs Tsaibosch (Koroanna), Moshete

(Baralong) and Gasibone (Batlapin) the territories of the Koranna, Batlapin and Baralong were now territories of the SAR.⁶⁹ (Southey commented that he had heard that Gasibone had been tipsy when he signed and that he had agreed to recognize the Doms sales which would leave no land for the natives).⁷⁰ The letter which President Burgers wrote informing Mankoroane that Burgers was now the "Supreme Chief" of the Batlapin and that the land of the tribe was now the territory of the SAR, Southey considered tantamount to a declaration of war.⁷¹

Carnarvon's first despatch which arrived in April was a great disappointment to Southey and Barkly. Although it ordered Barkly to tell Burgers "distinctly and decidedly" that HMG reserved the right to act as it saw fit to enforce the Keate Award and to prevent the forcible annexation of the tribal lands by the SAR it declared that HMG was not prepared to decide the question of the paramount Chief or prevent the "peaceful and unconstrained" union of tribes with the SAR. As to the recognition of Mankoroane, so essential to Southey's policy, Carnarvon referred to Barkly's Despatch of December 1871 in which he stated that it would be better to have no further connection with the tribes outside Griqualand West than to see that their territorial rights as spelled out in the Deed of Arbitration were fully and fairly carried out as still being the basis of British policy.⁷² There was nothing in this despatch to indicate to Barkly and Southey that at this point Carnarvon was so alarmed by the situation in South Africa

that he had asked for a special Cabinet meeting to discuss it, and when that was refused, had outlined a policy of the utmost firmness in upholding the Keate Award.⁷³

When President Burgers was on his way to the disputed territory to take possession in person, he fell "dangerously ill", but his Attorney General continued on to Christiana where he promulgated the proclamation declaring the territory of the three tribes to be henceforth the territory of the SAR.⁷⁴ This was too much for Barkly (delay would have been most disadvantageous he explained to Carnarvon) who promptly issued a proclamation on 7 May 1874 declaring that the "recent territorial acquisitions claimed by the SAR in virtue of alleged concessions made by petty captains will not be recognized" or respected unless and until the Final Award and only with the free consent and due respect to the rights of the tribes. To Carnarvon Barkly reported that only Palgrave's calming presence prevented Mankoroane going to war.

This moved Carnarvon not at all. He reiterated his already stated views about peaceful union and maintaining the Keate Award and then declared flatly that he did not consider that Barkly's recent despatches proved direct compulsion by the SAR nor that it had become the duty of HMG to resist these proceedings of the SAR by force. HMG found no proof that Mankoroane was the Paramount Chief and declined to be involved with that problem. Carnarvon confessed to surprise that Barkly who had advised against incorporating Mankoroane and

the Bechuana into ^{Griqualand West} ~~the~~ in 1871 because of the dispute as to his paramountcy and the complication of his territorial claims was now recommending that same annexation when these complications seem to have increased. Also Carnarvon pointed out, in February 1873 Kimberley had specifically told Barkly not to hold out "expectations that any further extension of British territory would be authorized." Specifically the Bechuana were to be left free to act as they might think best in their own interests. Furthermore Carnarvon did not think that Southey's estimate that the assumption of authority by the President of SAR over the territory of the tribes was tantamount to a declaration of war in accordance with the acts in the correspondence to which he referred.

Then Carnarvon turned the tables with a vengeance and brought up the provisional status of Griqualand West itself. He suggested that rather than adding territory to Griqualand West to be governed by Imperial means for Imperial interest, the question was how much longer the Imperial Government could hold Griqualand West "in trust for the Cape."

While giving his approval to the general course taken by Barkly--i.e., stalling on recognizing the request of the chiefs to be annexed, Carnarvon turned down every action Barkly wished to take. Carnarvon entertained a "confident hope" that Barkly's proven prudence and ability would find a way to uphold the British dignity without recourse to violent measures, as it would be a "proceeding unworthy of a powerful

country to be hasty in settling a controversy with a weak neighbour by premature threats of force."⁷⁵

The Colonial Secretary's rather petulant complaint of the want of exact information was typical of the eternal gulf between the man at Headquarters who wants precise, up-to-date, confirmed facts on situations which the man in the field knows to be confused, changing and hard to document. However his sensitivity to the feelings of the Boer Republics and the idea that ^{Grigqualand West} SW might cease to exist were tiny gusts of the wind of change that was to blow Southey and Barkly out of office.

Southey was upset by this despatch, feeling that it proved Carnarvon to be both surprisingly badly informed and to have misinterpreted those facts he did have in his possession, particularly in exaggerating the risk of war.⁷⁶ Although Barkly agreed to send on more despatches from Southey about the chiefs, he warned Southey that Carnarvon was unlikely to change his mind on annexation and that Southey could not be "too cautious" in avoiding any act that could commit HMG to uphold the Award "by force of arms."⁷⁷

From his unenviable position in the middle, Barkly tried to bridge the hopeless gap between Southey and Carnarvon. In forwarding Southey's despatches on Mankoroane and Waterboer, asking with the support of their Councillors to be taken over by the British Government which supplied some of the information Carnarvon had asked for, Barkly pointed out that these

showed "the deliberate opinion on several points mooted, of one who had had larger experience in Southern African affairs than anybody now remaining in the Service of the Crown" and prudently enclosed his own warning to Southey about not involving HMG in any forceful action.⁷⁸

Southey's despatch on Mankoroane, accompanied by suitable photographs, described his people as "peace-loving" and steadily increasing in civilization and, as they had kept their treaty obligations and fought side by side with British troops under the British flag, worthy to be regarded as British subjects. Then touching on the economic note that Southey felt was the key to Carnarvon's actions, he said that once freed from the threat of the SAR, these people would prosper not only sufficiently to pay the expenses of their own government, but to contribute to the wealth of the Empire.⁷⁹

Southey who never gave up on any issue where he was sure that he was right, hoped that these documents would make Carnarvon "more amenable to reason" and suggested to Barkly that he should emphasize that there was no fear of native troubles and underline the value of the increasing trade-- "imperial trade" as the Cape Colony merely acted as the agents for the British manufactured goods (largely ready made clothes) worth one million pounds a year.⁸⁰

Barkly tried for the last time to explain how the situation had changed since 1871. Then he had foreseen that the

natives, left alone by the Boers and taking advantage of the opportunities for employment presented by the Diamond Fields, would surge forward in prosperity and civilization. Instead, in view of the SAR efforts to absorb the tribes and distribute the land sold by Doms, the only hope of saving the natives was the prompt intervention of the British Government. Whereas in 1871 the month old province was "bordering on anarchy" and governed from distant Capetown, now Southey's administration could well govern a larger territory. Barkly admitted to being sadly disappointed that in spite of all that had been accomplished without "the outlay of a farthing by the Mother country", Carnarvon's reaction was not an appreciation of, but doubt of the policy which had brought about the acquisition of ^{Griqualand West} ~~the~~.

In 1871 the prospects of the Fields had been brilliant, Barkly explained and it was political rather than financial considerations that made the Cape reluctant to annex the Diamond Fields. Barkly's responsible advisors at the Cape favoured an extension of ^{Griqualand West} ~~the~~ into Batlapin territory, but the formation of a government for Griqualand West under the Letters Patent had changed the situation from that of 1871. Taking Southey's advice he made a plea for imperialism through trade, pointing out the danger of letting alien people enslave the natives all about and especially to hold the road to the north over which traveled the one million pounds a year trade to the interior. If, as was widely believed, commerce was the

means of diffusing religion and civilization, it was imperative to keep open the road to the Zambosi and the heart of Africa.

Because Barkly was still venturing to hope that Carnarvon would not change the status of Griqualand West until it chose to unite with the Cape and that, inspired by the success of the Cape in dealing with the Fingoes, Basutos and other nearby tribes, he would allow Barkly to accept the proffered allegiance of the Batlapin and Baralong tribes, he had shown the Carnarvon despatch only to Molteno and Southey.⁸¹

Lord Carnarvon also received a barrage of letters from two men, Byron Sampson and the Rev. William Robinson, who were claimants to large tracts of lands under Doms' arrangements, explaining that Doms' power of Attorney was genuine and should be recognized. They claimed that the Government of Griqualand West had subverted the long-established practice of extending protection to traders, graziers or hunters "who established themselves by beneficial occupation of waste or otherwise acquired lands and thus created new Districts." And by so doing, the writers said, had not only prevented the establishment of a thriving agricultural community, but blocked trade beneficial to Britain and thwarted England in her destined colonization of Africa.⁸²

They also forwarded a copy of the letter written by Robinson to Currey and published in the Diamond Field on 2 May 1874 in which Robinson accuses Palgrave of using "private

deeds lodged in a Government office...for political purposes..." i.e., Robinson's land claims which he was understandably loath to have known to the chiefs as (according to Judge Barry who was completing the Land Commission records after Bowker's suspension) they were for seventeen farms of 52,000 morgen each, some of which had been bought for a few pounds.⁸³ Robinson further accused Palgrave of trying to stir up the Batlapin chiefs to rebellion (Robinson and the SAR recognized Gasibone, not Mankoroane as the Batlapin Chief, therefore Palgrave's support of Mankoroane and stiffening of Jantje was "rebellion".) He ended in a vicious attack on Barkly whom he claimed listened during his visit in 1871 only to the Southey-Orpen-Currey "clique" "all of whom were mysteriously connected with David Arnot and his unscrupulous puppet chief" and refused to receive the diggers who had purchased from native chiefs intending to create an agricultural population-- (once again the buyers from Doms). After referring to Southey and the great land swindle, he declared grandly "Verily, the name of Sir Henry Barkly shall live in the memories of thousands of insulted, impoverished, and cruelly outraged diggers on the South African Diamond Fields."⁸⁴

This was too much even for The Diamond Field which took Robinson to task for "too eager advocacy". Assuming that he was being purely public spirited and that he honestly believed that Griqualand West was unlawfully taken, that the Batlapin had voluntarily ceded themselves and that Arnot had too much

land, in all of which he was "perfectly justified", he had damaged his cause by his accusations against Palgrave and Southey. Palgrave was no more capable of inciting to deliberate rebellion than was Robinson of arson or homicide and there was no excuse for language so "intemperate and defamatory" as "wholesale plunder to be divided among Messrs. Southey, Arnot and minor confederates and so on usque ad nauseam."⁸⁵

The Diamond News noted that somehow in all this correspondence the fact that Robinson and Sampson were claimants to one hundred and fifty thousand acres of land had never been mentioned.⁸⁶

In July proof was found that Drury's brother's much publicized farms had been disposed of in the OFS days.⁸⁷ As it seemed certain that Bowker must have known this all along, Southey was so angry that he had the whole correspondence about the Drury land plus a severe reprimand of Drury published in the Diamond News.⁸⁸ Barkly reported to Carnarvon that the Drury land had been transferred seven or eight years before and that Bowker had the records of this when he had written his libelous attack upon the Government of Griqualand West.⁸⁹ Nonetheless Carnarvon coldly rebuked Southey both for his letter and for publishing the correspondence.⁹⁰ The Diamond News admitted that for some time many people had believed in the Government's complicity in the "Great Land Swindle"; this had been disproved once and for all.⁹¹

Southey, in what seems a curious dichotomy, was editing Arnot and Orpen's book on Waterboer's rights to Griqualand (by taking out the more violent passages so that what remained was a straightforward statement of fact backed by documentary proof) at the same time as he was preparing to repudiate a large percent of their land claims.⁹² But actually both actions had the same aim: to see that the natives were properly protected and the land claims settled in the fairest possible manner. The efforts of Doms, Robinson and Sampson to sabotage Southey's efforts to their own profit infuriated him and he was determined to expose their "villiany."⁹³ Southey concurred with Lord Carnarvon's suggestion of a legal investigation of the Doms' transactions and hoped that one of the interested parties would sue the Government. If that did not happen perhaps the Government could sue Robinson and Sampson as the power of attorney was fraudulently obtained and Doms did not have the right to sell tribal land.⁹⁴

Carnarvon, to his credit, seems never to have believed in Southey's complicity in any "Land Swindle". Nonetheless his relations with Barkly (towards whom he may have been somewhat prejudiced by an investigation of Barkly's term as Governor of Maritius)⁹⁵ and Southey began to deteriorate. Southey wrote to Barkly in June that "if Lord Carnarvon's faith in his own Representatives in this Country can be shaken by such stuff as Bowker, Robinson, Thompson and Buyskes continue to fulminate, I should certainly lose faith in him

as a Statesman, in all countries and in all circumstance, but more particularly in a country such as this which has to be brought from Chaos into a regulated system." As Southey pointed out, if these opponents of his Government had any proof of their accusations, they would not have hesitated to produce it.⁹⁶

The difficulty was that Carnarvon's representatives in South Africa, were "his" only in the sense that they reported to and took orders from "his" Colonial Office. Carnarvon had inherited Southey and Barkly from Lord Kimberley. Although Carnarvon, Barkly and Southey were all considered "Imperialists", where South Africa was concerned, Southey and Barkly were not in sympathy with Carnarvon's aim of disengaging Britain from its affairs nor with his plan for instant Confederation.⁹⁷ Southey and Barkly realized, as Carnarvon did not, that a South African Confederation under Boer control would not be "British" in its point of view. They wanted to expand British influence throughout Africa, beginning with the tribes next to Griqualand West and to postpone Federation until an over-all native policy along British lines could be insured. In retrospect, Southey's conviction that the British point of view towards the natives could only be enforced by direct pressure from London seems more realistic than Carnarvon's hope that a Confederation of South African States would voluntarily adopt a native policy acceptable to his humanitarian point of view. However, Carnarvon was willing to

compromise on this issue to achieve Confederation. Southey was never ready to compromise on any matter of principle. Carnarvon, whose sensitivity and vanity tended to make him see "colonial opponents as ignorant and wrong headed",⁹⁸ and to equate difference of opinion with disloyalty, came increasingly to dislike these two representatives.

A difficult situation was made worse by the introduction of Mr. Froude, the historian, who came down on a fact finding mission (as Carnarvon's personal but secret representative paid for by secret service funds) in September 1874. Although one can appreciate Carnarvon's desire for an impartial observer to clarify the situation in South Africa for him, Froude was an unfortunate choice as he immediately took sides. Practically upon arrival he decided that the Boer states had been cheated when Griqualand West was founded (which may have indeed been true) and considered the British Government to have been "duped by an ingenious conspiracy" (which was much too melodramatic). He was captivated by the Dutch colonies and their strict way of life and contemptuous of the diggers and their "unprofitable labours". He adopted the Boer view on native relations to the point of thinking it might be no bad thing "to make the natives into serfs" and wrote to his daughter with distaste that Southey "believes in niggers."⁹⁹ On his second visit in June 1875 he talked to the leaders of the opposition and may have encouraged them. His trip around the country preaching Federation "with the cocksure confidence of

the academic mind" not only gained no converts but misled Carnarvon and assured the Maitland government's opposition to Confederation which ultimately defeated it.¹⁰⁰

Typical of the flood of accusations against Barkly and Southey which poured in by the Robinson-Sampson fact^{ion} upon Carnarvon was the charge that Barkly had not allowed the Batlapin to attend the Bloemhof Conference to which Barkly replied that the meeting had been called to deal with certain problems and no one had even suggested that the Batlapin be asked.¹⁰¹ Another letter accused Southey of having leaked the extent of Robinson's claims from information in the Land Commission records to discredit Robinson with the chiefs at a time when Southey had never even seen the titles.¹⁰² There is no proof that these letters influenced Carnarvon against Barkly and ~~Carnarvon~~^{Southey}, and Carnarvon loyally told Barkly that he was quite correct in ignoring these outrageous attacks although he was obliged to forward them. Carnarvon himself was not obliged "to notice or acknowledge unwarrantable reflections upon public servants of high character."¹⁰³ However this barrage of criticism, particularly for the Government's continual and continuing unfriendliness toward its Boer neighbours which was true, combined with Froude's pro-Boer letters and Carnarvon's own desire for smooth relations as a preliminary to Confederation, may have had an effect.

Southey did not help his own cause by continuing,

in spite of official discouragement, to try to protect the tribes from the Transvaal. He did not want a compromise about borders, because he felt that the Boers would manage to "swallow up" all the best watered land, and he forwarded a statement from Chief Mosheti saying that he had never agreed to become a subject of the Transvaal.¹⁰⁴ In his zeal to uphold the tribes Southey told Chief Montsioa that he had "reason to hope" that his request to be received as a British subject would be complied with before long. Carnarvon took great exception to this and reprimanded Southey severely for "grave indiscretion" in raising expectations which would probably not be fulfilled and for committing HMG as far as he could to annexation. The behaviour of the SAR or the question of possible annexation were beside the point continued Carnarvon, which was the prejudgment of the issue and the fettering of the policy of HMG and it was surprising that "a public officer of the experience and ability of Lt. Gov. Southey should have fallen into so patent an error."¹⁰⁵

Southey riposted by referring to the Legislative Council's resolution for annexation and Lord Carnarvon's "strong and firm" language in his fourteenth of May despatch declaring that the Keate Award would be upheld. Therefore Southey felt it was his duty to encourage Montsioa to stay independent until a decision had been made in his case. Southey admitted that his language had not been diplomatic, but insisted that Montsioa understood him and realized that Southey had not

pledged HMG to anything. To Barkly Southey remarked bitterly that if HMG was prepared to allow the SAR to coerce the tribes into subjection and take over the whole interior it should say so, then he and Barkly would know what to do and what to leave undone. But if HMG expected to bring about Federation under British rule by such a policy, it was "decidedly in error."¹⁰⁶

Carnarvon, who probably felt that such a stinging rebuke should have brought forth an abject apology and not a spirited defense, was not pleased. He wrote that while he accepted Southey's assurances that he had not intended to commit HMG to a course of action, he felt from the tone of Southey's despatch that he still failed "to appreciate fully" the great inconvenience and danger of a subordinate officer stating to a Native Chief without authority that he "had reason to hope that his request for annexation would be complied with".¹⁰⁷

By mid-August 1874--after three years of HMG in ^{Griqualand} ~~the~~ ^{West} the Legislative Council could brook no more delay, and Southey appointed Currey, Shippard and Giddy as a commission to examine all claims. The worst district was S.E. Hay where the Griqua Government and the OFS had both issued claims in disputed territory, and Southey assured Barkly that if the Government recognized the Griqua claims he would declare that it was not liable for compensation. The claims at Kimberley were easier to handle as practically all of them rested on OFS grants which had been guaranteed by the Proclamation of

1871 recognizing "bona fide" rights, although some immoderate claims would have to be reduced.¹⁰⁸ Southey was confident that he could "deal fairly with the subject" and felt that public opinion was with him on the cutting down of the size of claims.¹⁰⁹ A motion put by Green and seconded by Arnot to issue titles without waiting for completion of a regular survey was voted down in the Legislative Council, which should have helped to quash belief in the "Great Land Swindle".¹¹⁰

Barkly approved the Commission, but felt that some principles should be set down by Southey for their guidance in deciding conflicting claims. As a start the genuineness of each original grant which was in the hands of its present owner on 27 Oct 1871 should be verified which should have been done long ago by the former Land Commission. Barkly felt the actual issuing of titles would probably involve reference to a legal tribunal--particularly when parties were already in possession of disputed land. Near the unsettled border there would have to be a proviso for no compensation from ^{Griqualand West} GW. In case of clashing claims Barkly considered it exaggerated to assume that Waterboers be always recognized in preference to those of any other grantor. He would sound out Carnarvon.¹¹¹

Barkly spelled all this out in a letter to Carnarvon and suggested that Waterboer's grants after the date when he tendered his allegiance to Her Majesty be declared null and void, and Arnot and other employees of the late Griqua

Government should be paid a "fair compensation." Although the Doms claims were considered invalid because the Batlapin chiefs had no right to sell land awarded by Keate to Waterboer, the "bona fide" claimants under Doms could be given preference for British Quit Rent Farms in this area. After the withdrawal of these two classes of claims and the laying down of a rule as to priority in favour of grants from Waterboer and his Raad over all others of even date, the Supreme Court of ^{Griqualand West} GWA could be left to adjudicate in all disputed claims.¹¹²

Complaints continued to pour in. London raged about the German Mission claims, and Barkly answered that inquiries into land claims were not finished and mentioned the "curious fact" that in 1862 the Mission had claimed fourteen miles of river frontage and that in 1870 (after the discovery of diamonds) it had grown to thirty miles.¹¹³

Buyskes considered the policy of the Government towards the tribes as fraught with very baneful consequences. Although he advised Chief Jantje to talk to Barkly who had the reputation of being a just man, Southey insisted that Jantje had not suffered any injustice and explained that he made "no difference between man and man or between one people and another people on account of the colour of their skin."¹¹⁴ The reason it turned out in a later exchange for Southey's seeming lack of sympathy for Jantje was that as Jantje had fled to land within the Griqua boundary as defined by Keate. Southey considered his claim to Sovereign rights there were

"so much moonshine."¹¹⁵

In Carnarvon's answer to the August despatches he agreed both with the formation of a commission and that certain principles must be laid down. He hoped for a joint land commission with the S.A.R. and gave reluctant agreement to the issuing of provisional titles in the land dispute with the OFS as long as Griqualand West was well protected legally if the land should be transferred to the OFS.¹¹⁶

But the settlement dragged on and on apparently bogged down in the swamp of Arnot's claims. The Diamond News of September 26 was asking when? in suggesting that while some of Arnot's claims should be recognized the amount should be looked into and that both the Doms claimants and the natives should be looked after as far as possible. Southey wrote to Arnot hoping that reports of his enormous claims to river frontage were "erroneous" as the river must be available for a large number of farms.¹¹⁷ But in January Arnot and his claims were still under discussion. Arnot was Froude's "great bugbear", wrote Southey, and of course all of us who have to deal with the subject felt he had overdone considerably his land speculation. Still as Southey explained to Froude, claiming it did not mean that he would get it. So far the Government had only recognized Eskdale, ^{Arnot's home farm} and around it "to a certain extent". Arnot had volunteered to give up his claims in Batlapina and Southey had already told him that no one could have long distances along the river.¹¹⁸

Waterboer was another who had to be watched. Southey discovered his recent claims were greater than those of December 1872. As a number of Griquas wanted to sell their land and join Adam Kok, Southey appointed Orpen, Waterboer and Wright to define and mark these farms and to issue provisional titles.¹¹⁹ Southey's schemes to protect the Griquas against land jobbers by fixing a minimum price below which it might not be sold, was not appreciated by The Diamond Field.¹²⁰ It was outraged that "somebody decided that the Griquas are not allowed to sell their own lands save at a Government fixed price," and stated that Waterboer, that new British subject with his tyrannical and overbearing manner and his chief councillor were sometimes just hated, sometimes just feared and sometimes hated and feared." When Southey's request for a public loan was disallowed he was forced to give up a still more protective scheme to have the Government buy these lands at the fixed price from the people who were in a hurry to sell, thereby preventing them from being the "dupes of land jobbers and speculators".¹²¹

Almost a full year after Southey had told the Legislative Council that he was going to do so, fifty farms on Crown land were put up for sale. The terms were similar to the Cape Colony's, lease by public competition and the chance to convert to perpetual quit-rent by payment of a sum agreed with the Government.¹²² As expected the claimants under Doms, The Diamond Field and The Mining Gazette tried to persuade

everyone that this land was "almost worthless".¹²³ The Diamond News, on the other hand, considered the land surprisingly well watered, and suitable for sheep farming or the raising of horses or ostriches and the sale a sensible test of land values before the claims were settled.¹²⁴

Thirty-four farms were sold at upsel rents of £ 1,400 (which if bought would equal £ 27,000), and for the maximum period of twenty-one years which Southey considered a great success. He estimated that after all the legitimate claims of Europeans and natives had been taken care of the Government would have at least one thousand farms worth one million sterling.¹²⁵ The Diamond News felt the success of this sale proved the sufficiency of resources in the province and that if the loan of £ 12,000 was at once provided for, public credit would be reestablished from the weight of difficulties of many kinds which always attended a "want of means".¹²⁶

Southey planned another sale in June (after he had made sure that all the natives were properly provided for)¹²⁷ which the Diamond Field heralded with: "Our nefarious rulers announce another swindling sale of leases." As the Diamond News pointed out there was a great difference in "frothy declamation" against the Government and in distinctly charging criminal conduct, and the Government sued Taylor, the manager of The Diamond Field for sedition and libel. The Mining Gazette called on the men of Kimberley to go to court and show what stuff they were made of, but everything

passed off quietly and Taylor's apology for having published the charge of swindling in regard to land sales was accepted by the Acting Attorney-General.¹²⁸

By December 1874 Shippard was at work on an ordinance to establish a court, in accordance with Carnarvon's suggestion, to adjudicate on all cases of claims between the Crown and claimant or claimants with the power to compel attendance and to reduce claims.¹²⁹ Certainly somebody to decide disputed claims was needed, but just what, and even more what claims would be submitted to it was a complicated question and from the start Shippard, who wanted all claims to come before it, and Southey who wanted only disputed claims, disagreed over it. Then Barkly became involved.

Shippard's draft ordinance was sent to Carnarvon in March 1875. Southey ^{hoped} ~~thought~~ Barkly ^{would} ~~agree~~ with him in wanting only those claims which the Government submitted to go before the Land Court-- "the Governor being obliged to submit all disputed claims", and must have been upset when Barkly replied that he felt he would have to reserve the Land Ordinance for the Secretary of State unless all claims were included.¹³⁰ Waterboer was afraid that somehow the Ordinance might undo "the just right of Her Majesty's Government to rule over this country as a Province", and Southey felt that the Griquas might as well abandon their land as have to go through a court.¹³¹

When the Ordinance was sent under Colonial Regulations

to Shippard to receive his opinion as to whether the Royal assent should be given to it, he said no because the Ordinance differed most materially from the draft, and he deemed it "desirable that all claims to land in this Province should be submitted to the scrutiny of a judge and of the public in open Court" not just what the Lieutenant Governor may be pleased to send there.

Southey and his Legislative Council felt that only persons with claims challenged by others or objected to by the Government should be required to go to Court, and seemed to be unaware that after so many accusations of land "swindling" even if false, it was important to have the final settlement of titles completely free of any possibility of Government influence. In a sharp note to Shippard at the end of May, Southey said that he thought that the Ordinance had been submitted to Shippard for his opinion as to its legality and its accuracy of detail--not for his opinion of "the soundness or expediency of its policy." Southey demanded if there was any precedent for handing over to a Court of law the "purely executive function of land grants in undisputed cases, and if it were a good idea to establish one. How would it be possible to compel people to come before the court in undisputed cases where there was nothing to be tried? What about the expense and inconvenience? What about the Griquas? Would they have to go to Court for the land of their Fathers and risk being contested by speculators? What about the

Batlapin who occupied lands in common? Or the English settlers of 1867-1868? What about the OPS and SAR titles guaranteed by Barkly in 1871 which had grown in size?¹³²

Shippard answered that it was his legal opinion that (1) the clause allowing the Government to limit at pleasure the jurisdiction of a Court of law was without a parallel in the history of jurisprudence (2) the automatic passing of all land claims before the court might save "many a poor Griqua from grievous wrong" and (3) ~~considered~~ the Ordinance ^{was} otherwise "objectionable, defective, and insufficient" because of the above mentioned unusual powers of the Government.¹³³ These were harsh words indeed, and Shippard must have thought so for in July he wrote to Southey that he was sorry that his conviction prevented him from giving Southey the support he would have liked to. He regretted that neither his "professional opinion" nor his earnest advice could prevail upon Southey to adapt what he considered the only true point of view: that the Land Court "must have jurisdiction in all cases of claims of land of whatever nature". He answered Southey's questions specifically. When the Court had decided that a claim was valid, the Government would grant the title. All claims to land did have parties, the Crown or Grantor and the claimant. As in most cases one test case would settle all others, in the same category, the alleged expense, delay, and inconvenience would be minimal. All decisions would be final and there would be a time limit.¹³⁴

When Governor Barkly came up after the Troubles, he backed Shippard to the hilt; recommitted the original Ordinance and forced it through a hostile Legislative Council, thereby achieving the Land Ordinance he wanted but making a mockery of representative government. Barkly reported to Carnarvon that the Ordinance submitted by Southey (the Legislative Council refused to pass the approved draft) differed from the draft approved by Carnarvon in restricting the jurisdiction of the Court to all such claims as might be submitted to it by the Government (although if not submitted a person could produce an Order of the High Court) and that the phrase that the Court "should hear and decide claims" in the order submitted by the Government had been added. As Barkly was sure that Carnarvon would disapprove of such large powers being retained for the Executive, he told Southey when he submitted the Ordinance for Barkly's assent to take it back and amend it and to propose such in Barkly's name as would "suffice to restore it to the shape in which it had met your Lordship's approval". Southey had urged him in the strongest manner to let the Ordinance by, but Barkly had over-ruled him and hoped that Carnarvon would feel that he had "acted rightly". As the settlement of Titles was so vital and the Ordinance passed was now just like the approved draft, Barkly was putting it into immediate operation. Barkly had appointed Andries Stoekenstrom as Judge, who would have to be well paid but only for nine months.¹³⁵

Although Carnarvon considered Barkly's view to be the

right one, feeling ran very high over Barkly's action.¹³⁶
The Diamond News considered the Legislative Council of Griqualand West to have been well within their rights in amending and adapting an Ordinance drafted in Cape Town at the direction of the Governor to make it better suited to their needs and was outraged at Barkly's action in forcing the Ordinance through the Legislative Council by means of his own casting vote over the protests of three quarters of the elected members. (Currey who told Barkly ahead of time that he would not vote against his conviction was excused from attending.) Barkly took care that Southey, the man in South Africa most "thoroughly capable of dealing with questions affecting land" should have no say upon the matter.¹³⁷ Barkly forwarded a protest about his high-handed action from Messrs. Arnot, Graham and Green with one from Tucker and five hundred others approving of his insistence upon the change.¹³⁸

Of all the grievances of a grave nature which led to the disturbances in Griqualand West the non-fulfillment of promises respecting land titles was the greatest of all in Dr. Matthews's opinion.¹³⁹ However, the Land Court was no more successful than Southey had anticipated, and its judgments were so harsh they were appealed to the Law Officers of the Crown in England. Eventually Captain Warner was sent out and dealt with them in a "liberal spirit."¹⁴⁰

FOOTNOTES - LAND

1. GW 180 p. 178: Southey to Barkly, 17 April 1873; GW 183 p. 141: Southey to Barkly, 17 April 1874.
2. Walter E. Houghton, The Victorian Frame of Mind, 1830-1873, Yale University Press, 1957. p. 44.
3. GW 180, p. 161: Southey to Barkly, 12 April 1873.
4. GW 183, p. 106: Southey to Barkly, 26 March 1874.
5. C.W. DeKiewiet: The Imperial Factor in South Africa, London, 1937, (reprinted 1965), p. 22.
6. GW 175, Arnot to Barkly, 12 Dec. 1872.
7. GW 180, p. 236: Southey to Barkly, 4 May 1873; GW 181, p. 13: Southey to Barkly, 20 July 1873; GW 181, p. 5: Southey to Arnot, 28 July, 1873; GW 181, p. 19: Southey to Arnot, 14 Aug. 1873; GW 181, p. 28: Southey to Barkly, 24 Aug. 1873. GW 182, p. 182: Southey to Barkly, 11 Dec. 1873; GW 182, p. 131: Southey to Barkly, 18 Dec. 1873; GW 182, p. 175: Southey to Barkly, 8 Jan. 1874.
8. GW 181, p. 105: Southey to Barkly, 25 Sept. 1873.
9. GW 183, p. 273: Southey to Barkly, 27 June 1874.
10. GW 182, pp. 1 & 2: Southey to Barkly, 16 Oct. 1873.
11. GH 23/32: Barkly to Kimberley, 15 Jan. 1874; GW 182 p. 213: Southey to Barkly, 27 Jan. 1874.
12. GW 183, p. 43: Southey to Barkly, 4 March 1874; GW 183, p. 85: Southey to Palgrave, 17 March 1874.
13. F. Boyle, To The Cape For Diamonds, London, 1873, p. 196.
14. Cambridge History of the British Empire, Vol. viii, p. 439.
15. J.A. Froude, quoted in C.F. Goodfellow, Great Britain and South African Confederation, 1870-1881, Cape Town, 1966, p. 88.
16. GW 180, p. 316: Southey to Barkly, 29 June 1873.
17. GW 181, p. 3: Southey to Arnot, 28 July 1873.
18. GH 12/3: Southey to Barkly, 16 Sept. 1873; GW 176, Arnot to Southey, 5 Jan. 1874.

19. GW 181, p. 91: Southey to Barkly, 18 Sept. 1873.
20. GW No. 56: Barkly to Southey, 3 March 1874.
21. GH 23/32 No. 5: Barkly to Kimberley, 15 Jan. 1874.
22. GW 2: Gov. Southey's opening address to the Legislative Council, 31 Dec. 1873.
23. GW 3 No. 5: Barkly to Southey, 21 Jan. 1873.
24. GW 2: 31 Dec. 1873.
25. GW 180, p. 72: Southey to Barkly, 12 Feb. 1873.
26. The Diamond Field, 20 Feb; 27 Feb; 13 March 1873.
27. GW 175: Arnot to Southey, 12 Dec. 1872.
28. GW 180, p. 198: Southey to Buyskes.
29. GW 3 No. 6: Barkly to Southey, 23 Jan. 1873. Enclosing a letter from Kimberley of 24 Dec. 1872.
30. GW 180, p. 301: Southey to Barkly, 19 June 1873.
31. GW 180, p. 308: Southey to Barkly, 26 June 1873.
32. GW 180, p. 242: Southey to Barkly, 11 May 1873.
33. GW 180, p. 285: Southey to Barkly, 12 June 1873.
34. The Diamond News, 24 June 1873.
35. GW 180, p. 310: Southey to Barkly, 28 June 1873.
36. GW 180, p. 313: Southey to Barkly, 29 June 1873; GW 180, p. 324: Southey to F. H. Orpen, 1 July 1873.
37. GW 180, p. 310: Southey to Barkly, 28 June 1873.
38. GW 180, p. 369: Southey to Barkly, 5 July 1873.
39. 23/32 No. 25: Barkly to Kimberley, 17 Oct. 1872.
40. GW 182, pp. 117-118: Southey to Rev. William Ashton, 12 Dec. 1873.
41. GH 1/69: Bowker to Drury, 17 July, 1873; GH 1/69 No. 102: Kimberley to Barkly, 13 Sept. 1873; GW 3 No. 35: Southey to Barkly, 17 Jan. 1874.

42. GW 3 No. 35: Southey to Barkly, 1 Nov. 1873; GW 182, p. 14: Southey to Barkly, 2 Nov. 1873.
43. GW 182, p. 41: Southey to Barkly, 13 Nov. 1873; GH 28/93: Southey's despatch of 17 Dec. 1873 forwarding Bowker's memorial; GH 23/32 No. 3: Kimberley to Barkly, 17 Jan. 1874.
44. GH 12/4: Southey to Barkly, 20 Jan. 1874.
45. GW 182, pp. 167-169: Southey to Barkly, 3 Jan. 1874.
46. The Diamond Field, 26 Nov. 1873.
47. The Diamond News, 29 Nov. 1873.
48. GH 23/32 No. 108: Barkly to Kimberley, 14 Nov. 1873; GH 28/93 No. 11: Southey to Barkly, 17 Dec. 1873.
49. GH 23/32 No. 22: Barkly to Southey, 16 Dec. 1873.
50. GW 3 No. 59: Barkly to Southey, 26 March 1874; GW 183, p. 129: 2 April 1874.
51. GH 23/32 No. 122: Barkly to Kimberley, 16 Dec. 1873.
52. GW 182, p. 180: Southey to Barkly, 8 Jan. 1874.
53. GH 23/32, No. 22: Barkly to Kimberley, 16 Feb. 1874.
54. GW 3 No. 54: Barkly to Kimberley, 16 Feb. 1874.
55. GW 2: 29 Jan. 1874.
56. GW 182, pp. 196-197: Southey to Barkly, 17 Jan. 1874.
57. GW 182 p. 171: Southey to Barkly, 3 Jan. 1874.
58. GW 182 p. 179: Southey to Barkly, 8 Jan. 1874.
59. GW 183, p. 43: Southey to Barkly, 2 March 1874.
60. GW 2: 10 Feb. 1874; GW 2: 12 March 1874.
61. The Diamond News, 26 March 1874.
62. GW 2: 12 February 1874.
63. GW 183, p. 43: Southey to Barkly, 4 March 1874.
64. GW 183, p. 231: Southey to Barkly, 10 June 1874.

65. J.B. Currey, Half a Century in South Africa, unpublished MS, 1899-1901, Chapter xii p. 1.
66. GW 183, p. 19: Southey to Rev. William Ashton, 20 Feb. 1874.
67. GW 182, p. 188: Southey to Barkly, 15 Jan. 1874; GW 2 : 21 January 1874.
68. GH 23/32 No. 25: Barkly to Kimberley, 4 March 1874.
69. The Diamond News, 21 March 1874.
70. GW 183, pp. 53-55: Southey to Rev. J. Webb, 9 March 1874.
71. GW 183, p. 78: Southey to Barkly, 12 March 1874.
72. GW 3 No. 57: Carnarvon to Barkly, 14 March 1874.
73. Carnarvon memo for Cabinet, 20 April 1874. Quoted in Goodfellow, Confederation, p. 54.
74. GH 23/32 No. 49: Barkly to Carnarvon, 23 May 1874.
75. GW 176: Carnarvon to Barkly, 25 April 1874.
76. GW 183 p. 204: Southey to Barkly, 28 May 1874.
77. GW 3^x No. 75: Barkly to Southey, 10 June 1874.
78. GH 23/32 No. 53: Barkly to Carnarvon, 15 June 1874.
79. GH 28/93 E 53: Southey's account of his interviews with Waterboer & Mankoroane, 30 May 1874. Enclosed in GH 23/32 No. 53.
80. GW 183, p. 224: Southey to Barkly, 3 June 1874.
81. GH 23/32 No. 70: Barkly to Carnarvon, 27 June 1874.
82. GH 12/4: Currey to Barkly's Secretary forwarding a letter from Robinson and Sampson, 6 Feb. 1874.
83. GW 182 p. 110: Southey to Barkly, 5 Dec. 1873.
84. GW 3 No. 78: W. Byron Sampson to Lord Carnarvon, 8 June 1874.
85. The Diamond Field, 6 May 1874.
86. The Diamond News, 9 May 1874.
87. GW 183, p. 295: Southey to Barkly, 9 July 1874.

88. GH 28/93; E 81, correspondence and reprimand in Diamond News of 16 July 1874.
89. GH 23/32 No. 80; Barkly to Carnarvon, 24 July 1874.
90. GW 3 No. 104; Carnarvon to Barkly, 1 Sept. 1874.
91. The Diamond News, 16 July 1874.
92. GW 183, p. 329; Southey to Barkly, 2 Aug. 1874.
93. GW 184, p. 50; Southey to Rev. John Smith Moffat, 29 August 1874; GW 184 p. 80; Southey to Barkly, 10 Sept. 1874.
94. GW 184 p. 83; Southey to Barkly, 12 Sept. 1874.
95. MacMillan, Sir Henry Barkly, Mediator and Moderator, 1815-1898, Cape Town, 1970, pp. 172-174. Barkly's successor in Mauritius found endless fault with his Governorship and succeeded in having a Commission come to investigate the Vagrant Law passed when Barkly was Governor which, its enemies claimed, forced the Indians into becoming labourers on the plantations. The Commission exonerated Barkly, but the complaints of Gordon to Herbert about Barkly, may have prejudiced him, and through him Carnarvon, against Barkly.
96. GW 183, p. 241; Southey to Barkly, 13 June 1874.
97. Goodfellow, Confederation, p. 51; de Kiewiet, Imperial Factor, p. 27.
98. Goodfellow; Confederation, p. 53.
99. Goodfellow, Confederation, pp. 58-60; Mathews, Inowadi Yami, p. 285. The Diamond News, 24 Dec. 1874; GW 184 pp. 169-170; Southey to Barkly, 11 Dec. 1874.
100. R. Blake, Disraeli, p. 666.
101. GH 28/93 E 66; Enclosure of letter from Robinson and Sampson in Barkly to Carnarvon, 22 June 1874.
102. GW No. 103; Carnarvon to Barkly, 30 Aug. 1874; GW 3 No. 137 d; Southey to Barkly, 19 Dec. 1874; GH 1/71; Carnarvon to Barkly, 5 Feb. 1875.
103. GW 3 No. 124, 28 Sept. 1874.

104. GW 184, p. 40: Southey to Barkly, 28 Aug. 1874; GW 184 p. 112: Southey to Rev. Jonathan Webb, 2 Nov. 1874.
105. GW 3 No. 101: Barkly to Southey, 27 Aug. 1874.
106. GW 184, pp. 58-59: 1 Sept. 1874.
107. GW 3, No. 126: Carnarvon to Barkly, 15 Aug. 1874.
108. GW 28/94 E 100: Southey to Barkly, 15 Aug. 1874.
109. GW 184, p. 14: Southey to Barkly, 15 Aug. 1874.
110. GW 2, 18 Aug. 1874.
111. GW 3, No. 102: Barkly to Southey, 28 Aug. 1874.
112. GH 23/32 No. 104: 31 Aug. 1874.
113. GH 23/32 No. 71: Barkly to Carnarvon, July, 1874.
114. GW 3 No. 79: Barkly to Southey, 18 July 1874; GW 184 p. 47: Southey to Rev. John Smith Moffat, 29 Aug. 1874.
115. GW 184, p. 210: Southey to Barkly, 2 Jan. 1875.
116. ~~GW 3 No. 102: Southey to Barkly, 2 Nov. 1875.~~
GH 1170 No 103: Carnarvon to Barkly, 2 Nov. 1875.
117. GW 184, p. 158: 5 Dec. 1874.
118. GW 184, p. 221: Southey to Barkly, 12 Jan. 1875.
119. GW 184 Southey to Barkly, 13 Jan. 1875.
120. GW 184 p. 274: Southey to Barkly, 11 Feb. 1875; The Diamond Field, 28 Oct. 1874.
121. GH 12/5 No. 21: Southey to Barkly, 25 Feb. 1875.
122. Southey's speech before the Legislative Council, 30 Dec. 1873; GW 3 No. 137: Southey to Barkly, 24 Dec. 1874.
123. The Diamond Field, 16 Dec. 1874.
124. The Diamond News, 10 & 22 December 1874.
125. GW 3 No. 137 h: Southey to Barkly, 24 Dec. 1874.
126. The Diamond News, 22 December 1874.
127. GW 184 p. 205: Southey to Barkly, 9 Jan. 1875.

128. The Diamond News, 27 Feb. 1875 and 20 May 1875.
129. GW 3 No. 137b: Southey to Barkly, 17 Dec. 1874.
130. GW 185: Southey to Barkly, 17 April 1875.
131. The Diamond News, 29 April 1875; GW 185, Southey to Barkly, 6 May 1875.
132. GH 28/96 E 117: Southey to Barkly, 6 Aug. 1875. With a note from Southey to Shippard, 31 May 1875.
133. Ibid; Shippard to Southey, 18 June 1875.
134. Ibid; Shippard to Southey, 16 July 1875.
135. GH 23/33 No. 117: Barkly to Carnarvon, 11 Sept. 1875.
136. GH 1/71 No. 128: Carnarvon to Barkly, 22 Nov. 1875.
137. The Diamond News, 24 Aug. 1875.
138. GH 28/96 E 118: Barkly to Carnarvon, 11 Sept. 1875.
139. Mathews, Incwadi Yami, p. 284.
140. Wilmot, Life of Southey, p. 273.

CHAPTER FIVE

MINING

The "Diggers' Dream" of a workmen's community without capitalists or company promoters where the work was done vicariously by "niggers", drink abounded, and the police confined their attentions to the blacks and all (white) men enjoyed equality under the rule of only two claims per person had almost been realized in the early days of OFS administration of the diggings.¹ Mr. Truter, the administrator, had been a digger himself in California and understood the diggers' desire for swift justice with a minimum of interference.² OFS confirmation of the diggers' regulations gave them the force of law so that all lands upon which diamonds and precious metals had been found were open to the public for a monthly license fee of ten shillings, with the reservation that the State could buy such land at two shillings an acre. No landowner could work more than two claims and he had to pay half of the license fees collected to the state and ten percent to the diggers committee for the expenses of police, public health and committee members' salaries.³

The diggers' committees had sprung up to fill a need and in the beginning they worked well. From May 1871 when the first claim was registered for the de Beers property (July 1871 at Colesberg Kopje) all claims and transfers of

claims were written in a register, the certificate of registration serving as title. When it became obvious that some sort of organization was needed, the registered claim holders of each mine elected a committee to manage the general affairs of the digging. But by the time Southey arrived, the diggers' committees were working less smoothly. The disparity between poor claims and rich ones had undermined the theoretical equality, and as the committees expanded their powers, they became less interested in service and more occupied with internal intrigue. Also their preoccupation with such public services as policing the camp or making sanitary arrangements infringed on Government prerogative, or so the Government felt, which increased the administration's determination to replace the diggers' committees with mining boards of defined and limited powers.⁴

Southey never underestimated the importance of the mining industry and showed a realistic understanding of its built-in conflicts. In his opening speech to the Legislative Council he remarked that "...it was as natural for the proprietors to place a very high value on their farms as for the diggers to desire to reap the fruits of their labour with as little interference and at as small a cost as possible."⁵

In March, 1873 Southey visited the Dutoitspan diggings. He reported the diggers committee to be disorganized and the secretary to be personally hostile to Southey and politically favourable to the SAR. The diggers were loud in their complaints

against Ward, the Government Road Inspector, because he insisted that the loose earth be taken out of the mines and not just shifted through and left to cover other possibly diamondiferous soil.

Southey felt, however, that with a mixture of firmness and conciliation he could help the committee to reorganize and to work out its problems in a satisfactory manner. Ward lived under a barrage of criticism.⁶ The diggers, who resented any kind of directive, were particularly annoyed at being instructed by a government employee on a mining matter. The Diamond News came to Ward's defense saying that no one had proved him to be incompetent, negligent or dishonest in performing his difficult duties and that what the diggers really objected to was that he was responsible to the Government and not to the committee. But until the committee pulled itself together and turned from internal squabbling to the formation of policies no one could represent it.⁷ Even the Diamond Field, which constantly criticized Government personnel and policies, admitted that if any one were to be trusted with such "despotic, absolute powers over all the diggers" as the Government gave to the Road Inspector, Ward was as fit as any man.⁸

The Dutoitspan diggers also suggested hopefully that their possession of a special OFS title (Old Briebeje Claim) should exempt them from the ten shilling license, but the Government decided that although these titles were good, the license fees must be paid on these claims as on all others.⁹

The diggers of Colesberg Kopje sent a deputation to call upon Southey. First they reminded Southey of Barkly's "promise" to establish mining boards, which Southey said he intended to do after he had studied the situation thoroughly. Then they launched an attack on the native digger, whose very existence made the theft of diamonds possible, and talked of taking the law into their own hands. The diggers were excited and got "a little hot" at Southey's measured reply that he would not differentiate between black and white and that if any one of any colour infringed the law, he would have to take the consequences.¹⁰

Southey was willing to help protect the diggers from the greedier acts of the proprietors and to fight to save the individual diggers from being swallowed up by companies, but on this issue he would not compromise. Nor should he have been expected to do so. The British Government was pledged to a policy of no discrimination on the grounds of colour. To Barkly, who both officially and privately, felt strongly on this issue, Southey wrote that he was somewhat shaken as to the sincerity of British policy after the events in Natal.

Southey considered that there were only two possible policies in dealing with the natives. That begun by D'Urban in 1835, carried on by Sir Harry Smith and extended and improved by Sir George Grey (which was at least in principle continued in the Cape Colony) of bringing the natives as rapidly as possible under civilized laws or the Boer way, which he abhorred, defined by Southey as treating "the natives

more like wild beasts than human beings". Southey felt that the idea of tribal land owned by the chief had to be replaced by the concept of individual ownership of property and land secured by a known, written law to which the individual was responsible and by which he was protected.¹¹

Under British policy as applied to Griqualand West by the Southey administration the native could own claims, vote and expect justice on the same terms as the white man. Although many of the diggers could accept equality within the law, most of them boggled at the native "more or less reared in dishonesty" who came to be a servant on the mine, being allowed to hold property and exercise duties to society on a par with civilized men.¹²

The illegal buying and selling of diamonds (IDB) which was an enormous and practically insoluble problem was at the root of the white diggers' determination to eliminate non-white claim owners. They felt that as long as any native had a right to have diamonds in his possession (as obviously a native claim holder would have) it was impossible to control IDB. The corrupted native working in a white man's claim became expert at secreting diamonds as he found them which would be passed to a dishonest native claim owner who would register it as found in his claim. This made it impossible to prove a theft, although the white digger would notice with bitterness how much richer his black neighbour's claim seemed to be.

An incident of IDB in 1872 brought a stinging reproof

from Commissioner Thompson to the diggers. He told them to guard their own property and superintend their own diggings as it had never been the business of government to keep people's servants from cheating them. He also reminded them that English law could not allow distinction between a subject of one colour and a subject of another so the digging must be free for all. A perspicacious observer remarked at the time that "...for all this logic, I am satisfied that some such rule as the crowd desire must ultimately be passed" as the government without enough force to uphold any unpopular law, would have to compromise.¹³ Thompson's lecture obviously had no lasting effect for when Southey arrived he found the diggers still "digging" by remote control and expecting to get from their black labourers everything that was found.¹⁴

Barkly had laid down laws for the punishment of IDB in a proclamation of 30 March 1873. Every unauthorized buyer or seller was liable to a fine of up to three times the value of the diamonds bought or up to two years imprisonment with hard labour. These deterrents proved insufficient and Southey and his Legislative Council went to work on more stringent laws starting with an effort to curb diamond buying in the numerous canteens. In August canteen keepers were forbidden to sell diamonds and in September a master was allowed to search a servant at any time with a penalty for the culprit, if diamonds were found, of a year in prison or fifty lashes or both, although when labour was short these penalties were seldom imposed.¹⁵

The Diamond News, in expressing sympathy for the diggers robbed "daily and hourly", suggested that the police direct its attention to the white tempter of the native with the use of the lash upon anyone involved in IDB on the basis of two stripes for the white man to one for the black.¹⁶ A measure of desperation which was tried was the setting of traps for those suspected of IDB. Predictably the Diamond News said it was not fair, and the Diamond Field claimed it was so essential that to cry out against it was mere sentimentality.¹⁷

An observer in the early days told of seeing a native who was caught hiding a diamond escape into the veld to be recaptured after a general view halloo that collected a hundred and fifty pursuers, tried on the spot and sentenced to fifty lashes.¹⁸ Times had changed, and in May 1874 two brothers from a prominent family were found guilty by a jury of culpable homicide when a servant they had beaten for diamond stealing died. This was a harsh judgment as five years in a Griqualand prison could literally be considered a "fate worse than death" for a white man,¹⁹ but it served to demonstrate the government's determination not to tolerate the diggers taking the law into their own hands.

Although not always appreciated as such, the native workers were as valuable a natural resource as the diamonds themselves. An observer noted that the "cheery, industrious Bantu" had taken surprisingly well to industrial service. He preferred ten shillings a week, as much porridge as he could

eat with meat and tobacco once a week with the prospect of taking home a gun at the end of his service, to working for a Boer farmer for a year for a heifer and the privilege of building a hut on the farm.²⁰ The writer Anthony Trollope remarked cynically that the chance to earn money had brought the natives to civilization much more successfully than the missionary and their unalluring schools. It was too bad that the naturally honest native was soon corrupted by the white receiver who pointed out to him that he could get his gun and go home that much sooner if he stole diamonds.²¹

Suspected and often despised by the digger as he was, the native was essential to him. The need for labour fluctuated with the diamond market and the number of tribesmen attempting to reach the Fields varied, so there was frequently a glut or a shortage of labourers. This precarious balance of supply and demand accounts for Southey's near hysteria at the idea of the Cape Colony coming to recruit labourers in Griqualand West, and for his resentment at the Boer efforts to prevent labourers crossing their territory to work at the mines.²² In the spring of 1873 the mines were six thousand workers short and only half of those leaving were being replaced by new arrivals, for which the Basuto Shooting²³ may have been somewhat responsible. "Black and Barbarous" the chiefs might be, but they would not send their kinsmen to their deaths, declared the Diamond News.²⁴

Rumours of lynching for IDB spread abroad and the Diamond

News, terribly touchy on this subject, retorted indignantly that in general the diggers fed and paid the workers well for doing as little work as they could get away with and that if sometimes the native had to be treated a little severely to teach him honesty and industry, cases of cruelty were exceptional. Although the natives were not especially loved as "...their habits and manners, and their person are offensive, ...we have a great love of fair play and say boldly that the natives have always had that at our hands."²⁵

Southey was not so sure of this "fair play" as he had noticed that the police and magistrates reflected the general sentiment in assuming that any native man outside after nine at night was up to no good and should go to jail.²⁶

A number of diggers held a mass meeting at De Beers New Bush in June 1873 to air their familiar grievances. They resolved that Mr. Ward should be responsible to the diggers' committee and that it was improper and impolitic to allow natives to dig for or to deal in diamonds. Also passed were resolutions requiring a poll of neighbours before a new canteen was opened and a measure favouring a rise in police salaries. Although one speaker suggested that Southey had been such an "obsolete conservative" that the Cape had sent him to Griqualand West to get rid of him, Southey felt that these meetings did no harm and served to blow off some steam.²⁷

The publication of the constitution sparked off a new burst of protest including a meeting, publicized by two men

playing Yankee Doodle and carrying huge placards declaring "Down with Kimberley and Toady Land". Between one and two thousand people attended and Southey was presented with a resolution asking him to withdraw the constitution.²⁸

Whereas the diggers at least waited until Southey took office at the Fields to complain to him, the proprietors sent representatives to Port Elizabeth to meet Southey and Currey on their way "to let us know that as one of the blessings expected from a strong and stable government they would require ten pounds a month for each claim instead of ten shillings now grudgingly paid by the diggers."²⁹ Although most of their friends were on the side of the proprietors, both Southey and Currey agreed that they "could not in public matters study the interests of their friends."³⁰ They shared a slight contempt for the naked greed displayed by both groups; the proprietors who had bought farms for very little and were out to squeeze the diggers for all they were worth and the diggers who demanded that everything including living space on the farms be free, so they could make their fortunes as fast as possible and leave. Southey's comment to Barkly that he was considered to be more on the diggers' side and Currey more on the proprietors' might have surprized those concerned.³¹

In April 1873 the London and South African Exploration Company, (which owned the farm Vooruitzigt upon which were De Beers and De Beers New Rush, renamed Kimberley) complained that their rights, as against those of the Licensed Claim

holders, had not been adequately supported by the authorities at the Diamond Fields. Barkly, backed by Kimberley, replied that there was no reason to suppose that the Government of Griqualand West would arbitrarily decide in favour of the proprietors and that the question should be taken before the Supreme Court of Griqualand West for a decision. The proprietors riposted by asking who would be able to enforce the judgment if the Court ruled in their favour. Barkly replied that in recent cases at De Beer's New Rush the proprietors' rights had been maintained in spite of the strong popular feeling against them.³² Obviously annoyed by the pressures of the proprietors, Barkly remarked pointedly, that although the Government of Griqualand West was in no way responsible for the outcome of the speculations of the London and South African Exploration Company, he was astonished and regretful that they had never found it possible to declare a dividend considering that they received four thousand pounds a year from licenses or twice the cost of the property.³³

The fundamental problem was ownership. To whom did the diamonds belong -- the proprietors or the Crown? The proprietors, of which the most important was the London and South African Exploration Company which owned Vooruitzigt, claimed that they had purchased the property at considerable expense believing it to be freehold and free from reservations of any rights to minerals or otherwise. Furthermore they claimed that the Free State Government recognized their rights to the minerals

and took a tax of half the revenue from digging, licenses for the police and other public services, and that Sir Henry Barkly's proclamation distinctly recognized the rights of the proprietors of the land to its mineral products. Their initial joy at the annexation of the Province had turned to disappointment and they declared that Ordinance Five was an act of spoliation which should certainly not receive the Royal assent.³⁴

Actually the proprietors had only their own greed to blame for the passage of this Ordinance which was the Griqualand West Government's answer to the announcement in February that on 1 April 1874 the fee for stand licenses would be doubled and must be paid in advance. On hearing this Thompson asked in the Legislative Council if the Executive Council considered it in its power, based on the OFS reservation to itself of all matters concerning building or stands and the OFS Ordinance which gave certain stand holders the right to occupy certain stands for a fixed monthly rate, to protect the standholders from the threatened increase and if it was it prepared to so do?³⁵

Southey wanted to be in a position to "take over the said farm and afford all reasonable protection to stand holders enabling them to buy building lots," particularly in view of this "very silly movement" of the proprietors.³⁶ But he was blocked by the "alleged Proclamation of 17 November 1871," at which time Campbell and Thompson had proclaimed from the back of a wagon that "State Farms" were not subject to a reservation

of minerals to the Crown. The informal declaration had neither been published in either of the two newspapers of the day nor sent to Barkly for approval, but in February 1874 a copy turned up in a bundle of papers which Thompson had sent on to Southey. Although it was unsigned, undated and had never been seen, much less approved by Barkly, in the opinion of Judge Barry, it had the force of law and therefore could not be ignored but had to be repealed.³⁷

Ordinance Five, so repugnant to the proprietors, repealed the "alleged Proclamation" and was passed after much discussion and a voting down of Arnot and Green's suggestion that it be deferred for six months,³⁸ in order to hear the objection of the proprietors. Southey urged Barkly to assent to it "at once and without hesitation" to clear the question of ownership of the diamonds. He wanted to force the owners to agree to the existence of a reservation of the diamonds to the Crown which would allow the Government to regulate the fees or to go to court and prove that there was no such reservation or to sell the fields at a fair price.³⁹

Southey and Shippard, who had taken the precaution of consulting the leading London expert on Roman-Dutch law, were convinced that these leases were not freehold but quit-rent, and under the Roman Dutch law of the OFS quit-rent leases were subject to a reservation of precious stones to the Government. Every OFS title stipulated that all existing and future rights made applicable to the land under quit-rent tenure were reserved

by the Government, and all form of transfer expressly provided that Government rights would be retained. By OFS Ordinance No. 3 of 1871 the President was authorized to enter upon all farms where precious minerals were found to regulate the charges for Government purposes, and this law had been in force when Edden bought the farms. Barkly's proclamation merely confirmed the above, and the Government had always treated the property as subject to reservation, hence its refusal to agree to increase license rates. Furthermore, the Cape Government always claimed and exercised the right to take from quit-rent land whatever it required for public use.⁴⁰

The diggers were resentful from the start that the proprietors had stepped in and bought the farms for "an old song" when they considered they had made definitive arrangements with the original owners of the farms and The Diamond News spoke for them when it declaimed: "No pack of wolves ever hunted down their prey more savagely than do this purse-proud, inflated pack of hungry proprietors..."⁴¹ The depression in mining, added to the threat of the proprietors' increased demands, made the diggers more and more willing to listen to the extremists among them and Southey was quite right in thinking that the situation had to be clarified immediately.

The London and South African Exploration Company was well-connected in London, and free enterprise was a tenet of Carnarvon's party. On being advised that the Company had petitioned the Queen to disallow the ordinance, Barkly sent on

to London Southey's "correct history of the circumstances," a more accurate translation of the original Dutch deeds, and the legal opinions of Acting Attorney-General Shippard and the London lawyer, as well as Southey's rather tactless comment that he was sure that Carnarvon would give greater weight to the opinion of those gentlemen who had made the Roman-Dutch law the special study of their lives rather than to the opinion of English lawyers however eminent in their particular lines.⁴²

Carnarvon, in spite of these efforts to guide him (which he may have resented) disallowed the ordinance. Although he accepted the principle that the Legislative Council did not intend to interfere with the chances of a fair trial, Carnarvon felt that some assurance to the proprietors that it did not prejudice the legal rights of the owners, whatever they were, should have been written into the ordinance. This might have lessened the "impression of unfairness which the opponents of the law so strongly entertain." The Law Officers of the Crown said that "an erroneous statement" did not affect the rights of the Crown unless someone could prove that an action taken on the basis of that statement had put him in an disadvantageous position. Therefore, wrote Carnarvon, the Crown was back to the point it had been before the ordinance and could go on from there to challenge the validity of the Proclamation during legal proceedings to decide to whom the diamonds belonged.⁴³

While legally Carnarvon might have been correct in saying that the government was back to where it had been before passing

Ordinance Five, morally the disallowance was a defeat for the Southey administration. The Agent of the London and South African Exploration Company had boasted that its shareholders were too influential and powerful to be interfered with, and so it seemed. Southey's critics were quick to interpret the disallowance a vote of no confidence in his government. The Diamond Field commented sarcastically "Our Executive has, indeed, much reason to be proud of its performances, and of the high estimate of its law making of the Imperial Government."⁴⁴

Southey was deeply distressed by the disallowance and apprehensive as to digger reaction to it, especially as he feared the proprietors would be sufficiently heartened by it to go ahead with the threatened raise in stand licenses. Due to a world wide depression in the diamond market and torrential rains in Griqualand which had brought digging almost to a standstill many of the diggers were in an ugly mood. Although Southey felt that most of the diggers were loyal to the government, he thought an attempt to collect the increased fee for stand licenses would turn the whole digging population against it and if the diggers refused to pay it, the government could not make them. "I depend entirely upon the moral support of the people" Southey pointed out, explaining that without such support the violent elements would triumph and British rule might be swept away.⁴⁵

Barkly reported Southey's reaction to Carnarvon saying that while he did not agree with Southey about the difficulty

of keeping law and order after the disallowance, he regretted that the Ordinance had not been amended instead of completely disallowed, as reopening this minor point might prolong coming to grips with the real issue at state -- ownership of the diamonds. In spite of the furious protests of the proprietors and some excited newspaper coverage over the planned repeal of the "alleged Proclamation", Barkly claimed that any one who knew the facts would realize it was the right thing to have done.⁴⁶

After sending the ordinance of repeal on to London to pave the way for a definitive solution of the ownership of the diamonds, the Legislative Council had settled down to debate the threat of doubled or tripled stand licenses. A meeting attended by almost six thousand standholders resolved never to pay one penny of the increased rate nor to vacate their stands nor to permit the proprietors to confiscate their property.⁴⁷ Southey was obviously responding to the wishes of the community when he introduced an ordinance to empower the Government of Griqualand West to issue proclamations regulating the fee of stand licenses on the diamondiferous farms.⁴⁸

As might be expected, there was an immediate outraged cry from the proprietors saying that they supposed the government would attempt to justify their rights under Article 19 of OFS Ordinance No. 3 and suggesting that instead of forcibly appropriating the property of private individuals by arbitrary legislation, the Government of Griqualand West ought to propose

some liberal terms of purchase if it considered the interest of the present owners prejudicial to the general community.⁴⁹

Buying the Vooruitzigt farm was the obvious solution Southey had pointed out from time to time as had the Diamond News and Standard Mail, but at this juncture Southey felt the question of "rights" should be decided before negotiation for sale began.⁵⁰ Ebdon, partner in and spokesman for the London and South African Exploration Company, owners of Vooruitzigt, saw no reason for delay. In April the proprietors petitioned the Legislative Council to suspend action on stand licenses until their rights had been settled in a court of law.⁵¹ Barkly and Ebdon engaged in a fruitless and increasingly acrimonious correspondence: Barkly insisted that under the OFS and under the Commissioners (who, backed by Barkly, refused to sanction an increase in stand rates) and under the present Government, the Government had and always had had the right to regulate stand licenses. This Ebdon denied on all three counts. Barkly finally said it was useless to continue as he and Ebdon viewed "the question...from the opposite points of public and private interest."⁵²

Ill will reached such a pitch that Ebdon's lawyers protested hotly to Carnarvon about Southey's improper conduct in attending a victory dinner of the standholders League. Before Carnarvon's wrath was loosed upon Southey, Barkly hastened to forward Southey's explanation that it was a celebration of the Queen's birthday and not a political dinner;

that most of the inhabitants of Kimberley were there, and that Southey did not know in advance that the proprietors were going to be attacked.⁵³

Southey explained to the Recorder, J.D. Barry, that he had not wanted to interfere in the regulations of stand licenses, but was forced to do so by the proprietors. If, as he believed, the diamond mines belonged to the Crown, the Crown was free to provide for the proper working of the mines, "making, in some cases, compensation to the owners of the surrounding surface soil."⁵⁴

This point of view was anathema to the proprietors who continued to protest vociferously both in Cape Town and London. Barkly hesitated to confirm this ordinance because it seemed to him to be interfering even more with the alleged rights of the proprietors than Ordinance Five which had been disallowed. Although Southey pointed out that in the legal opinion obtained by the London and South African Exploration Company it was expressly admitted that the British Government succeeding to the powers conferred by the Free State Legislature, had a right to regulate the charges for leasing stands and Barkly agreed with him that this opinion would induce Carnarvon to approve the Ordinance, he still preferred to wait to hear from London before acting upon it.⁵⁵ A new wave of talk about raising the stand fees by as much as one hundred percent caused Southey to prepare a proclamation prohibiting an increase during the depression in diamonds and trade, but the proprietors withdrew

their demand for increased stand rates so he did not have to invoke it.⁵⁶

The Government then turned its attention to the vital problem of regulation of the mining industry, including such fundamental issues as whether mining was for the benefit of the whole country or simply for the miners; whether capitalist intervention was necessary or desirable; whether the Government or the diggers should have the final say in managing the mines. These were issues which affected almost everyone in Griqualand West, provoked great public interest and detailed and constructive discussion in the Legislative Council. The great drought of 1873, when ox transport became impossible and prices on the Fields soared in consequence, had given way to torrential rains which left half the mines unworkable and life on the Fields was once again, "almost unendurable."⁵⁷ A crescendo of wails and protests about water and fallen reef in the mines and the responsibility for getting the latter out, underlined the need for an over-all board with the power to get things done and done fast.⁵⁸

Southey had realized from the start of his administration that the diggers committees, which had served a purpose during the "capricious and rude" days of the rushes, were becoming corrupt and disorganized and had outlived their usefulness. Both The Diamond News and The Diamond Field agreed that now, since the diamond mines had become the most valuable property in South Africa, it was no longer safe to leave their management in the hand of the diggers "all of whom have interests of their

own to serve."⁵⁹ But in this, as in everything else, Southey was incredibly slow. Reforms proposed in May had not been put into effect by October.⁶⁰ This delay may have been because Southey was handicapped by not being allowed to legislate between the publication of the Letters Patent and the creation of the Legislative Council, but was more likely due to his efforts to "save" the surrounding tribes and to unravel the land question, which involved an inordinantly voluminous correspondence,^{and} took most of his time and energy.

A draft mining ordinance was finally presented to the Legislative Council during the first week of March 1874; under it the diamond digging was to be under the management of a board which would employ competent officers and engineers to see that the mines were systematically worked.⁶¹ This won the approval of The Diamond Field as soundly based on the principle that the control of the mine should be in the hands of those operating it, and The Diamond News suggested that every draft amendment be published to give the public a chance to criticize it before it became law.⁶² One group of diggers petitioned for more time to think about it; others resolved that the Board should levy all taxes; and a letter writer to the paper worried lest Southey's phrase "supervision" meant Government control.⁶³

The apparent impossibility of getting the individual diggers to cooperate on getting the fallen reef out of the mine, although it was a task clearly beyond the scope of any single

person as heavy equipment and expert direction were essential, brought the spectre of capitalism ever nearer. Southey had always realized that some day it would need capital to mine properly, but he made it his business to protect the individual digger as long as he could. Therefore he fought and won through the limit of ten claims per person in the Mining Ordinance which he felt the majority of the diggers wanted.⁶⁴ Newspapers considered capitalism inevitable. Don't fight it, advised The Diamond Field, but try to guide it in the way most beneficial to the small claim holder, and the Diamond News scorned the controversial clause limiting claims to ten per person as a relic of the "everyone for himself and God for all of us" spirit of the early days and unsuited to the modern ideal of free trade.⁶⁵

Carnarvon was bombarded with letters explaining that while it was all right in the short term to crowd as many persons as possible on to a claim, in the long run it would prevent the installation of the costly machinery and the large scale operations essential to the development of the mines and the wealth of the province. A limit of ten claims per person, Carnarvon was assured, would not only pauperize the present diggers but prevent future prosperity for all.⁶⁶ As Southey quickly pointed out, the writers of these letters were trying to "get up" a company to buy the principal mine so it could hardly be considered disinterested advice. Hall, a member of the Mining Board who had been most active in trying to persuade Southey

and other members of the Council not to limit claims, hoped to clear two or three hundred pounds if capitalism was allowed.⁶⁷ Furthermore, Southey warned, if the Ordinance were disallowed, the problem of the number of claims per person would revert to the diggers committees which was the last thing the proprietors wanted.⁶⁸

Currey had headed a commission to study the issue of the number of claims per person in February 1873. Of the twenty-four persons asked for their opinions, eighteen were against unlimited ownership of claims, reflecting the views of the OFS days when the limit was two claims per person and feeling ran high against the ideas of capitalism driving out the working digger. The members of the commission concluded that the mines were so different that it would be best for each mine to decide for itself how many claims to allow. Kimberley, for instance, was rich and had no problem with debris so the individual digger there was all right. Others had vast amounts of debris which would require "either cooperative action or capital." Currey noted that between the time of the survey and the framing of the ordinance, the disastrous flooding of the mines had proven that even in face of a major crisis, the diggers were still too full of the old go-it-alone spirit to contribute five shillings each to have the whole mine pumped out. This incident, Currey felt, made most of the diggers feel that capital might be needed.⁶⁹ However, Southey was so sure that he was right in considering capitalism to be disastrous, that he

persuaded the Legislative Council to pass the ten claims limit over the objections of Arnot and Shippard, who wanted to leave the way open to capital if it should become essential.⁷⁰

Southey put the Ordinance into effect as soon as passed because, as he explained to Barkly, the diggers were impatient for action. Although Carnarvon had misgivings over the clause limiting claims, he did approve it (with a stern admonition to Southey about sending Ordinances on for approval at once).⁷¹ The Mining Board addressed itself at once to trying to get the water out of the mines, but bogged down over whether to give the contract to the lowest bidder or the man known to be the most reliable, and were still arguing this out in June while half the claims laid idle under water.⁷²

The obvious way to eliminate the digger-proprietor problems was to have the Government buy the farm and then it could keep what it wanted for public purposes, sell the stand lots and regulate the mine for the good of the people as a whole. Although Southey brought this up from time to time, he never pushed it with real enthusiasm until 1875, perhaps because he doubted if money from the British Treasury would be forthcoming. (It was usually more difficult to get money to prevent trouble, than to get the same sum or more to cope afterwards). It has been said that the British Government paid only for disasters, and although the difficulties of the Southey Government hardly qualify for so grandiose a term, had the petition of the diggers and inhabitants of Colesberg Kopje to purchase Vooruitzicht

in January of 1873 been acted upon,⁷³ the whole story of Griqualand West would have been quite different. A year later Dr. Graham moved in the Legislative Council that the Government should buy the diamond bearing properties, but withdrew it when Currey pointed out that the question of the ownership of the diamonds should be settled first.⁷⁴ If, as Southey and Shippard were certain, the diamonds belonged to the Crown, it would obviously influence the price.

The question remained in abeyance with Southey worrying about price, the proprietors putting out feelers and the people petitioning for action until July 1874. Then Ebdon made a firm offer to sell the surface rights for eight years, purchase at present derived from the estate leaving the question of compensation of rental or revenue for diamonds to be completed later.

Barkly found this unacceptable because it counted on an undiminished yield of diamonds for eight years. Then Ebdon mentioned that he was sending the correspondence between Barkly and his lawyers to the President of the OFS for comment. Thereupon Barkly exploded at this "unwarranted" and "unprecedented" act of transmitting his letters to the Head of a foreign state and broke off the correspondence.⁷⁵

By March 1875 Southey was determined to buy Voeruitzicht and although he thought eighty thousand pounds should be the outside price, believed the Government could get back one hundred thousand pounds from the sale of stand lots alone.⁷⁶ A digger named Paton started a subscription and Hall and Company were reportedly trying to buy it before the Government

did.⁷⁷ Assured against financial loss by Paton and his group and spurred to speed by Hall, the Government finally offered to buy Vooruitzicht for one hundred thousand pounds subject of course to Carnarvon's approval.⁷⁸ It was "the one thing of all things calculated to place Governmental matters on a satisfactory footing" and high time to end the anomalous position of a Government which built offices and worked upon private property and controlled a diamond mine for absentee landowners. However it was observed that the officials involved, Southey, Barkly and Carnarvon had been very slow and very cautious. They had only bought it when it had been guaranteed against a loss and had lost four years in the doing during which time Kimberley might have become a flourishing town.⁷⁹

By the time Carnarvon's sanction arrived in August, the applications from standholders had reached ninety-nine thousand pounds. In four years the purchase would be repaid.⁸⁰

Barkly wrote to Carnarvon that the result of the whole transaction seemed to be that after providing for all existing debts and liabilities and completing the public works there would still be enough surplus to relieve the Providence from all danger of financial embarrassment just as Southey had predicted.⁸¹

As soon as the purchase was completed, sixteen hundred pounds were received from stand holders to purchase their title from the Government at eight years purchase of the present

rental. Carnarvon once again struck a sour note saying that he had read an article in the Diamond Field which said that standholders who did not purchase would lose their stands and that although he thought this was probably false (which it was) he wanted full and clear information on all important matters which he seldom received.⁸²

Southey was hopeful that the acquisition of the people of a direct stake in the province might end the violent political agitation which ever since the discovery of the vast wealth of the country had made the administration of the Government so difficult.⁸³

FOOTNOTES

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3. O. Doughty, Early Diamond Days, p. 217.
4. Currey, Half a Century, pp. 226-227.
5. G.W. 2: 30 Dec. 1873.
6. GW 80, pp. 147-152: Southey to Barkly, 23 March 1873; GW 180, p. 215: Southey to Barkly, 1 May 1873.
7. The Diamond News, 26 April 1873.
8. The Diamond Field, 20 December 1873.
9. GW 182, p. 58: Southey to Barkly, 16 November 1873.
10. GW 180 p. 268: Southey to Barkly, 5 June 1873.
11. GW 183, Between pages 133 & 134: Letter from Southey to the Bishop of Natal, 17 March 1874.
12. The Diamond Field, 3 October 1874.
13. Boyle, To the Cape for Diamonds, pp. 244-5.
14. GW 180 p. 251: Southey to Barkly, 18 March 1873.
15. J.W. Mathews, M.D., Incwadi Yami, New York 1887, p. 208.
16. The Diamond News, 22 May 1873; The Diamond News, 25 March 1875.
17. The Diamond News, 13 Sept. 1873; The Diamond Field, 20 Sept. 1873.
18. W.C. Scully, Reminiscences of a South African Pioneer, London, ~~191~~ 1913 p. 99.
19. The Diamond News, 14 May 1874, An observer in 1891 said that African sentiment at that time elevated IDBism almost to the level if not above the level of actual homicide; Lord B. Churchill, Men, Mines & Animals in South Africa, London, 1892.

20. W.P. Taylor, African Treasures, London, 1932, p. 232.
21. A. Trollope, Quoted in Doughty, Early Diamond Days, p. 180.
22. GW 182, p. 2: Southey to Barkly, 7 Nov. 1873; GW 182 p. 7: Southey to Barkly, 20 Nov. 1873; GW 182 p. 96: Southey to Barkly, 3 Dec. 1873.
23. See Trade in Arms, p. 49-70
24. The Diamond News, 1 April 1873.
25. The Diamond News, 24 April 1873.
26. GW 180 p. 339: Southey to Barkly, 5 July 1873.
27. The Diamond News, 3 June 1873; GW 180 p. 296: Southey to Barkly, 19 June 1873.
28. GW 181 p. 10: Southey to Barkly, 26 June, 1873. see Administration; Constitution p. 2-33.
29. Currey, Half a Century, p. 216.
30. GW 183 p. 286: Southey to Barkly, 1 July 1873.
31. GW 180 p. 140: Southey to Barkly, 14 March 1873.
32. GH 22/33 No. 29: Barkly to Kimberley, 13 March 1873; GW 3 No. 27: Barkly to Southey, 29 May 1873.
33. GH 23/33 No. 115: Barkly to Kimberley, 14 Oct. 1873.
34. GW 1/70 No. 36: Carnarvon to Barkly, 11 April 1874.
35. GW 2: 12 February 1874.
36. GW 183 p. 7: Southey to Barkly, 12 Feb. 1874.
37. GW 182 p. 161: Southey to Barkly, 31 Dec. 1873; GH 28/95 E 40 Southey to Barkly, 24 March 1874; The Diamond News, 11 April 1874, reprinting an account from the Graaf Reinet Advertiser of the event.
38. GW 2: 11 March 1874.
39. GW 183 p. 31: Southey to Barkly, 28 Feb. 1874; GW 183 p. 132: Southey to Barkly, 2 April, 1874.
40. GW 183 p. 63: Southey to Barkly, 10 March 1874.

41. The Diamond News, 24 January 1874; The Diamond News, 14 Feb. 1874.
42. GH 23/32 No. 49; Barkly to Carnarvon, 17 May 1874.
43. GW 3 No. 93; Carnarvon to Barkly, 25 July 1874.
44. GW 184 p. 52; Southey to Barkly, 1 Sept. 1874; The Diamond Field, 3 Sept. 1874.
45. GW 184 p. 57; Southey to Barkly, 2 Sept. 1874.
46. GH 23/32 No. 114; Barkly to Carnarvon, 14 Sept. 1874; The Diamond Field, 5 Sept. 1874; the Standard Mail, quoted in the Diamond News, 19 Sept. 1874.
47. The Diamond News, 19 Feb. 1874.
48. GW 2, 23 April 1874.
49. GW 3 No. 68; Alfred Ebdon to Barkly, 5 March 1874.
50. GW 3 No. 68; Barkly to Ebdon, 12 May 1874.
51. GW 2; 29 April 1874.
52. GW 3 No. 68; Barkly to Ebdon, 13 May 1874; GW 3 No. 73; Barkly to Ebdon, 2 June 1874.
53. GW No. 76; Barkly to Southey, 11 June 1874; GW 28/93 E. 76; Southey to Barkly, 18 June 1874; GH 23/32 No. 76, Barkly to Carnarvon 6 July 1874; GW 3 No. 85; Barkly to Southey 9 July 1874.
54. GW 183 pp. 248-249; Southey to Hon. J.D. Barry, 13 June 1874.
55. GW 3 No. 105; Barkly to Southey, 2 Sept. 1874; GH 23/32 No. 110; Barkly to Carnarvon, 11 Sept. 1874; GW 3 No. 117; Barkly to Southey, 17 Sept. 1874.
56. 12/4 # 48; Southey to Barkly, 5 Sept. 1874; GW 12/4 # 76; Southey to Barkly, 17 Sept. 1874.
57. The Diamond News, 3 Feb. 1874.
58. GW 2 ; 26 Feb. 1874; 23 April 1874; 27 June 1874; 17 Aug. 1874.
59. The Diamond Field, 21 March 1874; the Diamond News, 17 May The Diamond Field, 17 May 1873; The Diamond News, 21 March 1873.

60. The Diamond News, 16 Oct. 1873.
61. The Diamond News, 7 March 1874.
62. The Diamond News, 19 March 1873; The Diamond Field, 11 March 1874.
63. The Diamond News, 26 March, 2 April, 30 April, 19 May 1874.
64. Southey to Shepstone, 29 Aug. 1870, quoted in Wilmot, Life of Southey, p. 190.
GW 184 p. 15; Southey to Barkly, 15 Aug. 1874.
65. The Diamond Field, 10 Jan. 1874; The Diamond News, 10 Oct. 1874.
66. GW 3 No. 89; Barkly to Southey, 22 July 1874.
67. GW 183 pp. 316-317; Southey to Barkly, 3 June 1874.
68. GW 184 pp. 1-2; Southey to Barkly, 6 Aug. 1874.
69. GW 3 No. 94; Currey's Memo on Mining, August 1874.
70. GW 183 p. 317; Southey to Barkly, 30 July, 1874.
71. GH 1/71 No. 3; Carnarvon to Barkly, 4 Jan. 1875; GW 3 No. 89; Barkly to Southey, 22 July 1877.
72. The Diamond News, 15 & 22 October 1874.
73. De Kiewiet, Imperial Factor, p. 9.; The Diamond News, 21 January 1873.
74. GW 2, 30 January 1874; The Diamond News, 31 Jan. 1874.
75. GW 183 p. 84; Southey to Barkly, 14 March; GH 12/4; Southey to Barkly, 25 March 1874; GW 183 p. 166; Southey to Barkly, 2 May 1874. GW 3 No. 83; Barkly to Southey, 9 July 1874.
76. GW 184 page bet. 318 & 319; Southey to Barkly, 11 March 1875; GW 185; Southey to Barkly, 17 April 1875.
77. GW 185; Southey to Barkly, 8 May 1875; GW 185, Southey to Barkly, 13 May 1875.
78. GW 12/6 No. 63; Southey to Barkly, 20 May 1875.
79. The Diamond News, 22 May 1875; The Diamond News, 24 Aug. 1875.
80. GW 186; Southey to the Hon. Robert Meade, 19 Aug. 1875.

81. GH 23/33 No. 103; Barkly to Carnarvon, 7 Aug. 1875.
82. 1/71 No. 102; Carnarvon to Barkly, 20 Sept. 1875;
GH 23/33. No. 138; Barkly to Carnarvon, 29 Nov. 1875.
83. GW 28/96 E. 103; Barkly to Carnarvon, 7 Aug. 1875.

CHAPTER SIX

ACTIVE OPPOSITION TO SOUTHEY'S GOVERNMENT

In July 1874 the Mining Board was elected according to the rules of the Mining Ordinance passed in June and Ling and Tucker, two former leaders of the Diggers Committee were elected to it. Tucker, who had been defeated in the elections for the Legislative Council by Thompson, chaired a mass meeting on 15 August at which the Government was violently criticized and a vigilance committee was appointed. Alfred Aylward, who was to play a prominent part in the subsequent events made his first appearance at this time. Aylward, who was fresh out of jail for shooting a fellow digger after a quarrel was a tall, stout dark man with a full beard and eyes of a "dark and sinister aspect" according to a contemporary critic. "Brusque and intolerant to the verge of rudeness...his imperious manner was almost irresistible to the average digger". A born agitator, clever speaker and brilliant writer, Aylward had no particular complaint against Southey nor stake in the country, but as an ardent Fenian from Ireland he felt the Diamond Fields offered a chance to practice his talent for trouble making against British rule.¹

A more moderate leader of this opposition group, Bean (whom Southey mistrusted because he was a friend of Buyskes) wrote to Southey about a "string of things" the diggers wanted the Government to do and asked Southey to receive a deputation

from the committee. Southey replied that he did not recognize a committee with no legal or executive authority for its existence and therefore would not see a "Deputation" although he would see individuals. A second "see us or else" letter followed threatening a disturbance.²

In response to this threat Southey appointed several extra justices of the peace among "men of influence among the business people" of which three were from the Jewish community, and asked Captain Marshall to come up from the Orange River with ten mounted men to take command of the constabulary as Percy, the Chief of police, was considered by Southey to be too friendly with the Buyskes group to be trusted.³ The disturbance did not materialize and Southey reported to Barkly: "I know that I have the great body of the people with me, and the agitators know that it is so."⁴ Barkly relayed all this to Carnarvon with the rather negative comment that he saw no reason for supposing that Southey has "acted otherwise than with the requisite discretion and firmness". Barkly hoped that a very large percentage of the people were on the side of law and order.⁵ Carnarvon agreed that Southey seemed to have acted with judgment.⁶

The leaders renamed themselves a "Committee of Public Safety" and petitioned the Queen to send a Royal Commission to inquire into the "grave and manifold evils" caused by an unsuitable and inefficient government. They began by declaring

that the OFS had maintained law and order over more people with less expense; then went on to complain that when the High Commissioner had prevented the Commissioners from issuing measures indispensable to the security of the diggers (i.e. no claims to non-whites) he had calmed the people by promising a constitution like Natal's, but that the constitution which they were given differed widely from Natal's in giving much less popular representation. Southey commented that this was more history than grievance; that the OFS regime might have been cheaper as the "corner" of Griqualand West it controlled was administered as part of the whole Free State, but there had been no "law and order" as the diggers had ruled themselves and the OFS officials too and what the present agitators wanted was to revert to the OFS system under which only white men could hold claims.⁷

Southey was sure that most of the people in the province were with him and that the better class of people counted upon him to be firm.⁸ Southey's difficulties with the diggers stemmed from a totally different approach to the mines which he considered a tremendous resource not only for the people of Griqualand West but of all of South Africa including the educated and civilized natives. The diggers felt that the mines should be run for and by the miners. As long as the official members of Government backed by Barkly had the deciding vote, they would never pass the measures against native claim-holders so much desired by many of the white diggers. Southey

also felt that it would not be a good thing for the province as a whole to give "greater power and control over legislation to the hands of the people engaged in mining operation who have no real property or fixed abodes in the country."⁹

According to Southey the statement which said this insufficient representation of the people made them powerless to prevent unnecessary taxation and measures of a despotic and arbitrary character needed more "particulars." The accusation that the Government had not given a detailed statement of accounts was false Southey said, as the accounts had been published for three quarters of the year. Whether the petitioners statement that the Government's policy was bringing British rule into disrepute and impeding confederation was, Southey pointed out, "a matter of opinion."

Southey took exception to the charge that the Government was antagonizing the people by refusing to receive a delegation and by arming the natives against them, claiming that their speeches proved that it was the men at the top of the list of this petition who were trying to excite antagonism to constitutional authority. Southey stated that he had not and would not receive a deputation representing the Committee of Public Safety which he considered an illegal organization. As to arming the natives, non-white constables were armed only when guarding non-white convicts.

Southey acknowledged the truth of the charges that the

Government had neither settled the land question nor issued titles to the land already occupied, explaining that was because the whole issue was too important to be hurried. The petitioners also demanded that law proceedings be less costly, a subject about which there had been many complaints but which the government was trying to remedy,¹⁰ and claimed that thousands of persons had been driven away because of the lack of judicious mining regulation to cope with IDB. Although the petitioners claimed to have exhausted all constitutional means to prevent the passing of the Mining Ordinance, Southey pointed out that in the two months between the introduction of the Ordinance and its passing, only two petitions had been presented.

Barkly forwarded this petition purportedly signed by 2265 of the inhabitants of Griqualand West. Although Southey had nothing but scorn for those who signed, suspecting almost half to be from the OPS and the SAR and finding "very few if any persons of substance" among them, he acknowledged that dissatisfaction existed and always had since the first rush of people bent on making their fortunes.¹¹ Barkly agreed with Southey that the discontent of the diggers caused by events over which the government had no control such as the rains and the low price of diamonds had been intensified by the determination of the Government to protect the native labourers. Barkly enclosed an article from ^{the} Diamond Field, the organ of the Committee of Public Safety, which attributed the ruin of the

whites to the servant having been elevated in the name of Waterboer and England to an equality with his master in holding property. It condemned the idea of a union with the Cape because of the colony's liberal native policy and rejoiced in the prospect of British rule not lasting much longer in ^{Grigqualand West,} ~~the~~ Barkly registered his distress at seeing respectable men of English origin (such as Tucker and Bean) supporting so unjust and disloyal an agitation and could "in no wise recommend the prayer of the petitioners to your Lordship's favourable consideration."¹²

After the petition had been forwarded, a further meeting was held to decide what to do while waiting for the Queen's response to what Tucker called "almost universal censure of the local Executive". Tucker hoped that the Dry Diggings could be returned to the OFS; labeled the Diamond Buying Ordinance an arbitrary interference with private rights; insisted that the law for the registration of servants had increased the large, loafing black population and, in order to assure that no native be allowed to own a claim, he wanted all licenses to be issued by a board of diggers.

There were some stirring speeches: "God forbid that any other community should have such a form of Government as this to the disgrace and injury of the British name" or "steady boys, steady! close up, and bayonet them as they come on" as a preface to a proposal that the provisions of the ordinance regulating the diamond trade be ignored. Another speaker claimed

that "if this country belonged to Mr. Waterboer, or Captain Waterboer or His Majesty King Waterboer" there might be an excuse and a reason for the British Government, but it did not and twenty-four hours after the English flag had been hoisted the natives started in with "drunkenness, debauchery, insolence and diamond stealing."

Aylward, who blamed Southey's difficulties on his "evil advisers", presented a list of demands to the Government, affectionately called his "cat o' nine tails." He called for a licensing board for all new licenses and miners' certificates (1) and the suspension of the Diamond Buying and Mining Ordinances with the substitution of an elected board for each mine with full and entire control (2 & 3). He demanded that detailed accounts from the beginning of the Dry Diggings be published and that the Government either pay for the removal of the water, reef and rubbish from the mines from the federal revenues of the territory or let the miners keep all the revenue from the mine to pay for this. (4 & 5). As to IDB he wanted more severe penalties with confiscation of property and expulsion from Griqualand West as well as a stringent vagrants act and the registration of servants to white people only. There were to be no loans or taxes until the Queen had replied to the petition and the Lieutenant-Governor was to remove anyone claiming land from the Land Commission. The meeting ended with three cheers for the Queen. The Chairman had to step in to prevent three groans for the Lieutenant-Governor.¹³

The Diamond News commented tartly that the expectation of jobs if Griqualand West were to revert to the OFS explained the desire of these leaders for that to happen, but what made them feel that they had any right to decide who should and who should not have claims? Although The Diamond News had never liked the diamond ordinance, it pointed out that the government could not suspend a law which had been passed constitutionally and suggested amending it where necessary. As to the other demands, it considered the idea of an elective board "too extravagant"; said IDB could be severely punished as long as it was clearly defined, that natives could not be punished merely for not working, and that it was not enough to have no persons with claims on the land board, every member should be free of taint.¹⁴

Now came a critical moment when thirty-two "delegates" from the public meetings asked to see Southey, and he refused on the grounds that he did not see any need for conciliation and that he could not commit unconstitutional acts.¹⁵ Southey could not meet the Digger's demands for measures against the native diggers and he may have been right in his belief that by talking to them he would have given them more status. However, a real effort to meet the once sensible leaders like Tucker might have resulted in better understanding of each other and some action on practical matters such as the water in the mines or penalties for IDB.

The Diamond Field's comment that by refusing to meet with

the delegation in a "friendly" spirit, Southey had slapped the door in the face of the moderate party contained a larger grain of truth than was usual in The Diamond Field's allusions to the Government. Another mass meeting was called to decide what to do next.¹⁶

In December J.A. Froude, on his fact finding mission for Carnarvon, came to Griqualand West. He met the leaders of the dissidents with Southey's blessing, who felt Froude should get the whole picture.¹⁷ What he said to them is still veiled in mystery. He presumably made no secret of his views that the Fields were unjustly snatched from the OFS and that annexation had been a "crime and a blunder".¹⁸ But whether he actually approved the rebel's action, as they "asserted" later, or merely agreed with so many of their views, that they assumed approval, is uncertain.¹⁹ Currey admitted that Froude was a charming talker and a very agreeable companion, but felt that his^{visit} had "a sinister purpose in view" and was somehow connected with the subsequent troubles.²⁰ Froude failed to charm the fiery Dr. Mathews who declared that Froude "with his characteristic mental twist, took a most distorted view of everything he saw, and instead of supporting the Lieutenant-Governor, disparaged him."²¹

The Christmas season of 1874 was not one of good cheer in Griqualand West. The mines were full of water and reef and because of the stagnant economy, revenues had fallen off badly. Adding to the general depression, was Southey's despondency

over his relations with Carnarvon which had led him to think seriously of resigning. He knew Carnarvon and Froude were working for confederation, but what they planned for Griqualand West was unclear and he worried continually about what steps, if any, they were taking to protect the natives and how such a Dutch dominated group of states would fit into the British Empire.

The Diamond News was no more cheerful. Declaring that they were "doomed", it envisaged "President Aylward eating his Christmas pudding in the Presidency, Thompson replacing Currey as Secretary to the Government, Buyskes ousting Shippard as Attorney-General, which would leave only that "man of the people" Giddy, in office and it shuddered at the prospect. The two newspapers agreed on one thing only--not wanting to be annexed to the Cape; The Diamond News because Griqualand West's views would count for nothing in the larger councils of the Cape, and The Diamond Field because it would mean an "elevation of the native to the status so nobly achieved for him by his injudicious admirers on the Diamond Field" and because Cape Government would be removed from wholesome local influence and subject to corrupt officialdom.²²

The next major event was the appeal of the Ling case which came before the Supreme Court of Griqualand West in February, with Acting Recorder Thompson presiding as Judge Barry was on leave. Ling, one of the leading diggers, insisted that he and all other claim holders and diggers had a perfect right to

occupy free of charge as much land as they wanted for houses or sorting as in the OFS days. The proprietors maintained they did not. As a test case this was of enormous importance to the diggers, and the first judgment had been against Ling.²³

It was particularly unfortunate that Thompson was on the Bench, as he had not only been employed by the proprietors before becoming Attorney-General, but in discussing the Ling case had stated categorically that the proprietors had acted with great forbearance as to their rights when they might have increased the diggings license to any price they pleased. The Diamond News felt that although Thompson was a man of rare ability without an enemy in either public or private life, he should be relieved from trying this case as a judge should not have a preconceived opinion or any connection with either party. A meeting of shareholders petitioned Southey to appoint a special Judge for this case.²⁴ Southey did not do this, presumably because it would be an interference with the due process of law, but when the expected judgment was given against Ling, the Government did intervene to ask for a stay of execution.

Southey explained to Barkly that he had had the writ against Ling delayed partly to avoid a collision for which the Government was not prepared and partly because negotiations had been opened to buy Vooruitzigt. He wished to avoid the position of having to "contend with the mass of the people for the rights of the proprietors, who meet with but little sympathy

here at any time, and who, since the disallowance of Ordinance Nine for regulating stand rents, are regarded as public enemies."²⁵

In his despatch to Carnarvon Barkly said that he had warned the proprietors just after annexation not to push their supposed rights beyond those they had enjoyed under the Free State. Although he would do his best in the present situation to carry out the decision of the Law Courts in their favour, he warned Carnarvon that he "was not going to use British bayonets for the purpose of making their speculations more profitable." As the Government's attempt to arrange the question of stand licenses had been disallowed, there were but two alternatives left in Barkly's estimation: to send up a military force to maintain the rights of the proprietors, or buy the farm for which the owners were asking £1,000,000.²⁶

Mr. Halkett, a lawyer for the proprietors tried to explain why the owners thought Ling's claims to free use of thirty thousand square yards of ground on the farm which other people wanted were "so preposterous"; after all, the proprietors, like Ling were in it to make money. Besides the Government should have taken over the farm three years ago. Ling retorted that it was not "the extent" but the principle that mattered, but he agreed that the Government should take over the farm on "fair terms."

Aylward proposed a resolution to support and protect Ling and other diggers from infringement of their rights to a free encampment and sorting ground or an increased fee for stand

licenses or any other interference with the rights enjoyed under the Free State Government and secured by Ordinance Three of 1871. In the event of an attack, by which he meant any effort to enforce the verdict, the British ensign reversed would be hoisted on the Kopje, with a black flag underneath and everyone was to assemble there, armed.²⁷

Carnarvon's firm "no" to the petition for a Royal Commission arrived in February 1875, but by then no one seemed to care. Events had moved on and London was very far away. Carnarvon regretted the "discontent and distress" for which he felt the only cure would be a revival in the diamond market. He assumed that Barkly had not promised anything about a constitution "inconsistent" with what he did and that Southey had not tried to intimidate the petitioners. He agreed that a statement as to the revenue and expenditure should certainly be given, and that those opposed to the Mining Ordinance should have protested sooner. Although turning down the Royal Commission, Carnarvon would consider any temperate and reasonable presentation of grievances.²⁸

The Aylward led diggers were not in a temperate or reasonable frame of mind. By mid-March they had formed seven companies, balls and cartridges had been issued and drilling took place under the auspices of a combined Diggers Protection Association.²⁹

Alarmed by all this activity, the bankers and business men appealed to Southey to ensure peace and good will. As there

had been no overt act of hostility, Southey was determined not to do anything which might provoke a collision with which the police could not cope, so with the approval of his Executive Council, he simply issued a proclamation against taking illegal oaths or arming and drilling.³⁰ The Diamond News had already cautioned its readers against allying with a party which threatened to defy the constituted authorities by force of arms.³¹

The militants reacted to Southey's proclamation by issuing one of their own in The Diamond Field, the next day, headed with the Royal Arms and ending with "God Save the Queen" in imitation of the official form.³² After many professions of loyalty to the Queen this statement proclaimed that the Government of Griqualand West had not only "trampled upon" the rights of the people but had brought the "flag of our country into contempt" in the province, in the neighbouring Republics and among the tribes. The Diggers' Association pledged itself to protect life and property and to maintain order, in view of the feebleness and incapacity of the Government.³³

Essentially, as Southey realized, it was an effort to take the Government into their own hands. Southey explained once again that it was the British Government's insistence on the rights and liberties of all her subjects as well as fair treatment to natives from other areas who came to work in Griqualand West, which this section of the community found intolerable, and reiterated his determination not to meet a

delegation from an illegally constituted body.³⁴ He was quite right in this, wrote The Diamond News, adding that no official in any Government anywhere was as accessible as Southey.³⁵

At this point Southey decided the situation was too much for the Government of Griqualand West to handle alone. On the ground that the life and property of its citizens were in jeopardy, he asked that Cape Town send up a force. Percy agreed that an "adequate military force" was needed. Meanwhile they would form a volunteer corps from the "loyal portion of the population."³⁶

The Executive Council met on 27 March to consider what to do next and in the discussion which followed the fundamental divergence of point of view and personality came out. As the diggers continued to patrol the town, and although so far no incident against non-whites had occurred, some had already left in fear, Southey proposed a government notice asking well-disposed men to register with the justice of the peace in case of an emergency. The meeting was to decide on the wisdom of this action, but it developed into a discussion^{on whether} to try to sit out the disturbance or deal with it.

Shippard believed that everything would "blow over" if the Government took no action, as he felt the demonstrators were more against the proprietors than the government. He saw "no cause for panic" but thought in view of the inflammability of the camp with its mixed population including women and children as well as natives just arrived from the interior,

it was unwise to risk provoking violence. Also it would be humiliating to the government, if response to the chance to sign up was "lukewarm".

Giddy also objected to this action as likely to exasperate the malcontents and probably leading to a riot. He felt the men were loyal but had genuine grievances and suggested cutting both taxes and expenditure and trying to conciliate them. Southey took great exception to Giddy's use of "loyal" asking how men could be called loyal who sought reform by arms themselves instead of seeking redress by lawful means and pointed out that they had not even petitioned the Executive or Legislative Councils. "Conciliation" would be improper as it involved depriving natives of the right to own claims. Southey did not agree with these views but decided not ^{to} doing anything to precipitate a conflict until he had enough force at his disposal to deal with one.³⁷

The Cape Argus, commented after the Proclamation of 19 March, that whatever the mob might think and in spite of cheers for the Queen...it was pretty clear that the managers intend to resist the law and go into open rebellion.³⁸ Barkly sent all these documents to Carnarvon to illustrate "the very unsatisfactory state of things" at Kimberley.³⁹ Carnarvon answered in mid-May that he was alarmed about this dangerous state of affairs, but felt that sending in troops would be disastrous.⁴⁰

During this same difficult March, Southey had the unpleasant

task of telling the Legislative Council that most of its principal Ordinances had been disallowed by Lord Carnarvon. (Ordinance Five - Revoking the Proclamation of Thompson and Campbell; Ordinance Nine - which would have allowed the Government to regulate stand licenses and Ordinance Twelve - re Land for public purposes.) The land ordinance was to be re-drafted and resubmitted as was Ordinance Fifteen, Southey's request for a loan.

By disallowing the laws by which the Government hoped to curb the exactions of the proprietors for the public good, Carnarvon paved the way for the rebellion of the diggers. It seemed to prove that legal redress was not possible for the diggers, and the authority of the Southey Government which was already under serious attack, was publicly undermined.

In spite of his hurt and shock over the disallowance, Southey, in a speech to the Legislative Council, tried to put a brave face on the situation. He admitted that he had not expected these measures to be disallowed, and that he was disappointed. But he pointed out that HMG had been most severely critical on matters affecting private property and financial arrangements and suggested Griqualand West might well be grateful for its pains.

After much consideration, Carnarvon had approved the Mining Ordinance. Southey believed the time had not yet arrived when it was in the interest either of the province or

of South Africa to allow the diamond mines to be possessed by one or two companies. It should be carefully preserved for all the people.

As to the land, Southey was going to propose a land court to bring simple, speedy and inexpensive justice to that complicated question, and hopefully, end those doubts, suspicions and jealousies which had disturbed men's minds since 1871. He reported on the land sales and said the general depression was the reason the accounts had not balanced.⁴¹

The Diamond News, under no obligation to be loyal to Carnarvon, said that far from being grateful for the disallowances, it considered them uncalled for meddlesomeness and stated that "we can and must be allowed to legislate for ourselves on local matters". The Legislative Council could not have stood by and permitted half the trading population to be driven away by increased stand rates.⁴²

Barkly appreciated how hard this speech had been for Southey and wrote to Carnarvon hoping that he approved the way in which Southey had performed the delicate duty of announcing the disallowances of the principal Ordinances of the preceding session.⁴³

Southey was not without support. In January he had received an address signed by two hundred bankers, professional men, merchants and others led by a Mr. Goodliffe, regretting the charges in the petition to the Queen and expressing admiration for the zeal which Southey had shown for the general

welfare. Southey in his answering address explained that he had tried to uphold the law without reference to class, colour or condition and to show that the Government had no more ^{right} to break the law than any individual.⁴⁴

The ensuing period was one of fencing by letter between Tucker and Southey. Tucker wanted to come with several of his committee to see Southey to discuss a long list of grievances, and to establish thereby official recognition of the committee. On 24 March Tucker had submitted to Currey a number of specific suggestions including such familiar ones as speeding up trials in the magistrates courts, expulsion of I.D.B. offender regulations for the security of the camp, a law forcing natives to work, and a demand for the Mining Board to issue licenses to whites only. He wanted the Ordinance about selling diamonds to be amended "in so far as it prohibited the buying of diamonds except in offices" and to discuss the general situation, claiming that the difficulties between the Government and the people were blamed by almost everyone on the presence and advice of Currey.⁴⁵

Due to the good office of Judge Barry, Southey agreed to see Tucker and his friends as individuals, but explained that in order to change the licensing law or amend ordinances, they would have to petition the Legislative Council. He felt that the restrictions in Ordinance six had helped check IDB, but if the majority of claims holders wanted a change, their opinion would receive every attention. He was willing to

listen to written suggestions about the trial of police cases as long as the rights of the subject be kept steadily in view. He would be glad to discuss the remaining subjects of a vagrant law, regulations for security and order and the registration of servants with any person who, in a private capacity desired an interview, but this offer was not taken up.⁴⁶

On two points Southey was uncompromising. He felt strongly that the issue of licenses could not safely or properly be left to the discretion of an elective board and he did not admit differences between the Government and the people, only between the Government and a certain class of the community which wanted to give itself powers and functions inconsistent with the rights and liberties of the whole population. He felt that if the community felt the way Tucker said it did about Currey, it was very badly informed.⁴⁷

Tucker replied on 6 April with a letter charging the Government of indiscriminate licensing with an eye to getting the fee rather than to the character of those licensed and demanding an elective mining board. He claimed that the "liberty" allowed to "Her Majesty's coloured subjects" has become "license" of the most disastrous kind and described hordes of unemployed natives living in wicked debauchery on the proceeds of stolen diamonds. He sarcastically amended his statement that Currey was obnoxious to all by saying this group liked him.⁴⁸

The Government replied tartly that the coloured population was well behaved on the whole and its observance of law and order contrasted favourably with some others who should set a better example. If the labourers were frightened away it would be harmful to all the diggers except those forming companies to buy up the mines. Furthermore there seemed to be no point in a personal interview in view of the tone of Mr. Tucker's letter.⁴⁹

On 8 April, The Diamond News commented that Mr. Tucker's "terrible grievance (was) that H.E. the Lieutenant Governor will not set the law at defiance by depriving the Queen's coloured subjects of a right which is theirs and which H.M.'s Royal Instruction distinctly orders, shall in no way be disregarded."

Southey kept Barkly abreast of developments. He had asked Shippard to ascertain if the leaders had committed criminal actions.⁵⁰ He shared with Barkly his suspicions of the "friendly" men who in theory were working to mediate between the Government and the diggers, wondering if they had succumbed to the lure of free shares in the mine if the company came through (which Southey and other members of the Government had been offered for their support), and if the object of the whole affair might not be to diminish the value of claims before the company made its bid as he had hinted to Tucker.⁵¹

Shippard had badly shaken Southey's confidence in him when he had gone down to Cape Town and with Barkly drawn up

the Land Court Ordinance, without consulting Southey.⁵² Now Southey felt that Hall had taken Shippard in. Southey's position was indeed "not an enviable one" as his Government could not agree on any action. Southey, personally, thought the whole movement could be put down with a hundred soldiers.⁵³

The result of the agitation, whatever the motives, was the paralysis of trade and the depreciation of property in the mine. Currey thought it was just the old leaders of the Diggers Committee making a last bid for power. However, he did not think they would have dared to go so far without some secret understanding that if things went badly, they would not incur very serious penalties.⁵⁴ (i.e. Froude's conversations with them).

Barkly said that he was willing to listen to any complaints of the diggers, but he could not take notice of documents counterfeiting the form of government proclamations. Tucker and Ling claimed that the Royal Arms on the "proclamation" was an error on the part of the printers, reiterated their usual complaints against the Constitution, heavy taxes and Currey and added objections to having to pay sick servants and to having to pay the hospital fees for workers in advance, because if they left early the money was lost. They were annoyed that the Mining Surveyor, with an armed escort, had been checking to see if their servants were properly registered, when the police were doing nothing about dissolute and idle natives. Only Barkly's presence, they considered, could put

an end to the tyrannical and vexatious measures of the Government and maintain the peace.⁵⁵

Southey felt that the great body of respectable people were not seriously dissatisfied. (Given the depression and the atmosphere of an armed camp, no one could have been especially happy). As to the new complaints, Southey pointed out that the hated hospital fees could be deducted from the worker's first weeks' wages and that if a native was properly registered, he could not change jobs until his contract expired, but there was much pirating of workers (offering a higher wage) because of the labour shortage. The regulations about sick workers ^{were} ~~was~~ necessary to prevent the miners from simply throwing sick natives into the street.⁵⁶ Southey's statement that Ward was only doing his duty in investigating unregistered servants, however, was only a half truth. By choosing this moment to send Ward, who was anathema to the diggers, poking through their claims to check on the workers, Southey was deliberately annoying the diggers, although he had probably convinced himself that it was a routine duty. In the end it backfired as a maneuver as all the pro-Government witnesses vanished into thin air so that no one was convicted.

Southey was right when he said what Tucker and his group wanted was power--to Southey "unreasonable and dangerous power"--to run the mines the way they wanted them run and to regulate the natives "properly." Barkly had calmed them down

once in a similar period of dissatisfaction by "promising" (Barkly seems to have been given to statements open to misinterpretation) them a constitution like that of Natal which would have given them that power. When, in fact, the Government point of view was guaranteed to prevail due to the extra official member on the Legislative Council, the diggers were bitterly disappointed. When Tucker failed to win a place in the election, he had turned against the Government and his "opposition to all legislative and other Government measures, had no known bounds."⁵⁷

The Government of Griqualand West conducted regular inspections of arms buying and selling, and at this time found ten cases of contraventions of the Cape Arms ordinance, including a canteen keeper named Cowie who, although not a licensed dealer of arms, had obtained twenty guns and sold them to Aylward. Whether he appealed to the Association or the Association acted on its own is unknown, but they announced that they would resist any attempt to carry out judgment against Cowie.⁵⁸

Barkly, after tactfully pointing out that it was hard to judge the expediency and in expediency of a course adopted to put down an insurrection as it depended on both the real character of the movement and the amount of force at the disposal of the authority, felt nonetheless that Southey had been exceedingly imprudent in both Ward's inspection and the Cowie case. To Carnarvon Barkly commented aptly: "If you

cannot knock a man down it is unwise to kick him in the shins.⁵⁹

Cowie was due to come before the Magistrate on April thirteenth, and on the twelfth the malcontents were drilling in the public squares with rifles pointed at the Government offices and wherever they thought it would most exasperate the Government and the loyal portion of the Community.⁶⁰

The Government had its volunteers and had been setting up its own defenses--the jail, for instance, was surrounded by a deep ditch with spikes at the bottom and sandbagged all

around.⁶¹ As Currey pointed out, when there are two armed groups in a small area, a confrontation is inevitable. But he wondered why the diggers decided upon Cowie as their casus belli, as no diggers rights were involved in his case.⁶²

Southey decreed business as usual on the thirteenth, and the Executive Council was sitting, in spite of the rather ominous absence of the elected members. The rebels massed their forces and marched in triumph to a large debris pile where a long pole was set up in a cleared space, speeches were made and at the signal that Cowie had been pronounced guilty "a huge black flag was run up to the top...with tremendous shouts and cheers...excitement reached its highest pitch". Men came running from all sides to fall in, load their guns, and form up in Market Square.⁶³

The Government plan of defense called for two groups of police, one in the prison yard and the other outside the

Magistrate Court, so that if or when the black flag was flown, the first group had only to step out to guard the front of the gaol while the second group marched the prisoner the one hundred yards to the prison. But the inefficient Percy forgot to place the police in front of the Court House. The square was full of armed men. It was a nasty situation. But, wrote Currey, "we had among the officials men with whom it was a pride and a pleasure to serve and as soon as the state of the case was known there was no lack of volunteers for a service of evidently great danger." D'Arcy, Merriman and others put revolvers in their pockets and marched the prisoner down. The police from the barracks were on the left of the insurrectionists with the German troop out-flanking them so there would have been serious casualties if any firing had taken place. Only one shot was fired, and Percy took the man's gun away. At the gate of the prison D'Arcy demanded admission and asked the leaders to come forward. Ling and Tucker did so (Aylward had fled) and a compromise was reached to the credit of all concerned, wherein Cowie's fifty pound fine was paid by a check not to be cashed until his case was appealed. "Collision was at least deferred."

Southey also gave credit to the civil servants. "There was a shout and a rush to the places where the arms were stored, a mounted messenger galloped to the flagstaff where Aylward stood ready with the black flag, the signal was hoisted,

and a scene commenced which must have ended in bloodshed or disgrace but for the calmness and judgment exhibited by the officers and men of the Government who had to meet the emergency." ⁶⁵

The Diamond News gave Tucker and Ling credit for the compromise which averted trouble and asked, as excessive expenditure was one of their chief complaints, if the taxpayers really wanted to pay ten thousand pounds for troops. It also recommended to the Government not to descend to the unwise and irritating course of preferring petty charges against members of the Association. ⁶⁶

Southey promptly issued a proclamation declaring that the ill-disposed persons who openly assembled under arms and obstructed the passage of the officers were "in rebellion against Her Majesty's Government" and called on all loyal and well-disposed persons to enroll themselves for the maintenance of law and order pending the arrival of the troops. ⁶⁷

Barkly who had repeatedly warned against prosecuting Cowie, sent an outraged telegram when he heard about the incident, regretting that Southey had proceeded with the prosecution of Cowie after Barkly had expressed his disapproval. He considered that both at Cape Town and in England it would be considered that Southey had provoked a collision for which he was totally unprepared and although Barkly approved of the call-up of loyal subjects to enroll and cooperate with the Government in its maintenance of law and order, he thought

Southey had made a mistake in proclaiming those who participated in the affair "rebels".

Southey replied at some length that while he had understood that it might not be desirable to proceed against the supporters of the troublemakers, if the Government could not arrest and prosecute the leaders, he had not realized no prosecutions were to be carried out. When Southey had found out that a considerable arms trade was supplying the disaffected he looked into it and information was logged against all those who had committed breaches of the law. All but Cowie submitted themselves to the law's decree, and when investigation showed they had only been careless the others were not prosecuted. As Southey had already had to drop the case against those whose servants were improperly registered for lack of witnesses and the Associationists were collecting money by "extortion", Southey felt it would be dangerous in the extreme for the Government to back down on Cowie. It had, he affirmed, had a beneficial effect as the Association had discontinued their parading, drilling and patrolling, which might so easily have erupted into riots and bloodshed, and it had bolstered the confidence of the loyal inhabitants who were stepping forward in support of law and order.

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Barkly sent on to Carnarvon Southey's own account of the incident which underlined the "heroic support" he had received from his staff and the "steadiness and courage"

displayed by the police, which Barkly commended in his covering letter. He told Carnarvon that he had alerted, but not sent the troops, and that he was awaiting a delegation on the way down to Cape Town to talk to him.⁶⁹

For some reason never explained, Currey's memo on how to deal with the disturbances, which was written at the same time as those of Shippard and Giddy, was not sent to Barkly until mid-April. His succinct and outspoken view was that the leaders of the Associationists were a little clique of desperate men, ex-convicts (Aylward), bankrupts (Tucker) and penniless adventurers, who should be put down once and for all, "...by military force and under martial law" if necessary.⁷⁰ Barkly was horrified and could not wonder that the others dissented from Currey. He also regretted Southey's proclamation declaring the armed dissidents to be rebels, because in the event of martial law, it made them liable to the death sentence.⁷¹

Barkly sent the Currey report on to Carnarvon telling him that he had written a "strong letter" to Southey informing him that he was shocked at Currey's "reckless tone" in advocating martial law and at Southey for not expressing "reprobation".⁷² Southey was upset by these comments as he himself approved of Currey's standpoint and felt, in retrospect, that a strong show of authority at that point might have ended the situation there and then, had he not been swayed by Shippard and Giddy.⁷³ As he explained to Carnarvon,

Barkly contemplated a general amnesty to all except the leaders as soon as the Government had a sufficient force to proclaim one without its being attributed to fear.

Barkly admired Southey's indomitable calm and courage in the hour of danger, but had all along been impressing upon him the necessity of "assuming a more conciliatory attitude towards the diggers, who are, in all Colonies, a difficult population to manage." The Executive Council of Griqualand West had requested the presence of a force as essential to the maintenance of Her Majesty's Government in Griqualand West.⁷⁴

During the last two weeks in April a sort of armed truce reigned. "No overt act" and no armed men appearing in public for ^{two} days reported Southey on the seventeenth. Hall, of the Mining Board, organized another meeting, over the opposition of Dr. Mathews who felt that the Board should not engage in politics and with the approval of Mr. Sampson who said it should. (A man who called the troops scamps had apparently gone too far and was hissed down). It was decided to send a deputation, supposedly representing the uninvolved diggers to Cape Town to see Barkly and ask him to come up and straighten everything out. Tucker announced that if the Government would suspend all action, i.e. enrolling men and building defenses, his men would disarm.⁷⁵ The Diamond News took exception to the condition, saying submission must be complete. It considered it futile to send the deputation to

Barkly as surely the High Commissioner entirely endorsed
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Southey's actions.

Barkly was very correct officially, and in basic agreement with Southey on the larger issues involved, but he did not agree with Southey's handling of the matter, partly because of a fundamental difference of temperament and partly because of his position between Southey and Carnarvon. Southey was a man of action and personally challenged by the rebels. Barkly was a cautious compromiser, placed between Southey, who wanted troops, and Carnarvon, his superior, who wanted Griqualand West to be as calm as possible with no rocking of the South African boat during his negotiations for Confederation. Barkly knew that if he did send troops, Southey would have to be replaced as much for having cost the Imperial Treasury money as for having failed to cope with the diggers, and he may have felt his own position would be threatened by such an eventuality, as indeed it was. Wilmot, Southey's biographer, felt that if Barkly had gone up or even sent an emissary on 30 March when Southey first asked for troops, to tell them that unless the Association was at once dissolved and quiet restored, an adequate military force would be sent up at the expense of the Province (which meant the Kimberley mine and township) "the strong common sense of the bulk of the people would have made them listen to reason." 77
Instead he hoped that Southey could rely on "moral influence."
The Associationists were still armed and restless after the

Cowie incident which had gained them nothing, and Southey feared a violent outbreak before the troops arrived. On the 23rd of April Barkly wrote to Carnarvon that he hoped not to have to resort to military intervention; but on the following day was afraid troops would have to be sent.⁷⁸

Meanwhile Southey was preparing for the worst. The public buildings were sandbagged and two hundred good white men had enrolled (old soldiers and mechanics) but Southey had trouble with white men saying that they would not enroll if the coloured did. Southey felt that the coloured man "had as good a right...to envince his loyalty" (although they would not be armed or called to serve unless Southey was driven to it by the whites.) The seven hundred coloured subjects who had enrolled, some of whom had been in the Cape Mounted Rifles; and others claim holders and men of property, were asked by Southey to keep quiet and not stir up trouble. Basutos, Zulus and Griquas had also offered their services, but even Southey, embattled as he was, saw that it would be a mistake to arm these men.⁷⁹

Barkly was appalled at this prospect and wrote at once approving of the enrollment of volunteers, but warning Southey not to arm the natives. Barkly had at last come around to fearing troops would have to be sent, but visibly stalling in hope of a miracle, pointed out that neither the Legislative Council nor any other group from Griqualand West had asked for help.⁸⁰

The Diamond News announced on the 20th of April that troops were en route. It admitted that economy and sweeping entrenchments were needed, as well as the elusive custom duties from the Cape, but asked what real grievance existed that could not be remedied by the Legislative Council. It also scolded the Diamond Field for deliberately keeping up the tension with such articles as "Waterboer's assistant plunderers were marching to Southey's aid."⁸¹ A contemporary observer who admired Southey's courage, tact and temper, also considered if the diggers had been a little more reasonable and a little less eager to appear public benefactors and the Government had been a little more approachable, most of the demands could have been met.⁸²

Southey had organized his one hundred and forty volunteers into two companies with half a company on duty each night to help the police. But he asked Barkly frantically what to do if the rumour of 5,000 men and arms coming from the OFS to help the Diggers happened to be true.⁸³ He needed troops. Southey was totally unrepentant about declaring the agitators of the twelfth of April to be rebels, and felt that as it had reduced the rowdies, at least for the time being, Barkly would change an opinion which Southey felt must have been based upon "erroneous or insufficient information." Southey did regret having allowed Shippard and Giddy's doubts to stop him calling for volunteers at the start.⁸⁴ He believed if

a real riot had occurred between black and white and one white man had been killed all the whites would have joined together to massacre the blacks. He considered it "sheer nonsense" to have felt that the movement would have died of its own accord as the rebels would not have been satisfied without class legislation. He thought ~~at~~ the comparison between the Cape Government's hesitation to send a small detachment of mounted police to put down a real rebellion would contrast strangely in England with the rushing of troops to Natal to fight against people who merely wanted to leave the country.⁸⁵

Southey felt the appeal of the business men to him was sufficient proof of the need for help. But to be on the safe side the Executive Council on 24 April moved that troops were absolutely essential and that the coloured people should not be armed.⁸⁶ Southey had ideas on how to move the troops more cheaply than had been estimated, and felt that £15,000 was not beyond the means of Griqualand West. He reassured Barkly about arming the coloured by the flat statement "I have not put arms into the hand of any coloured man, nor do I intend to do so." But he warned that the loyal inhabitants were becoming discouraged by no news about the troops, and that some of the volunteers were thinking of withdrawing.⁸⁷

Southey and Barkly were growing steadily apart as Barkly tried to avoid sending troops and save the Southey regime,

and Southey insisted that troops were essential in what he considered was a clear cut struggle for power with the "master-servant" situation at the heart of it. That Barkly had not grasped or did not accept this view is shown when he remarked that he did not consider Southey's reference to the Constitution in explaining Tucker's motivation to have any bearing on the present situation. Southey insisted that it was the "very essence of them, the beginning and the end,"⁸⁸ because if Griqualand West had received a constitution with enough popular representation to regulate the mining to the liking of the majority of diggers who were white, non-whites would have been prevented from owning claims. As it was the Government will prevailed in the Legislative Council and prevented discriminatory laws.

Carnarvon realized that it was difficult for him to get a true enough picture of the events to judge whether Southey was doing the right thing or not and would not express an opinion about Southey's action on the Cowie case. After outlining the whole history of the Diamond Fields up to the moment Southey requested troops and asking "what is to be done?" he provided his own answer: The farms must be run in the public interest; therefore the Government with "tact and judgment" must buy the farms or even, as a last resort, seize them temporarily--but with caution. (An impossible program). Carnarvon was anxious to hear about Barkly's interview with the deputation coming to Cape Town to talk to him.⁸⁹

As Carnarvon hoped for great things from Barkly's meeting with the diggers so Barkly had high hopes for a meeting Southey was to have with some of the clergy in Griqualand West. Both were doomed to disappointment. The clergy turned out not to be a non-partisan group who might have been able to mediate between Government and diggers, but had been sent by the diggers to ask Southey "to stop arming constables or taking any other active measures" (which were exactly Tucker's demands). Southey explained to them that this was an unreasonable request as the diggers were armed. Then they asked that there be "no more political prosecution", but when Southey asked what they meant by "no more" looked embarrassed and said they had just glanced at the petition on the way in. Southey promised to do all he could to "maintain the public peace" and felt that they went away satisfied,⁹⁰ but it had in no way been a meaningful attempt at mediation.

Southey had refused to give official endorsement to the group of diggers going to see Barkly, because some of the Mining Board had objected to them going, but he did send a note introducing Mr. Goodchild as a "private gentleman".⁹¹ The deputation met Barkly and asked him to come to Griqualand West to settle things himself. Barkly explained to them that, besides the technical difficulty of having to appoint an acting Governor for the Cape Colony if he were moved to Griqualand West, "it would be impossible to accept an invitation emanating from a meeting at which the leaders

of the associationists had taken an active part, unless they were empowered to give a distinct pledge that that body would at once disarm."

The deputation had its list of grievances. It described the chronic state of discontent in Griqualand West, turned to one of alarm by the forming of political associations and the enrollment of volunteers amidst a population anxious to maintain its connection with the Crown, plus public terror at the "contemplated act" of the Government to arm the natives against the residents. The Treasury was bankrupt, it continued and the civil staff "preposterously disproportionate" to the requirement of the country. It accused the Government of indifference to safety and sanitary conditions within the camp and not having any local official with "tact and firmness". It ended by calling the deliberative Council an "idle pageant...which exists only to carry out the vagaries of an Executive whose most important legislative measures have hitherto failed to commend themselves to the approval of Her Majesty's Government."

As to the unfortunate exhibition of popular temper on 12 April, that was deplored by all, but it must have taken much executive mismanagement and political blindness to drive Englishmen with reverence for the law to such an act.

Barkly went through the list and asked which of these complaints could seriously be advanced as ground for taking up arms. Was not the relations between the diggers and the

proprietors the real cause of the formation of the Association? However, if the alarm and the threat of anarchy was as prevalent as reported by the deputation, it seemed to him to support the argument for troops.⁹²

On 3 May Barkly told the deputation that he was still waiting to hear that the Diggers Association was dissolved and its military organizations disbanded. The deputation replied that as it represented only "loyal subjects", not the Diggers Association, it could not engage the Association to dissolve, but it was certain that the Association would voluntarily dissolve if Barkly announced his intention to visit the Field.⁹³

So far were the Associations from disarming that at another public meeting those who supported the idea were "roughed up" by those who would not consider it. The meeting also petitioned for the removal of Graham and Green from the Legislative Council, on the grounds that by supporting the Legislative Council's request for troops, they no longer represented the will of the people who had elected them.⁹⁴ The Legislative Council was under pressure from Thompson to take action against Ling. He felt that "right or wrong his judgment must be carried out or the cause of order received a severe blow", but the Legislative Council felt that without force it could not act.⁹⁵

A group of 1000 loyal subjects who had taken no part in the disturbances sent their petition to the Queen via Wolsley

in Natal for a Royal Commission. They complained of over-taxation to pay for a Governor which was too expensive for the Province. They wanted the land question settled including proprietor and digger rights, and something done about managing native labourers and improvement in the mining law and justice. Barkly said these complaints could not be remedied properly without Crown ownership of the lands and requested authorization to buy Vooruitzicht.⁹⁶

Barkly finally ordered Sir Arthur Cunynghame to send up to Griqualand West three hundred infantry with two guns and twenty-five men of the Royal Artillery (the minimum its general would accept) with full discretionary power as to how the troops were to be employed. It would take them about twenty days to go the six hundred miles.⁹⁷

Southey was greatly relieved by the telegram announcing that troops were en route, and he was sure that they would not be called upon to fight anyone. Their mere presence would suffice.⁹⁸ The Mining Gazette, which after Aylward's flight was more extreme than The Diamond Field, claimed that it longed for a fair fight with the troops, but recanted the next day.⁹⁹ A Natalian source told Southey that the Association would not fight unless the Government tried to enforce the decision against Ling, (which they had already decided not to do until the troops arrived.) Then Southey planned to issue a proclamation offering pardon to all but a few leaders, who gave up their arms within a specified time

and took an oath of allegiance to Her Majesty.¹⁰⁰ The Diamond News congratulated Southey on his steadfast refusal to make any compromise with men up in arms against the Government, for upholding the majesty of the law, and for sustaining the prestige of the Crown in the face of threats of physical violence and mob demonstration. The rebellious spirit which had thrown society into disorder had been subdued.¹⁰¹ Or, as Currey put it, "At the news of the troops coming out little insurrections collapsed almost as fast as it had arisen."¹⁰²

Association
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The Diggers Protection decided to dissolve on the basis of a general amnesty and redress of grievances. Barkly told the Deputation that dissolving was fine as far as it went, but that the Associationists must give up their arms (because otherwise they could reform in minutes). Then there would be an amnesty for all but the six leaders and the troops would be recalled.¹⁰³ The Deputation telegraphed this to Robinson (the "mediating moderate") who instead of asking individual members to comply, asked Tucker what to do.¹⁰⁴ Tucker remarked that it was unfortunate that Barkly had not mentioned disarmament in the first place, and explained that the white people needed to be armed, as due to Government laxity, all the natives had guns. He said that there was no point in exempting six leaders from the amnesty as this had not been a case of six agitators inciting ignorant people to acts of violence but an association of the "intelligence of the

fields" and he offered to stand trial alone. "Not candid" was Southey's comment.¹⁰⁵ The Mining Gazette considered Barkly's terms a breach of faith as the Associationists were persuaded with great difficulty to disband because the gentlemen of the moderate party pledged their own word in support of what they believed to be the word of Sir H. Barkly.¹⁰⁶ The Diamond News agreed that Barkly should have been more explicit in view of the delicateness of the situation but said that "muddle, muddle, muddle was characteristic of all his dealings with Griqualand West."¹⁰⁷

Barkly cautioned Southey, who might naturally be smarting under the insults offered to his authority, that "the greater the clemency shown in the hour of triumph, the more in tune it will be with British Policy." He worried about what would happen when the troops met the diggers. He was afraid that the troops would be too severe and had wanted to forbid any recourse to martial law, but the General insisted he have that option. Barkly finally agreed providing it was only used in case of "imminent danger to life or property" or active resistance to the troops and with the approval of the Executive Council. There were to be no trials by Court Martial. Once the supremacy of civil-power had been established with the moral support of the troops, Southey was to revoke his proclamation declaring all who bore arms to be rebels and to offer the agreed amnesty to all (but the six) who gave up arms and took the oath of allegiance.¹⁰⁹

Southey suspected that the Association was dissolved in "name only" and forwarded statements from members about secret drills.¹¹⁰ The Executive Council found itself divided once again. Giddy and Shippard wanted an amnesty for everyone, including the leaders. Southey wanted to include a few important financial contributors to the Association in the list of exceptions.¹¹¹ Finally the exceptions were named: Tucker, Ling, Aylward, Blanch, Von Schlickmann and Brien.¹¹² Southey was most upset by Carnarvon's expression of surprise that a man of Southey's experience and ability should have allowed himself to be placed in so unfortunate a position "as not to have enough police to maintain law and order."¹¹³ As Southey wrote to Cunynghame, he "could not create Policemen".¹¹⁴

Although the diggers had kept their arms, the drilling and parading, at least in public, had stopped. Aylward, who "had deserted his dupes and fled" was incorrectly reported dead. By June, according to The Diamond News, it was all over. Domestic peace had been restored, the Diamond Fields had never been "more prosperous", earnings were good, tradesmen were overwhelmed with orders and life was pleasanter than ever.¹¹⁵

The troops arrived on 30 June and were given luncheon by the volunteers.¹¹⁶ They stayed over the trials in late September. Then when these had passed off successfully, the Executive Council voted that they leave.¹¹⁷ The trials took

place before Recorder Barry at the Circuit Court, Kimberley. The defendants were charged with conspiracy, sedition and riot. Tucker, Blanch, Fischer and Brien pleaded guilty to unlawful assembly, which was accepted, and the graver charges were withdrawn. Aylward, the report of whose death had been greatly exaggerated, Ling and von Schlickmann stood trial and "were acquitted by the jury in spite of the admission of their colleagues and the strong evidence of their having assembled under arms on twelve April to prevent the imprisonment of Cowie." Barkly was outraged and wrote to Carnarvon that "such a miscarriage of Justice, for it can be regarded as nothing less, is to be deeply regretted in itself and still more because it seems to indicate a spirit of lawlessness which cannot but occasion anxiety for the future."¹¹⁸

The rebels were not punished and before long got the "master-servant" relationship they wanted. Southey, Currey and the coloured population were the losers. But it was a Pyrrhic victory for in the long run the fall of the Southey administration paved the way for the Capitalists and the end to ownership by the individual digger, such as those who formed the Association.

ACTIVE OPPOSITION TO SOUTHEY'S GOVERNMENT - FOOTNOTES

1. A.F. Williams, Some Dreams Come True, Cape Town, 1947 Quoting G. Beet Article in Cape Argus, 19 June 1926; J.B. Currey, Half a Century in South Africa, 1899-1910, unpublished manuscript, Capt. XIII p. 4.
2. GW 184, pp. 18-19: Southey to Barkly, 20 Aug. 1874.
3. Ibid., pp. 19-20.
4. GW 184, pp. 59-61: Southey to Barkly, 3 Sept. 1874.
5. GW 23/32 No. 117: Barkly to Carnarvon, 15 Sept. 1874.
6. GW 3 No. 128: Carnarvon to Barkly, 4 Nov. 1873.
7. C. 1342, pp. 1-16; Petition and Southey's comments on each clause. Barkly to Carnarvon, 7 Dec. 1874.
8. GW 184, pp. 59-61: Southey to Barkly, 3 Sept. 1874.
9. C. 1342, pp. 1-16.
10. The Diamond News, 18 August 1874.
11. GW 184, p. 143: Southey to Barkly, 21 Nov. 1874.
12. GH 23/32 No. 141: Barkly to Carnarvon, 7 Dec. 1874.
13. C. 1342, p. 79: Aylward's demands.
14. The Diamond News, 12 November 1874.
15. M. Macmillan, Sir Henry Barkly, p. 218.
16. The Diamond Field, 13 November 1874.
17. GW 184, pp. 154-158: Southey to Barkly, 4 Dec. 1874.
18. C.F. Goodfellow, Great Britain and South African Confederation 1870-1881. Cape Town, 1966 p. 60.
19. GW 186: Southey to Barkly, 17 July 1875.
20. Currey, Half a Century, XIII p. 2.
21. J. Mathews, H.D. Incawadi Yami, New York, 1887, p. 285.
22. The Diamond Field, 18 Nov. 1874; 19 Dec. 1874.

23. GW 182, p. 55: Southey to Barkly, 16 Nov. 1874.
24. The Diamond News, 16 Feb. 1875.^{26 Feb.}
25. GH 28/95 No. 28: Southey to Barkly, 20 March 1875.
26. C. 1342, p. 60-61: Barkly to Carnarvon, 6 April 1875.
See Mining, p.
27. The Diamond News, 6 March 1875.
28. GH 1/71: No. 18: Carnarvon to Barkly, 10 Feb. 1875.
29. The Diamond Field, 17 March 1875.
30. GH 28/95 No. 39: Southey to Barkly, 20 March 1875.
31. The Diamond News, 20 March 1875.
32. Wilmot, Life of Southey, p. 278. Wilmot felt that this must have been Aylward's idea as Tucker and Ling would not have thought of such a "useless and flagrant insult to supreme authority".
33. GH 23/33 No. 40: Barkly to Carnarvon, 5 April 1875.
34. GH 28/95 No. 39: Southey to Barkly, 20 March 1875.
35. The Diamond News, 27 March 1875.
36. GH 23/33 No. 39: Barkly to Carnarvon, 5 April 1875.
37. C. 1342, pp. 60-65: Barkly to Carnarvon, 6 April 1875.
Confidential.
38. The Diamond News, 6 April 1875; reprint of article in the Cape Argus, 27 March 1875.
39. GH 23/33 No. 39: Barkly to Carnarvon, 5 April 1875.
40. C. 1342, p. 69: Carnarvon to Barkly, 14 May 1875.
41. The Diamond News, 6 March 1875.
42. The Diamond News, 9 March 1875.
43. C. 1342, p. 37: Barkly to Carnarvon, 15 March 1875.
44. C. 1342, p. 33: Barkly to Carnarvon, 4 Jan., 1875.
45. C. 1342, pp. 135-139: Tucker to Southey, 27 March 1875.

46. Wilmot, Life of Southey, p. 281.
47. C. 1342, p. 142; Merriman to Tucker, 31 March 1875.
48. C. 1342, pp. 143-145; Tucker's reply to Government of Griqualand West, 6 April 1875.
49. C. 1342, p. 143-144; Currey to Tucker.
50. GW 185; Southey to Barkly, 8 April 1875.
51. GW 185; Southey to Barkly, 25 March 1875.
GW 185; Southey to Barkly, 8 April 1875; GW 185; Southey to Barkly, 10 April, Confidential.
52. Wilmot, Life of Southey, p. 271.
53. GW 185; Southey to Barkly, 10 April 1875, Confidential.
54. Currey, Half a Century, xiii, p. 4.
55. GH 23/33 No. 53; Barkly to Carnarvon, 4 May 1875.
56. C. 1342, pp. 108-110; Southey to Barkly, 14 April 1875.
57. Ibid., pp. 109-110.
58. Wilmot, Life of Southey, pp. 281-282.
59. C. 1342, p. 20; Barkly to Southey, 1 May 1875.
H. Macmillan, Barkly, p. 224 citing PRO 30/6/32; Barkly to Carnarvon, 15 March 1875.
60. Mathews, Incwadi Yami, p. 286.
61. J. Angrove, In the Early Days, Kimberley & Johannesburg, 1910, p. 79.
62. Currey, Half a Century, Chap. xiii, p. 6.
63. Angrove, Early Days, p. 79.
64. Currey, Half a Century, xiii, pp. 5-8.
65. GH 12/6; Southey to Barkly, 3 June 1875.
66. The Diamond News, 15 April 1875.
67. C. 1342, p. 163; Government proclamation of 12 April 1875.
68. GH 12/5 No. 40; Southey to Barkly, 22 April 1875.

69. GH 23/33 No. 47: Barkly to Carnarvon, 23 April 1875.
70. C. 1342, p. 120-121: Currey's minute of 24 March 1875.
71. C. 1342, p. 119: Southey to Barkly, April 15 1875.
72. C. 1342, p. 118: Barkly to Carnarvon, 5 May 1875.
73. GH 12/6 No. 62: Southey to Barkly, 20 May, 1875.
74. C. 1342, p. 118: Barkly to Carnarvon, 5 May 1875.
75. GH 28/95 E. 48: Southey to Barkly, 17 April 1875.
76. The Diamond News, 17 April 1874.
77. Wilmot, Life of Southey, p. 277.
78. Ibid., p. 285. Wilmot felt if Barkly had gone up even at this late date he could have settled the affair.
79. GW 185: Southey to Barkly, 17 April 1875.
80. C. 1342, p. 103-104: Barkly to Southey, 24 April 1875.
81. The Diamond News, 20 April; 22 April; 24 April 1875.
82. Williams, Some Dreams Come True, p. 186.
83. GH 12/5 No. 49: Southey to Barkly, 29 April 1875.
84. GW 185: Southey to Barkly, 29 April 1875.
85. GW 185: Southey to Barkly, 25 April 1875.
86. C. 1342, p. 148: Extract from Proceedings of the Executive Council.
87. GW 185: Southey to Barkly, 29 April 1875.
88. GW 185: Southey to Barkly, 2 May 1875.
89. C. 1342, p. 70: Carnarvon to Barkly, 14 May 1875; C. 1342, p. 104: Carnarvon to Barkly, 27 May 1875.
90. GW 185: Southey to Barkly, 17 April 1875.
91. GW 185: Southey to Barkly, 19 April 1875.
92. GH 23/33 No. 54: Barkly to Carnarvon, 5 May 1875.
93. GH 23/33 No. 55: Letter from Barkly to Ransch, Tucker, Goodchild.
3 May: Deputation's answer to Barkly, 4 May 1875.

94. GW 185: Southey to Barkly, 6 May 1875: The Diamond News, 6 May 1875.
95. GH 28/95 E 61: Southey to Barkly, 5 May 1875. (C. 1342 p. 169)
GH 29/95 E 56: Minutes of the Legislative Council (Enclosures to GH 23/33 No. 35: Barkly to Carnarvon, 14 May 1875.)
96. GH 23/33 No. 35: Barkly to Carnarvon, 14 May 1875.
97. Wilmot, Life of Southey, p. 287.
98. GW 185: Southey to Barkly, 8 May 1875: GW 185, Southey to Barkly, 3 June 1875.
99. The Diamond News, 23 May 1875.
100. 12/6 No. 60: Southey to Barkly 19 May 1875.
101. The Diamond News, 18 May 1875.
102. Currey, Half a Century, Chap. XIII, p. 8.
103. C. 1342, p. 174: Barkly to Ransch, Tucker, Goodchild and Reid, 15 May 1875.
104. GH 12/6 No. 60: Southey to Barkly, 19 May 1875: GW 186: Southey to Barkly, 26 June 1875.
105. GH 12/6 No. 71: Southey to Barkly, 8 June 1875.
106. GH 12/6 No. 60: Southey to Barkly, 19 May 1875.
107. The Diamond News, 27 May 1875.
108. C. 1342, p. 95: Barkly to Southey, 26 May 1875.
109. GH 23/33 No. 70: Barkly to Carnarvon 4 June 1875, enclosing Barkly to Southey, 26 May 1875 & Barkly to Southey 4 June 1875.
110. GH 23/32 No. 64: Barkly to Carnarvon, 25 May 1875; GW 186: Southey to Barkly, 10 June 1875.
111. GH 12/6 No. 64: Southey to Barkly, 25 May 1875; GW 186: Southey to Barkly, 10 June 1875.
112. GW 186: Southey to Barkly, 26 June 1875.
113. GH 1/71 No. 40: Carnarvon to Barkly, 5 May 1875.

114. GW 186: Southey to Cunynghame, 11 June 1875.
115. The Diamond News, 1 June 1875.
116. De Kiewiet, The Imperial Factor, p. 55.
117. GH 23/33 No. 126: Barkly to Carnarvon, 23 Sept. 1875.
118. GH 23/33 No. 127: Barkly to Carnarvon, 30 Sept. 1875.

CHAPTER SEVEN

SOUTHEY'S DISMISSAL

The Colonial Office was under constant pressure from the Treasury not to spend any more money than was absolutely essential, and the expectation that a federation of South African states would be self-supporting explained Carnarvon's enthusiasm for such a plan.¹ It was not Southey's failure to control the violent elements of the mining population, notoriously a difficult group, but the fact that his administration which was always costing imperial money by not making enough in taxes and other revenue to pay the cost of its administration, had to summon troops to help maintain order. Carnarvon was already extremely critical of the state of the finances in Griqualand West. The depression caused by the fall in the price of diamonds and the rain and falling reef with the subsequent halt in mining was beyond Southey's control. Some expenditure was essential even with the falling off of revenues caused by the inactivity in mining. The land had to be surveyed if it were ever to be given out. Police, inefficient or not, had to have their salaries. But these financial difficulties were coupled with an almost incredible incompetence, which is hard to explain as Southey was both experienced in and interested in financial matters. Estimates were made too late to be of any use. Vouchers were prepared months after payments had been

made.² Col. Crossman, who was sent out to investigate the finances and drama of the Southey administration, wrote in early 1876: "I am in the middle of the accounts. I never saw anything so disgraceful."³

The Cape Colony was scandalously unhelpful. It made an enormous profit from the import dues of goods going to the Diamond Fields--conservatively estimated as £56,000 in 1875--and refused to share these duties with Griqualand West. Instead it levied a tax of £15,000 on checks and bank notes in circulation at the Diamond Fields.⁴

Although Barkly came to Southey's rescue by authorizing a loan of £10,000 with a mortgage on land revenue for security which at least made it possible for him to meet his ordinary monthly expenses and £7,000 due for land survey, this only postponed the day of reckoning and increased Southey's enormous indebtedness to the always obliging Cape banks.⁵ Barkly explained to Carnarvon that he did not want to stop payments at the Treasury because of the serious effect this would have on British prestige and because his faith in the extent and permanency of the resources of ^{Griqualand West} ~~G~~ remained unshaken, and asked the Secretary's pardon if he disapproved of this action.⁶

This faith in ^{Griqualand West} ~~G~~ which Southey and Barkly shared and Carnarvon did not, was put to a severe test when the 1874 budget was finally totalled up. Even Barkly was surprised by the £10,000 deficit. The estimated Revenue had been £83,000 and the actual only £65,753. The estimated expenditure had

been £78,750 and £75,786 had been actually spent.⁷ For 1875 the anticipated revenue was £76,220 and the authorized expenditure £67,295.⁸ Southey succeeded in arranging a bank credit to see him through to the new loan, and, in spite of his firm conviction that it was better to borrow than to cut down in a young country where there existed an untapped potential of revenue,⁹ proceeded to cut down on personnel by giving up his own messenger and private secretary, getting by with two less clerks in the offices of Secretary of the Government and Auditor; and a replacing of the present Treasurer and three clerks by one civil commissioner and Provincial Accountant and two clerks; plus some other combining and abolishing of jobs, which would save £11,000 to 12,000 a year. Southey wrote to Barkly asking that if Carnarvon did not approve of these measures he suggest something else. Southey also suggested that if Griqualand West were to be completely self-supporting it might be a good idea to let the people, through their elected members on the Legislative Council, feel that they held a substantial position in matters of finance.¹⁰ This showed that Southey was not always the dyed in the wool conservative that his detractors thought.

Barkly came up to Kimberley in early August 1875, and as Governor, took over the administration. As Currey put it, Imperial money had been spent and Barkly had warned that if he had to send troops he would come himself which "we"

(Southey and Currey) understood" to mean his unfailing remedy of another change of Government.¹¹ Ling declaimed that the province had no confidence in Barkly or Southey; only in Carnarvon and Froude.¹² But Barkly, when he arrived, found the country calm and was impressed by the feeling of permanency in ^{Griqualand West} which people at a distance were apt to consider transitory.¹³ The purchase of Vooruitzicht had been guaranteed up to £100,000.¹⁴ And the financial situation was slowly improving. Revenue was in excess of expenditure of the first six months of 1875 and some debts had been paid off. In spite of deciding to keep Giddy as Treasurer (partly because it was not certain how to pension him off) there seemed every reason to anticipate a surplus of several thousand pounds on the ordinary financial revenue of the transactions of the province.¹⁵ Barkly was so hopeful that he put through an Ordinance (#1 of 1875) for a loan to raise £20,000 for land survey and another (#2 of 1875) to raise £15,000 for public works.¹⁶

One of the continuing problems besetting all administrators of the province was the length of time it took to get a response from the Government in Cape Town, which took a week, or London, a minimum of two months.¹⁷ So just as the situation was visibly improving in Griqualand West, Carnarvon reached the limit of his patience. He had long been complaining about the increasingly unsatisfactory state of affairs there, remarking crossly that estimates must be submitted before the

expenditure had occurred and in a form which made consideration possible (surely a reasonable request) and pointing out that taxes had gone up from three shillings per head of white population in 1872 to ten in 1875. He admitted that land might be the ultimate answer, but considered it just speculation for the moment. Southey's answer to his order for immediate economy, an almost impossible request, had been to reduce the police from 102 to 65 at a moment when the inability of the said police to preserve the peace had necessitated the sending of troops at enormous expense.

Carnarvon felt that the civil establishments and expenditure of ~~the~~ ^{Erquivaland West} had not been on a sufficiently simple scale nor had the policy of its Government been justified by administrative or financial success. Therefore he had decided to remove Southey and substitute a less highly paid officer. This was to involve "no disparagement of the very remarkable services rendered by Mr. Southey during a long official career."¹⁸

~~Therefore he had decided with a~~ ^{This decision, once made, was implemented by a haste and tactlessness amounting almost} to cruelty. The news that Southey would be asked to leave came out in the papers before he had been told officially, and was probably leaked by Froude. Southey was hurried out, to be replaced by an officer of ability and experience who was to be paid £1700 a year and be left as "free as possible." Southey was to receive an additional two hundred pounds a year to his Cape pension in recognition of his "high qualities."¹⁹ Currey's office was abolished, and he was given

twenty-four hours to vacate his office, given no pension, and at forty-seven with six children to support, put on half salary of five hundred pounds a year, in a glare of publicity sure to make it difficult to find new employment.

"The whole Colonial Press has rung with my so-called suspension, and it is only reasonable for the public to suppose that no officer in my position would have been treated as I have been unless he had been clearly convicted of the gravest misconduct." He had been made the scapegoat for the failure of the Southey administration, but was vindicated by Col. Crossman's report and later had a highly successful career as Manager of the London and South African Exploration Company.²⁰

Barkly, in forwarding letters to Carnarvon from Southey and Currey, said that as he was more or less involved he would not express an opinion, but it would be "ungenerous" of him not to point out that the circumstances of ~~the~~ ^{Orange and West} were such as to make success less likely than failure. Probably there never was a place more difficult to administer than ~~the~~ ^{that province}, not so much because of the dispute over the ownership of the territory, not on account of the dangerous elements invariably found in a population of diggers hastily gathered together far from any military force, but because of the unique situation of diamond mines of inexhaustible depth and richness worked by a few hundred white with the aid of many thousands of free black labourers.

The diamond mines posed new social and economic problems

as Southey and Barkly saw. Southey fought for the individual diggers versus the capitalists, but the diggers never appreciated what Southey was doing for them because of Southey's other battle over equality for the native. Southey lost on both counts. Barkly continued to hope that some means could be found to settle the whole question to suit HMG and the Cape Colony which would not be in decided opposition to the wishes of the inhabitants of the Province. He felt especially responsible for it, and wanted to prove that Griqualand West could be rendered politically, as it already was commercially, one of the most prosperous and flourishing portions of the British Empire.²¹

SOUTHEY'S DISMISSAL - FOOTNOTES

1. C.W. De Kiewiet, The Imperial Factor in South Africa, p. 10.
2. Ibid., p. 51.
3. De Kiewiet, Imperial Factor, p. 51, quoting from Crossman to Ommanney, 8 Jan. 1876.
4. De Kiewiet, Imperial Factor, p. 49.
5. GH 23/32 No. 22: Barkly to Carnarvon, 27 Feb. 1875; De Kiewiet, Imperial Factor, p. 53.
6. GH 23/32 No. 22: Barkly to Carnarvon, 27 Feb. 1875.
7. GH 23/32 No. 24: Barkly to Carnarvon, 1 March 1875.
8. GH 23/32 No. 37: Barkly to Carnarvon, 25 March 1875.
9. GW 184 p. 319: Southey to Barkly, 11 March 1875.
10. GH 23/33 No. 45: Barkly to Carnarvon, 24 April 1875.
11. J.C. Currey, Half a Century in South Africa, Chapt. XIII, p. 8.
12. The Diamond News, 5 Aug. 1875.
13. GH 28/96 No. 101: Barkly to Carnarvon, 7 Aug. 1875.
14. GW 185: Southey to Barkly, 13 May 1875.
15. GW 186: Southey to Barkly, 10 June 1875.
16. GH 23/33 No. 113: Barkly to Carnarvon, 31 Aug. 1875.
17. A Wilmot, Life and Times of Sir Richard Southey, p. 285.
18. GH 1/71 No. 69: Carnarvon to Barkly, 4 Aug. 1875; GH 1/71 No. 79: Carnarvon to Barkly, 20 Aug. 1875.
19. GH 1/71 No. 82: Carnarvon to Barkly, 20 Aug. 1875.
20. Currey, Half a Century, Chapt. XIII p. 9; A.F. Williams, Some Dreams Come True, Cape Town 1948, p. 30.
21. GH 23/33 No. 125: Barkly to Carnarvon, 28 Sept. 1875.

CONCLUSION

The unique deposit of diamonds in Griqualand West was unexpected, resulting in a hasty tent town and an unusual conglomeration of people, far greater than anyone imagined. Neither the vast economic potential of this treasure nor the social transformation it was to bring about were truly appreciated at the time. Southey came closest. He insisted that the diamonds belonged to all South Africa and should be used for the benefit of all its people and he realized that the place of the native was vital for the future as well as for the daily working of the mines.

In a sense his long range view was responsible for his short term failure to keep Griqualand West in good financial order. Southey set up a large administrative apparatus and governed the colony on the broad principles he considered essential to the future prosperity and greatness of the country--a country he wished to see extended by taking the tribes of those chiefs who wanted it, under the British crown. The diggers wanted a profit from the diamonds, as large as possible and as soon as could be, with the stamping out of IDB at any cost. Carnarvon wanted a peaceful Griqualand West which could be quietly annexed to the Cape Colony as part of the plan for Confederation, and which meanwhile would not cost any Imperial money. The serious depression

brought on by torrential rains and a fall in the price of diamonds, about which Southey could do nothing--Southey considered it a temporary situation to be ridden out--brought his government down. If the mines had been working and the diggers occupied, it is very doubtful whether they would have felt strongly enough to revolt, however distasteful Southey's views on the native question were to them, especially as the idea of Government purchase of the farms on which the diggings were situated was growing steadily.

In spite of the plaudits of his friends, it seems clear that Southey, honorable, dedicated and loyal as he was, was not an easy man to work with. His slow, careful, through-the-proper-channel approach to every problem must have been particularly irritating to the impatient, self-reliant diggers. He was also single minded and uncompromising which are not always considered virtues by a superior officer. If Southey felt official policy was wrong, he immediately pointed it out in no uncertain terms, attributing the "error" to "want of information" if he felt particularly tactful.

Carnarvon also had a difficult personality. Gladstone considered the "cacoches of action or stir" in Carnarvon as being at the root of "the mischiefs in South Africa." ¹ Britain's vast Colonial Empire was under his jurisdiction and Griqualand West was a miniscule of relative unimportance, especially as Carnarvon did not believe that the diamond deposits would last. He did not really understand what was

going on there. Southey drew the harsh conclusion that Lord Carnarvon did not even read his despatches about the troubles, "for, if he had, it is scarcely possible that he could have so muddled the affairs."² Carnarvon himself, with unusual humility, or caution, wrote to Barkly that he could not judge whether Southey was doing the right things or not from a distance. There is no doubt, as every writer at the time pointed out, that the slowness of communication from Griqualand West to London made any swift decisions impossible.

Between these two men of action, Carnarvon whipping up Confederation, and Southey, sorry he had not been quicker to act against the "rebels", was Barkly, mediator and moderator.³ He shared Southey's imperialist vision and British view of the native question, but he was by nature a compromiser, a waiter for the right moment, and hopeful that with time everything would come right. He tried to help the opinionated men and London understand each other, without going out on any limb. Whether the Colonial Secretary would have been more understanding of Southey's problems if he had had direct contact with London, instead of having to pass through Barkly who sent on only what he found important, is doubtful. Nor is it certain that the rebellion could have been nipped in the bud if Barkly had taken more on his own authority and not consulted with London over every step.

What is beyond dispute is that the problems, great and small, which faced the Government of Griqualand would have

taxed the most efficient and united administration. The unfortunate relationship with its Boer neighbors, its ambiguous position vis-a-vis Cape Town, as well as its internal problems of diggers versus proprietors, and disputed ownership of land and diamonds, faced any government with an unusually complicated situation. In retrospect, it seems that only two solutions were valid. One would have been to allow the mining board to administer the province as a mining community, with such regulations as the miners saw fit to pass. The other was to spend the money to have a forceful government to build up the province as a nucleus for the territory around it and rule it all according to British law, which was what Southey wanted and tried to bring to pass. He could not do it alone. His views were, however, influential in keeping Basutoland and Bechuanaland under British rule.⁵ He was, perhaps, ahead of his time.

CONCLUSION - FOOTNOTES

1. C.F. Goodfellow, Great Britain and South African Confederation, p. 216.
2. GW 186 : Southey to Barkly, 19 June 1875.
3. Mona Macmillan, Sir Henry Barkly, 1970.
4. A.F. Williams, Some Dreams Come True, p. 197.
5. Waldemar B. Campbell, "The South African Frontier, 1865-1885," Archives Year Book, 1959, p. 48; De Kiewiet, The Imperial Factor in South Africa, p. 58.

COMMENT ON SOURCES

The semi-official letter books containing Southey's long, detailed comments and ideas on many subjects are the chief source for this paper. Through them one comes to know Southey well and the people he writes about most frequently come to life. However, without the Diamond News, and Wilmot's Life of Southey, it would be almost impossible to put Southey's remarks into context, as some events are described in detail and others merely referred to, since they were presumably common knowledge at that time. De Kiewiet's, The Imperial Factor in South Africa is invaluable for economic and political background. Mona Macmillan's Life of Sir Henry Barkly, while seeing him in a rosy light, is very helpful in filling out the character of Southey's immediate superior and giving his "side" to problems hitherto seen only from Southey's point of view, except for as much of Barkly's as we see in his official despatches. The Hon. Alexander Wilmot's Life and Times of Sir Richard Southey is the only source that I could find for Southey's early life and, although laudatory, is indispensable. Carnarvon's complex character and his difficult self-appointed task of Confederation are explored in detail by Goodfellow, in Great Britain and South African Confederation, 1870-1881. Last but not least, the J.B. Currey manuscript, Half a Century in South Africa gives a no-nonsense point of view and a check on most of the major problems which occupied Southey.

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181 July 1873 - 16 October 1873

182 October 1873 - 31 December 1873
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183 February 1874 - 2 August 1874

184 August 1874 - 31 December 1874
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185 March 25 - 5 June 1875

186 10 June 1875 - 11 September 1875

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GW 175 December 1872 - December 1873

176 January 1874 - November 1874

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