HISTORY OF SOUTH AFRICA.

CHAPTER XLIV.

HENDRIK SWELLENGREBEL, GOVERNOR, (continued).

For a long time past the winefarmers had been making complaints of there being no sale for the produce of their vineyards, then from two to four thousand leggers of five hundred and seventy-six litres each a year; and to relieve them the directors had resolved, if no other remedy could be devised, to substitute wine for spirits to a large extent in their ships and Indian establishments, provided it could be obtained of moderately good quality. The burgher councillors, on behalf of the farmers, addressed the governor-general Van Imhoff on this question. The governor-general offered them free trade in India, upon payment of 16s. 8d. freight and £2 10s. 0d. duty a legger. The burghers replied that such a privilege would be of no use to them. The governor-general then proposed that the tax on wine should be increased from 4s. 2d. to 12s. 6d. a legger; that upon payment of this and a fee of 4s. 2d. to the fiscal and of £1 0s. 10d. a legger to the licensed dealer, the burghers should be at liberty to sell without let or hindrance to all visitors, Dutch or foreign, at the best price they could obtain; and that the Company should purchase at £5 5s. 10d. a legger sufficient for its own needs, which would be on an average about four leggers for each ship leaving the port, in addi-
tion to a quantity to be sent to the Netherlands and to Batavia for ships coming to the Cape and for the use of the workpeople in India. With this proposal the burgher councillors on behalf of the farmers expressed themselves satisfied.

The question of a market for other produce than corn and wine then came on for discussion. The governor-general proposed to reduce the price of peas to £1, and of beans to 16s. a muid, and offered on behalf of the Company to take as much as they chose to grow at those prices. Whatever was not needed for the use of the ships could be sent to Batavia. To this arrangement also the burgher councillors agreed.

Since 1722 the officers of government at the Cape had been permitted to have gardens for their own use, not exceeding two morgen in extent; but they were prohibited from selling anything out of them or of trafficking in any manner whatever with farm produce. Their salaries were insufficient for their decent maintenance, but they had been allowed to trade in various kinds of foreign wares on their own account. The governor-general prohibited further trading, and as compensation allowed the officials certain fixed sums on different transactions. Thus, for every legger of wine purchased by the Company from the farmers, a sum of £2 1s. 8d. was to be divided between the governor and the secunde in the proportion of two-thirds to the former and one-third to the latter. In practice it came to this, that a farmer who delivered a legger of wine for exportation or for the use of the Company’s ships signed a receipt for £8, but actually received only £5 5s. 10d., 12s. 6d. being deducted for the Company, £1 7s. 9d. for the governor, and £3. 11d. for the secunde. The fiscal had corresponding privileges in issuing licenses to trade, and trifling perquisites were also allowed to some of the junior officers, who were really in a pitiable condition as far as their purses were concerned.
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No official document could be drawn up for a burgher without a heavy fee being paid. This was an ever-increasing evil, for the fees were constantly being augmented. Thus, a few years later, a certificate of release from the service of the Company had to be written on a stamp of 12s. 6d., and the secretary of the council of policy received £2 1s. 8d. for drawing it out and signing it.

The practice of using different money from that of the Netherlands opened a door to what would now be termed fraud, but what was in those days regarded as a legitimate perquisite of the officers of government. In the accounts, which after 1738 were kept in rixdollars and stivers, two and a half Dutch gulden of twenty stivers each were equal to one rixdollar. But at the Cape and throughout India a fictitious gulden, of which there was no metallic representation, was in use. In receiving money for taxes or goods, three of these were counted as one rixdollar. But in paying out money—for instance to a Cape farmer for grain—the fictitious gulden was reckoned at sixteen stivers, thus giving to the officer in charge of the granaries a perquisite of four per cent upon the value of the transaction. In converting the money of the old records into British coinage, the fictitious gulden must therefore sometimes be taken at one value, sometimes at the other. Before 1770 there was no attempt to rectify this evil. Another perquisite—considered legitimate—was receiving grain at a heavier weight the muid than it was debited to the Company. The last or load, in which the accounts were kept, at this time consisted of seventeen muids, a few years later of eighteen muids and a half. The muid, as charged to the Company, weighed one hundred and seventy-five Amsterdam pounds, as delivered by the farmer, weighed from one hundred and eighty to one hundred and ninety pounds.

The colonists were constantly taking possession of new tracts of country and laying them out in cattle runs never
less than five or six thousand English acres in extent, for each of which they paid to the Company a yearly rent of £2 10s. before 1732, and £5 after that date. Upon the slightest fault being discovered in a cattle run, the occupier did not hesitate to abandon it and move to another farther in advance. A vast region, almost untenanted except by Bushmen since the desolation of the coast belt by small-pox in 1713, lay open before the colonists.

The governor-general Van Imhoff regarded this condition of things as boding no good to the future of the European race in South Africa. In his opinion it would tend to unsettle the colonists and turn them into a body of half barbarous nomads. To attempt to fix the people to the soil, he issued instructions that any one who so desired could convert sixty morgen (126.99 acres or 51.39 hectares) of ground about his homestead into freehold property, upon application to the council of policy and payment of from £10 8s. 4d. to £41 13s. 4d. according to the value of the land. The remainder of the farm was to be held as before; its use, as long as it was not required by the Company, being allowed upon payment of a yearly rent of £5. This measure, though well intended, had not much effect, as very few farmers availed themselves of it.

The governor-general regarded the introduction of negroes into the colony as a very serious evil, but he could devise no means of rectifying the condition of things which their presence caused. In a memorandum which he drew up on the 25th of February 1743 for the use of the directors, he regretted that Europeans in large numbers were not sent out in the early days of the settlement, as in that case some of them would have been obliged to labour with their hands, and things would then be very much better. The introduction of slaves had caused every white man, no matter how humble his birth, to regard himself as a master, and unless paid at an extravagant rate he expected to be served instead of serving others. Masons and carpenters often demanded
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four shillings and even four shillings and six pence a day, with their food, and withal would only do half as much work as in Europe. Farm labourers were not to be had at any wages. Most of the holders of land were not farmers at all in the sense in which that word was used in the Netherlands, but masters of plantations, and would consider it a disgrace to toil. There was no help for it, however, as negroes had been imported, and the system could not then be changed.

Before 1743 there was outside of Capetown but one seat of magistracy in South Africa. Over all the wanderers who were pushing their way inland the landdrost and heemraden of Stellenbosch legally held jurisdiction, but practically many of them were beyond the reach of law. On the 12th of November of this year four heemraden were appointed to form a court of justice for the residents beyond the lower Breede river. Their names were Cornelis van Rooyen, Jan Loots, Andries Holtshausen, and Jacobus Botha. They were selected out of a double number nominated by the board of landdrost and heemraden of Stellenbosch and Drakenstein, as it was at first intended that for general purposes they should sit in that court.

In January 1744 Mr. Johannes Theophilus Rhenius, previously a bookkeeper in the Company's service, was appointed assistant landdrost and secretary in subordination to the landdrost of Stellenbosch. Almost immediately a dispute arose concerning the rank of the officials. The heemraden maintained that Mr. Rhenius, being their secretary, was beneath them in dignity, while he on his part contended that as assistant landdrost he was their superior officer.

The question was referred for settlement to Governor Swellengrebel and the council of policy. They decided that when the court sat to hear judicial cases Mr. Rhenius was to preside, but when it sat to arrange district affairs the oldest heemraad present was to occupy the chair.
This arrangement did not answer at all. But on the 31st of August 1745 the dispute was brought to an end by the formation of a new magisterial district, and the elevation of Mr. Rhenius to the full rank of landdrost. The number of heemraden was increased to six, owing to the great size of the new district, the eastern and northern boundaries of which were not otherwise defined than “where the power of the honourable Company ends.” Half of the heemraden retired every year, after sending a list of six names to the council of policy, from which list their successors were chosen by that body.

There was as yet no place selected for the seat of the new magistracy, and for a time the court met at the residence of one of the heemraden. The government wisely left this to be arranged by the court itself. Some excellent sites were already occupied as farms, but it was not deemed advisable to eject government tenants. The board of landdrost and heemraden prudently took time, and only after much inspection and discussion was a site agreed upon. Application was then made to the governor and council, by whom on the 25th of October 1746 permission was given to use the ground selected and to put up such buildings as might be needed.

Mr. Rhenius and the district councillors chose a charming locality. From the Langebergen issue at various places little streams of clear fresh water, feeders of a river which drains a valley stretching from the Warm Bokkeveld to the sea. One of these streams which, for want of a more original name, was called the Cornlands river, winds through a dell some kilometres in length before it unites its waters with those of the Breede. Here, with the mountains close in front and rich soil capable of being irrigated around, a drostty and other necessary buildings speedily arose. At the present day the village, with its scattered houses and gardens on each side of a single winding street, extends quite five kilometres along the vale, but in the middle of the
eighteenth century few people could maintain themselves except by farming, and hence many years elapsed before it could fairly be called more than a hamlet. It received a name in 1747, as on the 26th of October of that year the council of policy decided that the district should be called Swellendam, in honour of the governor and his lady, and in conformity with the usage of the time the seat of magistracy took the same name. Building sites for the use of persons not in the government service were first surveyed in 1750.

On the 31st of August 1745, when the district of Swellendam was formed, the dividing line between it and the district of Stellenbosch was laid down by the council of policy from Zoetendal’s Vlei on the seacoast to Tiger-hoek in the range of mountains along the southern base of which the river Zonderend flows, thence to the junction of the Breede and Hex rivers, and thence the Hex river to its source. The dividing line between the districts of the Cape and Stellenbosch was made the Keyser’s river as far up as the farm of Jacob Diederiks, instead of the Kuils river as previously. Farther north the dividing line was not named in any other way than that certain localities were mentioned as being under the jurisdiction of the landdrost and heemraden of Stellenbosch. But that definition was sufficiently clear. According to it, to the Cape district was assigned the territory south of the Berg river and enclosed between the sea and a line running along the western base of Riebeek’s Kasteel to the Keyser’s river. The northern boundary of the colony was left undefined.

On the 15th of October 1743 the Indian authorities issued instructions to reduce the price of wheat delivered at the Company’s magazines at the Cape to 9s. 4d. the muid. Thereupon some of the most substantial farmers in the country assembled at Stellenbosch to confer with the burguer councillors and heemraden, and endeavour through their solicitation to obtain a higher price.
They represented that the ordinary work of the agriculturist was performed by his slaves, but at harvest time he required more labourers. These he obtained by hiring slaves from the townspeople at the rate of from 1s. 8d. to 2s. a day. If he needed the services of a European mason or carpenter, he had to pay from 2s. 6d. to 4s. a day, in addition to food, though occasionally an inferior workman could be hired at £2 a month. After paying wages at this rate, and deducting the Company’s dues, he could not sell wheat at 9s. 4d., as even in the most favourable seasons the actual cost of production in labour, cattle, and implements was 8s. 2d. a muid. The burghe councillors and heemraden were of the same opinion, and they petitioned the Indian authorities to raise the price again to 10s. 8d. In June 1745 the governor-general and council of India agreed to what was asked of them.

The farmers were now in this position. The Company purchased from them as much ordinary wine as it needed at £5 5s. 10d. a legger clear, and as much wheat as it needed at 10s. 8d. a muid, from which was deducted the tithe, calculated upon the last census returns made. They could sell surplus produce to any one who chose to buy, upon paying first the tithe dues upon grain and 12s. 6d. upon every legger of wine, secondly £1 6s. 10d. a legger to the licensed dealers in wine if this article was sold to the master or purser of a ship, and thirdly a fee to the fiscal when ships’ people were purchasers of produce.

Complaints of the quality of the wine were frequently made by the Indian authorities. The directors sent out skilled persons from Europe to instruct the farmers in its proper manufacture, and the authorities at the Cape tested every legger that was purchased, but the complaints continued as before.

In 1744 M. La Bourdonnais, governor of the French island of Mauritius, proposed to the council of policy at the Cape a free exchange of the productions of the two countries, and stated that fifty or sixty leggers of wine
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would be needed yearly by the colony under his rule, exclusive of the shipping. The council replied that they could not establish a regular trade, nor receive the produce of Mauritius in barter; but that Frenchmen could purchase at the Cape as much wine as they chose, upon paying cash for it, and could then remove it at their pleasure.

The farmers were generally in such a condition that the accumulation of wealth was impossible. In 1750 the directors mooted the subject of increasing the number of colonists, and the council of policy called for reports. The reply of the board of heemraden of Stellenbosch and Drakenstein is dated 11th of January 1751. In it the heemraden expressed their opinion that there were too many European families then in the country to get a good living, and that people were anxious about the future for their children's sake. The burgher councillors went to the very root of the matter. In their reply they stated that they knew of no means by which a greater number of people could obtain a living, unless free exportation of produce to all countries was permitted.

In their report the heemraden incidentally referred to the change then rapidly taking place in the old settled districts in the disappearance of grass and the springing up of small bushy plants in its stead.

The village of Stellenbosch was by this time quite embowered among its oaks. It had been quickly rebuilt after the fire of 1710, and all travellers who now visited it described its beauty in glowing terms. The board of landdrost and heemraden acted as a court of justice, and performed also the duties which are now undertaken by municipal and divisional councils. A few of its enactments will illustrate its powers and the way in which it used them.

A contract was made with a farmer to place a pontoon upon the Berg river and to keep in repair the road over the Roodezand pass, for which he was to receive yearly
from every family residing beyond the Berg river either a muid of wheat or eleven shillings in money.

In December 1742 permission was given to the burgher Pieter Wium to open a butcher’s shop in the village, on the following conditions. Every Wednesday and Saturday he was to offer for sale good wholesome fresh mutton at the rate of two pence for a single pound (453.6 grammes), or six pence halfpenny for two kilogrammes, and to refuse no one at that price. Four times a year he was to offer beef for sale at the same rates. Failing these conditions he was to pay a fine of £5 to the deacons for the benefit of the poor.

Some of theburghers were in the habit of grinding their corn with hand mills or little water mills of their own construction. From this custom the board anticipated a serious decrease in the price paid for the leases of the public mills at Stellenbosch and Drakenstein, which carried with them the exclusive privilege of grinding all the corn consumed within fixed limits at certain stated charges. The district was then receiving £126 13s. 4d. a year for the lease of each of these mills. Yet the members of the board were very willing to assist their fellow burghers, if it could be done without affecting the revenue, and generally an arrangement was made that the owner of the hand mill should satisfy the lessee, and be allowed to grind his own corn. As an instance, it is recorded that the burgher Michiel Otto, of Hottentots-Holland, petitioned to be allowed to grind sufficient corn for the use of his household with a small water mill which he had erected on his farm. His request was acceded to, upon condition that he should pay to the miller of Stellenbosch the same fees as if he had his corn ground at the district mill, and that this permission should not form a precedent.

The convulsions in Europe which followed the death of the emperor Charles VI (20th of October 1740), and which began by the king of Prussia invading Silesia, largely affected the Dutch East India Company. In