

HENRY FRANCIS FYNN AND THE FYNN COMMUNITY
IN NATAL 1824 - 1988

Shirron Bramdeow

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PREFACE

The history of Henry Francis Fynn is one of legendary significance in the development of the region known as Natal in both the nineteenth and twentieth centuries. While certain aspects of the career of Henry Francis Fynn have been scrutinised by historians, antiquarians and various South African governmental agencies dating from colonial times to the present, there are, however, a number of neglected facets that have not received adequate attention by scholars. This thesis is concerned mainly with developing these ignored dimensions. First, the career of Henry Francis Fynn has been in need of re-assessment, given the fact that scholars and critics have not touched upon the more controversial events that characterised his life in pre-colonial and colonial Natal and KwaZulu history. This thesis will develop such neglected themes as his role in British colonial administration, his quest for land and status in white colonial society, and the most enduring of all legacies, his founding of a distinct mixed ethnic community along the south coast of Natal.

There are a number of acknowledgements that I would like to render. I am greatly indebted to Dr Charles Ballard, my thesis supervisor and Senior Lecturer in the Department of History, University of Natal, Durban. His scholarly knowledge of south-eastern African and colonial societies proved most invaluable to my work. I am grateful for the patience, diligence and constructive criticism that he has shown me.

I am also grateful to the staffs of the Pietermaritzburg Depot of the South African Archives in Pietermaritzburg, the Don Africana Library in Durban and the Killie Campbell Africana Library and Museum of the University of Natal, also of Durban. I am also indebted to Mr Jack Reardon of the Development and Services Board, Pietermaritzburg for the assistance that

he willingly gave on the continuing question surrounding the land claims of various elements of the descendants of Henry Francis Fynn residing on or concerned about Lot 7, Albersville, south coast, Natal.

I also wish to extend my deep appreciation to the present descendants of Henry Francis Fynn. Foremost is the invaluable information and documentation given to me by Mr Morris Fynn, the Chairman of the Henry Francis Fynn Descendants Association, of Wentworth in Durban.

Thanks is also due to the following for their first hand knowledge of the social and economic position of the Fynn Community in southern Natal: they are Betheel Fynn, Adelaine Fynn, Kate Fynn, George Fynn, Lili Mazi Fynn, Wilmot Fynn, Mrs T. Manning and Earnest Newman of Port Shepstone, and David Fynn and Johnson Fynn of Wentworth, Flora Yealvina Lupka of Pietermaritzburg and Neville Lawrence of Nquabeni.

Sincere thanks is due to Mrs Norma Hatcher, secretary in the Department of Economic History, University of Natal, Durban for the typing of this thesis.

Finally, I would also like to thank my parents, Mr and Mrs D. Bramdeow, for their support and encouragement.

ABBREVIATIONS

A.V.C.	-	Albersville Vigilante Committee
<u>B.P.P.</u>	-	<u>British Parliamentary Papers</u>
C.O.	-	Colonial Office Confidential Print
C.S.O.	-	Colonial Secretary's Office
D.S.B.	-	Development and Services Board
G.H.	-	Government House
<u>G.T.J.</u>	-	<u>Grahamstown Journal</u>
K.C.L.	-	Killie Campbell Africana Library
<u>N.B.B.</u>	-	<u>Blue Book for the Colony of Natal</u>
<u>N.G.G.</u>	-	<u>Natal Government Gazette</u>
R.D.S.B.	-	Records of the Development and Services Board
S.G.O.	-	Surveyor General's Office
S.N.A.	-	Secretary for Native Affairs

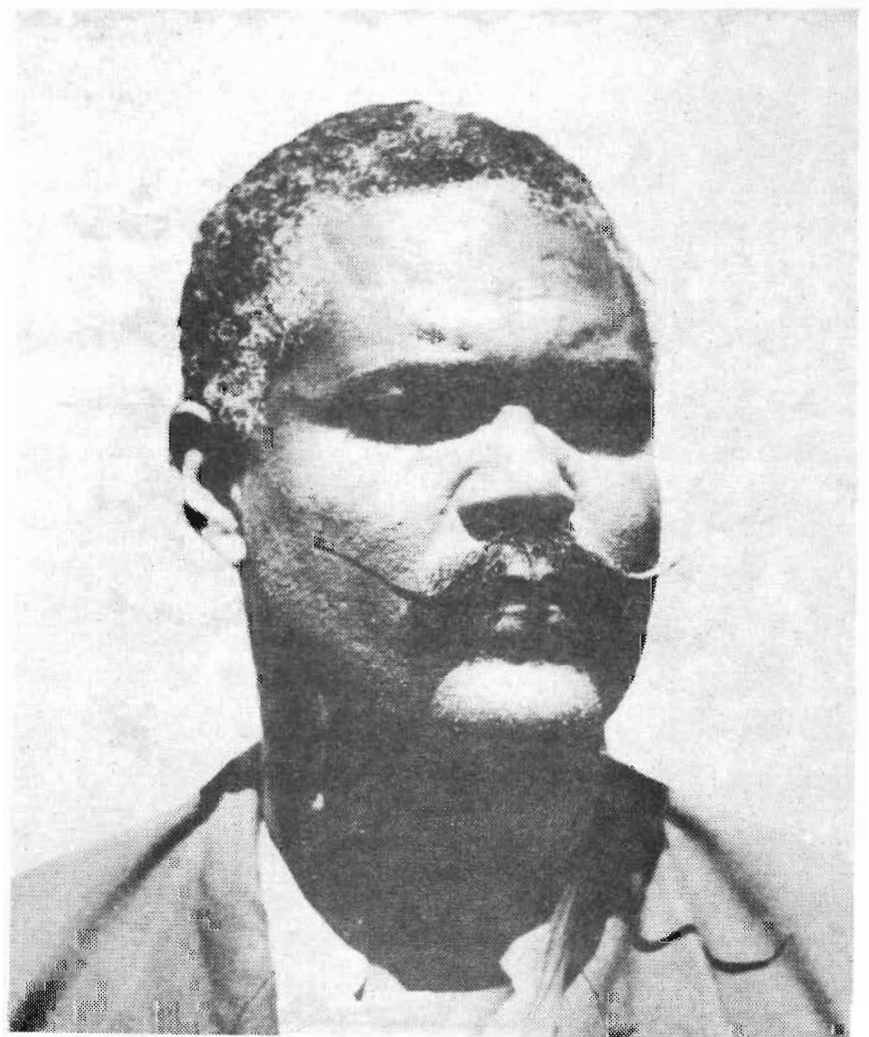
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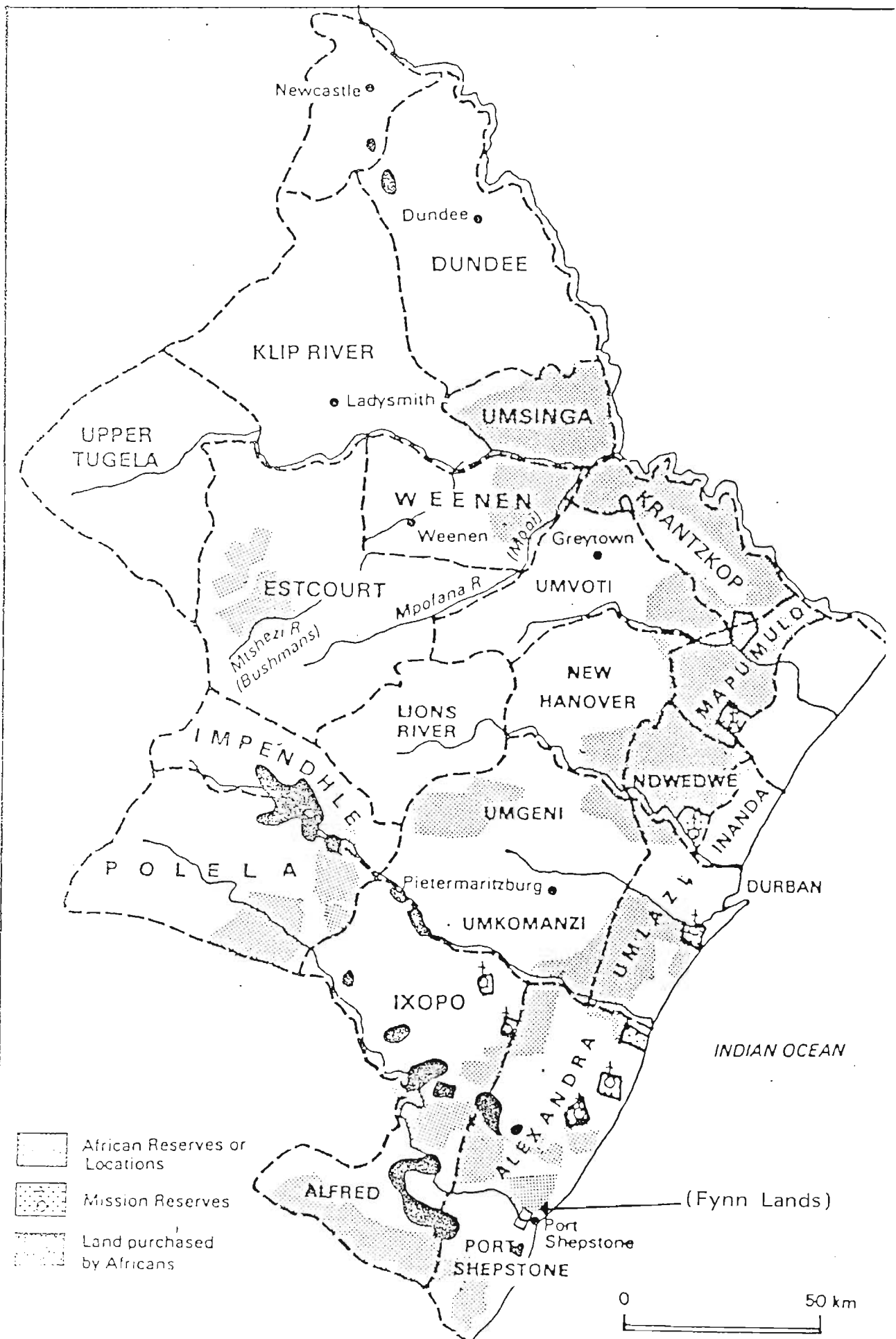
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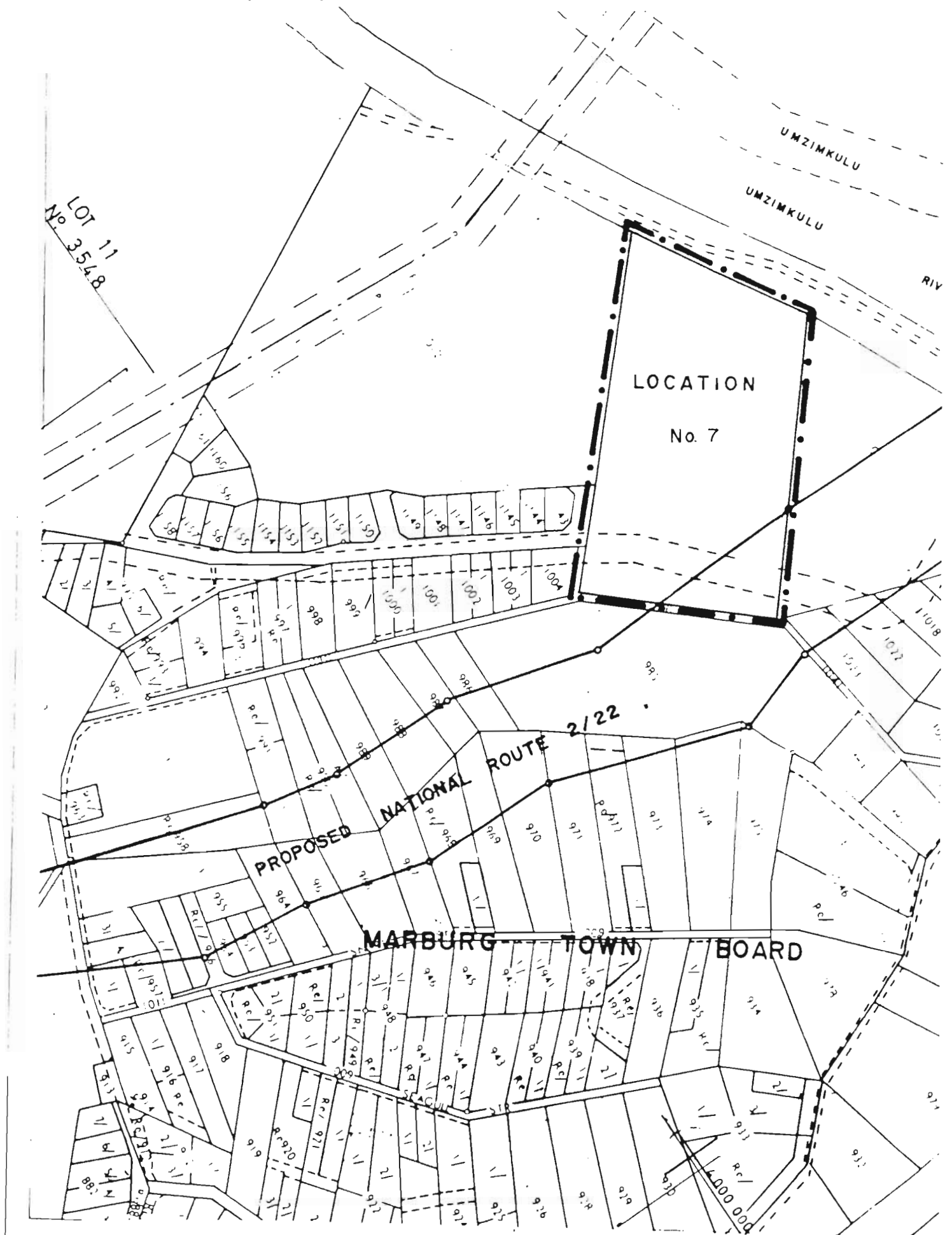
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Colony of Natal, 1905 illustrating the African locations and the location of the lands claimed and inhabited by Henry Francis Fynn and his descendants.



Illustrating the specific area of the land being Lot 7, Albersville inhabited by the Fynn descendants, 1988.



CHAPTER ONE

INTRODUCTION

The history of Henry Francis Fynn and the history of his numerous descendants is incomplete, particularly the evolution of his coloured progeny. The intention of this thesis is to examine these ignored facets. Existing interpretations of Henry Francis Fynn are inadequate in that they do not provide a comprehensive assessment of his career. Fynn has been portrayed by historians as the pioneer of Natal or, as one writer refers to him, as 'King of Natal'.⁽¹⁾ Major portions of Fynn's life, however, have been neglected by historians in the major published works on South African history. They have not assessed the cultural and physical environment in which Fynn operated in Natal. To obtain a clearer perception of this foremost settler of Natal, it is necessary to include even those aspects of his life which have been considered as being uncomplimentary to him.

A number of disconnected academic and narrative works have been produced on aspects of Henry Francis Fynn and the Fynn community in Natal. There are only two academic pieces on Fynn, the foremost being Wright's seminal article 'Henry Francis Fynn' which draws attention to Fynn's life and career.⁽²⁾ An important fact that came out of this article is that Fynn spent the major part of his forty-three years in southern Africa in the Cape Colony; he resided only nineteen years in Natal. Wright mentions that the earlier period of Fynn's life as 'pioneer' in Natal tends to be emphasized but his career in colonial administration in both the Cape and Natal, as a frontier

1. Louis du Buisson, The White Man Cometh, (Johannesburg, 1987) p.41.

2. J.B. Wright, 'Henry Francis Fynn', Natalia, 4, Dec. 1974.

official amongst the Thembu and Mpondo and as a magistrate in Natal, has been overlooked. This thesis will address some of these neglected dimensions.

The second work is an honours dissertation by Todd entitled 'The Remembrance of Your Kindnesses to Us. Henry Francis Fynn's Other Decade in Natal, South Africa 1852-1861.'⁽³⁾ The focus of Todd's study is narrow in the sense that it concentrates on Fynn's second decade in Natal. It is nevertheless an important part within the wider scope of Fynn's life that has previously not been given any attention. His thesis somewhat lacks a framework and reflects an approach where the events evolve around Fynn himself rather than examine Fynn in the broader social, economic and political context that influenced him. Todd is complimentary of Fynn whereas he could however be more critical of his career. There are a few contradictions in his interpretation of Fynn. He says that Fynn never assimilated the customs of the Africans in place of his own British ways⁽⁴⁾ and then later mentions that Fynn wanted to act like an enlightened African chief, as he had in his first decade in Natal.⁽⁵⁾

Fynn adopted the Nguni social system during his earlier period in Natal, 1824 to 1834. The only way to rule the Natal Africans, as he saw it, was to assume a role as chief. Fynn was sympathetic but he was not always viewed by all the Zulu as being the benign 'good Samaritan'. He was a freebooter, he killed a Zulu chief named Lukilimba and his deteriorating

3. E.J. Todd, 'The Remembrance of Your Kindness to Us. Henry Francis Fynn's Other Decade in Natal, South Africa 1852-1861', (unpublished Honours dissertation, Middlebury College, 1977).

4. Ibid., p.92.

5. Ibid., p.105.

relationship with the Zulu is evident in the fact that he was not successful in retrieving the colonists' cattle from Prince Cetshwayo during the Zulu Civil War of 1856. Fynn's main motive in returning to Natal in 1851 was to obtain land and this brought him into conflict with the government over the distribution of land to the other settlers. His search for security in a grant of land from the British colonial government, which he based upon his past reputation, did not materialise. Fynn's sympathies were more in tune with the frontier phase and his freebooting era rather than the colonial society which clamped down on his activities. Todd's work fails to render a deep analysis probably because of degree limitations. Still it is useful as it gives some insight into Fynn's role as a civil servant during this period, the difficulties he experienced and his rewards. Some of the themes which Todd neglected or discussed briefly will be elaborated in this study. In his examination of Fynn, Todd has utilized most of the significant source material, these in the main being the Colonial Secretary's Office (C.S.O.) papers, Secretary for Native Affairs (S.N.A.) papers, Government House (G.H.), Fynn's Diary, Fynn Letters, Fynn Papers and the Garden Papers.

Twin Trails: The Story of the Fynn and Southey Families written by an amateur historian, Marjory Davies, has a decidedly European bias.⁽⁶⁾ Although Davies, the great grand-daughter of William McDowell Fynn, brother of Henry Francis Fynn (Mbuyazi), concentrates on her lineage she focuses only on Henry Francis Fynn and his white descendants and neglects Henry Francis' more numerous descendants of mixed ethnic origin.

6. Marjory Dick Davies, Twin Trails: The Story of the Fynn and Southey Families, (Salisbury, 1974).

The other major work is The Diary of Henry Francis Fynn edited by Stuart and Malcolm.⁽⁷⁾ It is mainly a laudatory interpretation of Fynn. Stuart and Malcolm who were not professional historians as such, do not analyse Fynn's writing but accept the verbatim narrative of Fynn as being fact. They failed to look at Fynn's life critically; anything controversial was omitted – no mention is made of Fynn's African wives, for example. Although Fynn probably did not display complete candour in his diary, particularly his adaptation to the new frontier environment, for if he had written without any reservation it would have shattered his reputation in colonial society, and the 'savageness' of the Zulu kings Shaka and Dingane his records indicate were, in large, sensational narratives. But in spite of these deficiencies, Fynn's Diary still contains material that is relevant to the history of Natal until 1834.

Louis du Buisson's The White Man Cometh presents more of a balanced account of the early traders in Natal than some of the other works on the subject. This book makes interesting reading as the author does not accept the records of Fynn and Isaacs at face value. It is however incomplete in that Buisson does not verify his sources. He attempts to justify this by mentioning that 'This book should be read not as an historical work, but as a piece of investigative journalism.'⁽⁸⁾

The history of Fynn's descendants and the distinct mixed ethnic community that they came to form is very scarce and paltry. There is only one tentative academic report by Mary Stoker on 'The Origins and Development of the Coloured Community in Alfred County: Natal 1824–1971' which looks very

7. James Stuart and Duncan McK. Malcolm, (eds.), The Diary of Henry Francis Fynn, (Pietermaritzburg, 1969).

8 Buisson, The White Man Cometh, p.14.

briefly at the Fynn descendants and some of the racial legislation that has affected them.⁽⁹⁾ No academic attention has been turned to the historical evolution of the Fynn community in any published material. The history of the Fynn descendants has been ignored by South African academics, particularly historians, and has escaped their attention largely because of the disdain of a South African community that has veered away from discussing such emotive topics as the social and sexual interaction of black and white. Another reason is the prejudice, mainly from white historians, discussing the emergence of coloured communities because of mentioning race mixing and its product that is the coloured communities of South Africa. Thus the sources that do exist are scattered and are written by non-academics, some members of the Fynn family and scattered newspaper articles and occasional government reports.

This thesis will therefore focus on the neglected or inadequately interpreted dimensions of the history of Henry Francis Fynn and the mixed ethnic community that he propagated in Natal. It is not the intention of this thesis to concentrate on the white descendants of Henry Francis Fynn as their history and geneologies have been adequately covered in Twin Trails. Insofar as where essential details relating to the clarity of this thesis is concerned the aim of this thesis is to re-examine the life and career of Henry Francis Fynn and his numerous descendants from his African wives. In so establishing these parameters it is hoped that several distinct continuities will emerge – namely the quest for land, status and identity in South Africa. These threads of continuity, it is contended, began with the founder of the Fynn community, Henry Francis Fynn who was known as Mbuyazi to the local Africans, and

9. Mary Stoker, Department of Sociology and Social Work, Rhodes University, unpublished research report, 1972.

have continued to be integral features in the history of his descendants. It is also the aim of this thesis to more clearly define these economic, social and cultural aspects through the successive governments and their institutions that have ruled Natal viz. the Zulu government under Kings Shaka and Dingane, the boer republic, the Natal colonial government (1843-1909), the Union government (1910-1960) and the present republican government (1961-).

It is essential to closely scrutinize the career of Henry Francis Fynn and to reinterpret his desires and motives for establishing himself and his family in the region. The interpretations of Fynn's career are outdated and have not taken cognizance of the more recent revisionist interpretations of white settlers such as Henry Francis Fynn who for mainly economic priorities penetrated the territory of the indigenous peoples beyond the restrictions and security of metropolitan society – that is in this case beyond effective British authority in the Cape Colony. In re-examining the career of Fynn, it is most useful to employ the analytical tool of the 'frontier' for a more complete analysis of Fynn. Fynn has never been interpreted in this revisionist academic framework before. The works of Legassick, Giliomee and Ballard on the 'frontier' were valuable as a framework for the early period in providing an adequate interpretation of Fynn.

Natal historiography comprises three major schools of thought – the colonial view which was prejudiced in favour of the British settlers in their dealings with non-whites, the 'liberal' approach was a reaction to the colonial interpretation and the 'radicals' who have been inspired by Marxist thought.

The colonial historians like Theal and Bryant exhibit a strong bias towards the frontier settlers. Although they expressed the attitudes and interests of the colonists they did not ignore the Africans. Africans were portrayed

as 'barbaric' and 'savage'. Nevertheless these early works are an invaluable source of information.

Many contemporary works on South African history tend to have a 'liberal' interpretation especially regarding race relations between blacks and whites. Although the 'liberals' are sympathetic towards the black people they dismiss them to a position of minor importance in history and still place much emphasis on the colonists. Wilson and Thompson, the editors of the Oxford History of South Africa which has come to be the distinguished example of modern 'liberal' history mention that 'the central theme of South African history is interaction between peoples of diverse origins, languages, technologies, ideologies and social systems meeting on South African soil'.⁽¹⁰⁾ Wilson and Thompson recognise the fact that there was co-operation as well as conflict on the frontier. The earlier 'liberal' writers tend to stress conflict as a major characteristic of the frontier and they attribute the formation of racial ideology to frontier conditions.

Radical or neo-Marxist historians who emphasise economic and class relations rather than race relations disagree with the 'liberal' view of the frontier. Legassick argues that racism did not originate on the frontier, nor was it more prevalent on the frontier, but in Protestant Europe - 'The ideas were present from the beginning and hardened into an ideology in response to the nineteenth century challenge to the system of social relations.'⁽¹¹⁾ Some of the writings on the 'frontier' produced by 'radicals' have been beneficial in furnishing new perspectives. The works produced by Guy

10. M. Wilson and L. Thompson (eds.), The Oxford History of South Africa, (Cape Town, 1975), vol.1, p.v (preface).

11. Martin Legassick, 'The Frontier Tradition in South African Historiography', Collected Seminar Papers on the Societies of Southern Africa in the 19th and 20th Centuries, (Institute of Commonwealth Studies, 1970).

and Bundy who operate within this historiographical framework is also valuable for a better understanding of certain processes in history.⁽¹²⁾ Guy focuses on the effect of the physical environment in the formation of the Zulu Kingdom. Environmental disasters such as drought and famine enabled Fynn and the other traders to rapidly establish themselves in a position of dominance in Natal without great difficulty. Bundy's Rise and Fall of the South African Peasantry illustrates the role of African agriculturalists and their response to economic changes and market opportunities and is useful as the Fynns in Alfred County were basically agrarian minded, independent peasants.

As there is no published or recorded history of the Fynn community in Natal, it is necessary to construct their history, which forms a major part of my thesis, from a number of diverse primary, unpublished sources. Concentration will be focused upon the mixed ethnic community of the Fynns located in the greater metropolitan Durban area and more particularly those Fynns who live near the original lands set aside on the Natal south coast by the successive governments dating from the British colonial era. With King Shaka's permission, Henry Francis Fynn settled on the banks of the Umzimkulu River, south of Natal, with his Nsimbini tribe. Some of the Fynn descendants today still reside in this locality which is now known as Lot 7. By the Trust Deed of 1880, Locations 7, 8, 9 and 10 in Alfred County were allocated by the British government to the Fynn family comprising mainly the descendants of Henry Francis Fynn and of his brother Frank Fynn. In examining the Fynn descendants of mixed origin, attention will

12. Jeff Guy, The Destruction of the Zulu Kingdom, (Johannesburg, 1982).
Colin Bundy, The Rise and Fall of the South African Peasantry, (London, 1981).

be given to the Fynns' quest to obtain an adequate and secure land tenure as well as their social and economic development against the backdrop of a white dominated South Africa from the mid-nineteenth century through to this last quarter of the twentieth century.

This thesis will therefore commence with an examination of the founder of the Fynn community reassessing the period of his residence in Natal and Zululand from 1824 to 1834. The main thrust of this chapter is the interpretation of Fynn's early career in the context of the frontier environment of Natal beyond the boundaries of British imperial control. The analysis of Fynn in this context will provide an insight into how he responded, behaved and lived in this new environment. He adapted to the African way of life in Natal for pragmatic reasons because he probably realised the potential for personal gain and status. Another theme covered in this chapter is the environmental factors that prevailed during this period and the bearing that they had on Fynn and the other traders in establishing their authority in the region. Attention will also be focussed on the economics of trade in the 1820s in relation to South Africa and its commercial links with Britain's free trade system.

Chapter Three deals with Fynn's career and fortunes as a colonial official on the Cape frontier amongst the Pondo and in Natal from the time of his return in 1852 until his retirement from government service in 1860. It looks at Fynn in the context of the closing frontier of Natal and outlines the establishment of Natal as a British colony from 1844. The development of Natal's early economy, experiments in agriculture and the emergence of an African peasantry will be discussed. Consideration is given to the new social order, imbued with a Victorian value system, emerging in Natal and the implications that this held for Fynn and his family. The racial and class attitudes of Natal's

settler community, i.e. of European superiority, influenced their perception of non-whites. They formed stereotyped images of them as being 'barbaric' and 'lazy'. The colonists fearing that European culture and values would be undermined by the large indigenous population, condemned African lifestyles and polygamy. Fynn's transgressions of these white norms during his first phase in Natal reverberated against him hindering his promotion in the colonial service. In his career Fynn did not advance beyond the rank of magistrate. Therefore Fynn's post as a magistrate and his role in the Zulu Civil War of 1856 are areas that will be probed further.

Chapter Four seeks to examine the uncertainties attached to Henry Francis Fynn's disputes over land with the British government in the mid-nineteenth century through the tribulations of his descendants in obtaining security of land tenure in the twentieth century under the Union government. Significant to the discussion on the Fynn community, their claims to land and their social and economic lifestyle, is the impact of confederation and the Trust Deed of 1880 whereby land was specifically allocated to the Fynn descendants in Alfred County. Emphasis will be placed on the Fynns as peasant farmers as well as on their relationship with the local Africans.

The Fynn descendants came under increasing pressure by being neither white nor black. There was some economic interaction between these 'coloured' Fynns and the colonists but on the social level they were shunned by them for the most part. The Fynns assimilated the African lifestyle and although as chiefs they were subject to native law, they had certain privileges, they could obtain firearms and gunpowder and were included in the voters roll. This chapter will include an examination of the maze of segregationist laws erected under the various Union governments, especially from 1948 and its subsequent effect on the lives and status of the predominantly

coloured community and the Fynns. After the death of Chief Percy Fynn in 1961, the fact that the Fynns were no longer appointed as chiefs marks the beginning of a period of intensified racial and class stratification.

In conclusion, an attempt will be made to explore in some length the question of the Fynn's racial identity and how uncertainties attached to this under vague, obscure or discriminatory legislation has impeded the overall development, both material and cultural, of the Fynn community. With the definition of the term 'coloured' person being vague, the coloured controversy has been a lingering issue. Most of the Fynns are classified coloured and the change in their status has formidable implications. It meant relinquishing their chiefly status and the security that went with it for a life determined for them by the various apartheid institutions.

The Fynns have felt most acutely the uncertainties of their racial status as it pertains to their occupational rights to land. The Fynn descendants have been engaged in a dispute over a piece of land in Albersville, Lot 7 in the Marburg area, that originally belonged to James Fynn, the son of Henry Francis Fynn. Because the Fynn descendants comprise all race classifications, the dispute becomes complex in that the family is divided in their fight to regain the land. It therefore becomes necessary to incorporate the versions of both sections of the Fynn clan. Since this conflict is still proceeding, no solution has been reached.

It is appropriate to assess briefly the existing primary source material both published and unpublished. The volume of this material is diverse yet substantial and illuminating. The Colonial Office Confidential Print, the CO.879 series, containing reports, memoranda and correspondence yields information on the frontier tribes, colonial policy and administration during the early years.

Although the British Parliamentary Papers tend to justify the views of the Colonial Office, it is an important source on government policy as well as on Fynn's career in Natal, on the eastern frontier and in Pondoland. Though the British government viewed the traders in Natal, including Fynn, as having mercenary motives, it realised the potential advantages that could be derived from their venture –

'...on the other hand, if they could be established there as general benefactors, the interests of all would be instantly promoted, the colonists be benefitted, the natives enriched, friendships would be generated, political union established, and the permanent trade maintained that might eventually prove of benefit even to the British empire.(13)

Material pertinent to the role of the Fynn descendants, their social and economic conditions, in nineteenth century colonial society has been obtained from the records of the colony of Natal found at the Don Africana Library. The Blue Books of the Colony of Natal, the Statistical Blue Books and the Departmental Reports have proved to be of considerable value. These sources contain data relating to the population in Alfred County, the salaries of the Fynn chiefs and the number of huts taxed under them. The Fynns as chiefs worked closely with the magistrates in Alfred County and the annual magisterial reports provided insight into the prevailing conditions in this division and on the Fynns as agriculturalists – furnishing information on the crops cultivated, the livestock reared and the number of agricultural implements they owned.

The Fynn Papers⁽¹⁴⁾ consisting of correspondence to and from Fynn, memoranda, miscellaneous papers, etc. are invaluable materials that sheds much light on Fynn and his career.

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13. British Parliamentary Papers (hereafter abbreviated as B.P.P.) – Cape of Good Hope, Vol.20, D'Urban to Stanley, 17 June 1934, p.620.
 14. The Fynn Papers are at the Killie Campbell Library and at the Pietermaritzburg Archives.

Other sources of major importance that are housed in the Pietermaritzburg Depot of the South African Archives are the S.N.A. papers, C.S.O. papers and G.H. papers. This official correspondence gives an inkling of African administration and Fynn's career as a magistrate, including his mission to Zululand, and deals with Fynn's request for land. The S.N.A. minute papers are useful on the Fynn descendants and more especially on their role as chiefs. The Surveyor General's Office Papers are helpful on land issues from 1877 and includes the title deeds for the lots granted to members of the Fynn family in Alfred County.

Since much of the history of the Fynn descendants is a social and economic history, it is necessary to bring it up to the present time. The bulk of the material already mentioned, however, is of no significance for an assessment of the Fynn community in the modern period. This thesis had to rely largely on oral interviews for this aspect of the work. Here Morris Fynn, Flora Lupka, Betheel Fynn, David Fynn, Johnson Fynn and Earnest Newman were most informative and enlightening. Evidence was also gleaned from a Group Areas Board and visits to Lots 7, 8, 9 and 10 set aside for the Fynn family and to grave sites. These endeavours helped to provide a clearer picture of the present circumstances of the Fynn community. The records of the Development and Services Board in Pietermaritzburg pertaining to Lot 7, the currently disputed area, were of immense value.

The Statute Books were scrutinized for the array of racial legislation affecting the coloured group and the Fynns under the union and republican governments.

The Natal Witness and the Natal Mercury yielded relevant information on the internal developments in the colony and province respectively, and the South Coast Herald was beneficial for evidence relating to the present land issue.

CHAPTER TWO

PORT NATAL 1824 - 1844

Henry Francis Fynn was one of the leading pioneers of white settlement in Natal. He was a versatile individual – a trader, adventurer, philanthropist, writer and colonial official. Henry Francis Fynn was born in London on 29 March 1803. He was educated at a public school in London at Christ's Hospital, known as the Blue Coat School from 1809 to 1816 while 'his parents were abroad in a state of great pecuniary embarrassment', leaving no provision for his maintenance and education.⁽¹⁾ He became a surgeon's assistant for a time and acquired a knowledge of medicine although he had no formal training. This was to be of much benefit in later life because his ability as a 'doctor' increased his popularity among the Zulus. His father, also named Henry Francis Fynn, went from England to the Dutch East Indies (India) and acquired considerable wealth as a trader. In 1806 the Cape Government, then under the Dutch East India Company, confiscated his ship and assets in specie on the grounds that Indian coin could not be exported from the Cape. Henry Francis Fynn, senior, went back to England but returned to the Cape in 1808 with his family.⁽²⁾ In 1819 Henry Francis, who was then sixteen, joined his family – his father, his mother (Elizabeth Copestick), William McDowell, Frank, Alfred, Eliza and Matilda – in Cape Town where his father had bought the British Hotel in Long Street. At the Cape Henry Francis Fynn worked for four years on a Government farm⁽³⁾ under Robert Hart on the eastern

1. Marjory Dick Davies, Twin Trails: The Story of the Fynn and Southey families, p. 10.

2. Ibid., p. 3.

3. The farm was started by Lord Charles Somerset, the Governor of the Cape, on the Little Fish River to supply the British frontier troops with provisions.

frontier. It was here that Fynn first came into contact with African people. His interest soon waned and he returned to Cape Town in 1822 in search of a more rewarding career. Just when Fynn was about to give up hope of obtaining employment, not because of a lack of employment but because he was too shy to ask for a job, and thought of returning to England he was offered a position by Henry Nourse and Company as supercargo⁽⁴⁾ on the Jane, a trading vessel to Delagoa Bay.⁽⁵⁾ As Bond says, his destiny was settled.⁽⁶⁾ It was the proceeding that made him realize the potential of trade with the interior and also made him a leading founder of Port Natal, now present-day Durban.

At Delagoa Bay, Fynn found that the main commodities of trade were sea-cow and elephant ivory, ostrich feathers and slaves.⁽⁷⁾ During his six months of trading at Delagoa Bay Fynn travelled up the Maputa River in the Mary to conduct trade with the Tsonga tribe under Chief Makhasana where in spite of Portuguese rivalry he was quite successful in obtaining ivory in exchange for blankets, brass and beads. Fynn then proceeded southwards and came into contact with the Zulu whose King was Shaka. Fynn intended making friends with Shaka of whom the surrounding tribes were terrified, but was unable to reach him. Fynn had come down with fever and was cured by African herbalists who placed him in a pit for about half-an-hour in which a fire was made earlier and lined with wet

4. The supercargo was responsible for the selling of the cargo and he had to purchase a return cargo.

5. Fynn's Diary, p.36.

6. J. Bond, They were South Africans, (Cape Town, 1957), p.92.

7. Fynn's Diary, p.40.

grass to prevent him from being burnt. Fynn never again suffered from fever.⁽⁸⁾

Back in Cape Town Fynn learned that while he was at Delagoa Bay, Lieutenant F.G. Farewell of the Royal Navy was engaged in a similar venture at St Lucia Bay. Farewell believed that ivory obtained by the Portuguese at Delagoa Bay was acquired from the Zulu Kingdom. If a trading station was established in Shaka's territory there would be no hindrance to trading as it would draw the ivory intended for Delagoa Bay and great profits could be made. Farewell, backed by Cape merchants, obtained Lord Charles Somerset's (Governor of the Cape) consent to establish a trading post at Port Natal which, 'they believed would if successful, not only be beneficial to themselves, but likely to lead to important advantages to the Cape Colony, in furnishing articles of export as well as new sources of trade, and tending to civilize many populous nations hitherto unknown to Europeans.'⁽⁹⁾ Farewell's trading scheme was not only a promise of income to the colonial treasury as the traders stood a good chance of bartering for ivory and even gold but was also necessary to the maintenance of Somerset's status in the unknown Natal interior.⁽¹⁰⁾ Somerset however asked Farewell to 'distinctly understand that all intercourse with the natives must be conducted in a conciliatory manner, and upon fair terms of barter; and that he could not sanction the acquisition of any territorial possessions without a full communication being made to him of the circumstances under which they may be offered

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8. Fynn's Diary, pp.42-43.
James Stuart, 'Notes on the Life of Henry Francis Fynn', K.C.L. manuscript collection.
 9. James Stuart, 'Men Who Made the Colony: Henry Francis Fynn. The First Natalian', K.C.L.
J.C. Chase., The Natal Papers, (Cape Town, 1968), p.16.
 10. M. Philips, Valley of the Virgin Warrior, (Durban, 1979), p.34.

and be intended to be received.¹¹

In the 1820s metropolitan attitudes to the African peoples were, at best, vaguely benign, and also the acquisition of new territory was then frowned upon as it would mean another added responsibility in troublesome South Africa on the part of the British Government. Farewell's Natal project was exciting interest among the British 1820 settlers and some were willing to enlist, hailing his enterprise as 'the most daring venture into the unexplored interior yet attempted.'¹² Fynn's trading experience at Delagoa Bay would be an asset to Farewell's expedition.¹³ Farewell made Fynn a proposal that he could not decline. He was to be the trading manager and instead of a salary he would receive a percentage of the profits.¹⁴ Although Fynn was attracted by financial reward he also had other motives - 'Travelling and new scenes were to me a greater object than any pecuniary advantage.'¹⁵

Fynn was to proceed to Port Natal in the Julia with a small party of Europeans and Khoi retainers and open the way for a trade agreement with Shaka.¹⁶ These Khoi retainers contributed greatly in the initial contact between black and white serving as interpreters, cooks, labourers, wagon drivers; they were also fine shots and horsemen.¹⁷

11. John Bird, Annals of Natal, (Pietermaritzburg, 1888), p.34.

12. Elizabeth Paris Watt, Febana, (London, 1962), p.22.

13. I.M. Perret, Footprints in Time, Natal, (Johannesburg, 1971), p.58.

14. Fynn's Diary, p.56.

15. Ibid.

16. E. Brookes and C. de B. Webb., A History of Natal, (Pietermaritzburg, 1979), p.18.

17. M. Wilson, 'Co-operation and Conflict: The Eastern Cape Frontier' in M. Wilson and L. Thompson (eds), The Oxford History of South Africa, vol.1, p.246.

In the early nineteenth century South Africa attracted little attention as a sphere of British commercial activity. Exports consisted of a limited number of commodities as trade had not yet infiltrated the interior. Wine and wool were the two important exports of the Cape Colony. But the Cape wines had obtained a reputation of being inferior and the market for it in Europe declined.⁽¹⁸⁾ The export of wool, however, increased. In 1816, 9000 pounds of wool was exported and by 1840 the quantity soared to 750 000 pounds. Fynn's arrival in Natal in 1824 opened up a new channel of commerce and linked Natal and Zululand to the British economy. The traders were instrumental in establishing a foothold for British interests in Natal and there was little government intervention. It was financed from the Cape, insofar as the traders seem to have been backed by Cape firms and had to obtain their supplies and trading goods from the Cape.⁽¹⁹⁾ Natal abounded with game, particularly elephants and hippopotamus, and by trading and hunting precious ivory, hides and cattle were to be obtained. In the 1820s, South African exports had expanded to include ivory and hides. Ivory was a commodity in much demand and worth a great deal on the European market. Until 1900 London was the world centre for ivory, her imports grew from 3 000 cwt in 1827 to 8 000 cwt in 1850.⁽²⁰⁾ Ivory was used for knife handles, piano keys and ornamental inlays; and even the dust found a place in polishing materials, in India ink and in a food called Ivory jelly.⁽²¹⁾ The entire tusk was valuable and since there was no wastage it was a versatile commercial product. South Africa

18. John S. Galbraith, Reluctant Empire: British Policy on the South African Frontier 1834-1854, (Connecticut, 1978), p. 35.

19. M.F. Bittensky, 'The Economic Development of Natal, 1843-1885', (unpublished M.A. thesis, University of London, 1955), p. 6.

20. Una Long, Eastern Province Historical Articles found in The Daily Despatch, East London 1947-1948, No. vi, 27 October 1947, K.C.L.

21. Ibid.

supplied European industries with raw materials and served as a market for manufactured goods. Although British industry was the largest consumer of animal products from Natal and Zululand, Natal was by the 1840s exporting between ten and fifteen percent of its ivory and hides to the continental ports of Antwerp and Hamburg.⁽²²⁾ Import items that ranked consistently high in value were clothing and textiles of every description, machinery and metal tools and utensils, saddlery, arms and ammunition and food products such as coffee, flour meal and tinned and preserved meats and fish.⁽²³⁾

The British traders founded the settlement at Port Natal for purely economic motives as they gave priority to their trading interests which 'transcended any missionary, political, military or other considerations which might be suggested.'⁽²⁴⁾ Fynn was seeking to gain economically by exploiting a new source of trade with the northern Nguni, particularly the Zulu under Shaka. Fynn thus became the first Englishman to open up trade with the northern Nguni whose keenness for such articles as beads, blankets, mirrors and cloth had already been stimulated by the Portuguese. Farewell followed six weeks later. When the traders arrived at Natal in March 1824, they found the region nearly devoid of inhabitants due to Shaka's conquests which ushered in significant political and social changes resulting in the consolidation of the Nguni tribes giving rise to the Zulu kingdom, and

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- 22. C. Ballard, 'The Role of Trade and Hunter-Traders in the Political Economy of Natal and Zululand, 1824-1880', African Economic History, Vol.10, 1980, p.17.
 - 23. C. Ballard, 'The "Ideal Colony": Colonial Economics and Imperial Relations in Natal, 1843-1896', unpublished paper presented at the Conference on the History of Natal and Zululand, University of Natal, Durban, 1985.
 - 24. Quoted in C. Ballard, 'The Transfrontiersman: The Career of John Dunn in Natal and Zululand 1834-1895' (Ph.D thesis, University of Natal, 1979), p.28.

made the Zulus a force to be reckoned with. The inhabitants who escaped Shaka's conquests were in hiding and many perished through starvation. Nevertheless this vast country not only rich in vegetation and teeming with wild animals, but also with a natural harbour, showed potential for successful trading operations. Fynn's priority was to establish contact with King Shaka as the traders were no longer under the umbrella of British law. Motivated by curiosity, Fynn left the others to set up camp while he and his interpreter, Frederick, wandered around the bay in search of inhabitants. Fynn came across some Africans who fled from his presence. They managed to run down one of them, Mahamba, and gaining his confidence by giving him some beads, persuaded him to direct them in their attempt to locate King Shaka. Fynn's first encounter with the Zulus was dramatic when he was confronted by a Zulu impi of considerable size. He noted in his diary, 'I could not see the rear of this immense black and continuous mass of natives, all armed in their war-dresses. Their appearance was sufficient to terrify.'⁽²⁵⁾

The Zulus were probably just as surprised at Fynn's presence. Fynn's interpreters, Frederick and Jantyi, and Mahamba disappeared into the bushes. Fynn attempted to explain to them that he was desirous of seeing Shaka. Fynn later realised that his life was saved 'by that wonderful talisman of this country, the name of Shaka'⁽²⁶⁾ for he could have been killed as a sea animal. Fynn claimed that the coastal tribes believed that Europeans were not human but were sea creatures who travelled in large shells and lived on salt water and ivory which they would take from the shore if laid there for them and leave beads instead which they obtained from the bottom of the sea. Fynn proceeded along the army's track till he came to a kraal belonging to Siyingila where he received a mixed reception.

25. Fynn's Diary, p.61-62.

26. Ibid., p.63.

When Siyingila heard that Fynn was on his way to King Shaka he became accommodating and informed Shaka of Fynn's arrival. A few days later Mbikwana, Shaka's emissary and uncle, presented Fynn with four oxen and asked him to move to his kraal till Shaka was ready to receive him. It was here that Fynn cured a woman of fever.⁽²⁷⁾ Although Fynn's method of treatment, feeling her pulse and looking at her tongue, was ridiculed, the woman recovered and Fynn's popularity increased greatly among the Africans. Exaggerated reports of Fynn's ability as a 'doctor' soon reached Shaka. Rumours had credited Fynn for restoring a dead woman to life. It was Fynn's medicine chest that helped him win the admiration of the Africans and set him on good footing for his meeting with Shaka. Shaka, still not ready to meet Fynn, not only presented him with forty cattle and seven large elephant tusks but also sent an induna with ten izinceku (servants) to attend to him.⁽²⁸⁾

It is significant that Fynn was not only successful in opening up communication with Shaka but had also procured cattle and ivory. In the meantime Farewell arrived at the port. Although this venture was not intended as a colonizing expedition,⁽²⁹⁾ for Fynn believed that the speculation would be completed within six months,⁽³⁰⁾ it marked the beginning of a permanent white settlement at Natal and the emergence of a frontier zone. Fynn stayed in Natal for ten years. James Stuart says of Fynn, 'In him we had no mere settler, with both hands he helped to make Natal.'⁽³¹⁾

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- 27. Fynn suffered from fever at Delagoa Bay and on coming to Natal carried a small medicine chest containing a lancet and a few packets of medicine.
 - 28. Fynn's Diary, pp.66-7.
 - 29. J.B. Wright, 'Henry Francis Fynn', p.15.
 - 30. Fynn's Diary, p.56.
 - 31. James Stuart, 'Men who made the Colony: Henry Francis Fynn. The First Natalian', in The Natalian, 26 June 1908, K.C.L.

To obtain a more revealing analysis of Henry Francis Fynn it is useful to interpret him in the context of the revisionist school of frontier studies in South Africa and to see him against the backdrop of his social, material and cultural environment in Natal. One of the major themes of South African history is the contact between black and white on the frontier where not only conflict but also co-operation was prevalent. A definition of the frontier may be summarised as the advance of white settlement beyond the border of the imperial power into an area where two or more ethnic communities co-exist with conflicting claims to land, and there is no authority which is strong enough to exercise undisputed control over the area.⁽³²⁾ Legassick mentions that in the South African situation there has been a tendency to view the frontier, which is of social origin, as being isolated from a parent society and the meeting point of black and white cultures, peoples and societies.⁽³³⁾ Frontier zones are temporary, unstable, fluid and dynamic.⁽³⁴⁾ Frontier zones cannot exist indefinitely without contact with its base for trade goods and ammunition and it is not long before colonisation occurs because of the advanced technology of the colonial base. The infiltration of the traders into the Zulu kingdom, an unfamiliar region beyond metropolitan control, resulted in a white-black encounter. This confrontation of two distinct societies created political instability and the emergence of a 'frontier tradition' in Natal that had a profound effect on the economic and political life of the northern Nguni.

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- 32. Herman Giliomee, 'The South African Frontier: A Theoretical Framework', unpublished seminar paper delivered at the meeting of the South African Historical Society, 1976, p.2.
 - 33. Martin Legassick, 'The Frontier Tradition in South African Historiography', p.13.
 - 34. Ballard, 'The Transfrontiersman: The Career of John Dunn in Natal and Zululand 1834-1895', pp.26-7.

The traders isolated from influences of 'civilisation' adopted a new way of life. They probably realised that they could not live amongst the indigenous people without adjusting socially and culturally. They thus formed close associations with the Africans which was far from the norms of European society, substituting values of their own culture with that of the indigenous culture, becoming in a sense, transfrontiersmen - defined as follows:

...people of European descent who permanently settled beyond the limits of western society. They included traders, hunters, mercenaries, deserters and social outcasts. Because of their relatively small numbers, the absence of metropolitan women of child-bearing age, and their total isolation from European socializing institutions, they were progressively absorbed into the dominant population. Their adoption of indigenous cultural elements extended beyond the borrowing of local artefacts, techniques, and languages, which facilitated their adaptation to a new and difficult environment, to include the transformation of institutions and values which were at the core of their respective cultures. (35)

Under the influence of the new environment attitudes were reshaped to fit into the structure of the then dominant African society, discarding temporarily many features of their original culture. Fynn absorbed much of African culture and certain traits are characteristic of transfrontiersmen. He was distinctively white but was African in other respects, for example, the manner of dress, taking African wives, ruling as Chief - he had, in essence, become 'Africanized'. This demonstrates that Fynn was flexible and pragmatic which enabled him to accommodate himself to a new frontier situation.

The African presence was felt most acutely in political terms as the small band of hunter-traders realized that Natal was entirely a dependency of

35. Barbara and Allen Isaacman, 'The Prazeros as Transfrontiersmen: A Study in Social and Cultural Change', The International Journal of African Historical Studies, Vol.8, No.1, 1975, p.2.

the Zulu Kingdom, and it was vital to obtain King Shaka's friendship;

Fynn writes:

In our position we were wholly dependent on Shaka. We had no articles fit for traffic, were almost destitute of clothing and provisions, and his sway over his subjects being despotic, our weakness taught us that, to be safe, we must submit to many of his whimsical customs. (36)

When Fynn and Farewell visited Shaka in August 1824,⁽³⁷⁾ his reaction to the arrival of the traders was one of 'friendly curiosity'. He respected their medical skills and was attracted by their muskets and presents. 'In its widest sense it was a conflict between isolation and wide scale interaction: between a tribal outlook and a universal one....'⁽³⁸⁾ While the traders were at Shaka's residence an attempt was made on Shaka's life, he was stabbed in his side. Fynn treated his wounds and when he recovered within a few days confidence was placed in Fynn's abilities. Fynn was not only 'doctor' to Shaka but to his mother and grandmother as well. Fynn's medical knowledge impressed Shaka who was amazed at Fynn's correct identification of his ailments, but it was his personality that woo'd him and contributed to the traders finding favour with him. Petersen, Farewell's father-in-law, seeing that Fynn's medical skills had made him popular with Shaka, attempted to win Shaka's favour with some pill he had brought along, assuring him that they were good for all diseases, but in vain for Shaka refused them and insisted that Petersen swallow a few. It was Fynn's task, who then had a very limited knowledge of Zulu, to inform Shaka of Great Britain and of British and European customs. Although Shaka was curious,

36. Fynn, H.F., 'The Death of Shaka and Farewell', in John Bird, The Annals of Natal 1495-1845, Vol.1, p.101.

37. Brookes and Webb, A History of Natal, p.19.

38. M. Wilson, 'Co-operation and Conflict: The Eastern Cape Frontier' in M. Wilson and L. Thompson (eds), The Oxford History of South Africa, vol.1, p.271.

he would ridicule European manners and customs in the presence of his people and in their absence acknowledge European superiority, especially the power of firearms.⁽³⁹⁾ Although the traders were treated with consideration during Shaka's reign, they were witness to what they claimed were atrocities committed by the Zulu monarch and told horrifying anecdotes of the 'savage' King of the Zulus. For example, Fynn writes that on several occasions he saw individuals seized and instantly put to death. Even upon the death of Nandi, Shaka's mother, he records

After two or three deep sighs, Shaka's feelings becoming ungovernable, he broke out into frantic yells, which fearfully contrasted with the silence that hitherto prevailed. This signal was enough. The chiefs and people, to the number of about 15000, commenced the most dismal and horrid lamentations. Through the whole night it continued, none daring to take rest, or to refresh themselves with water, while at short intervals fresh bursts were heard, as more regiments approached. The morning dawned without any relaxation, and before noon the number had increased to about 60,000. The cries now became indescribably horrid. Hundreds were lying faint, from excessive fatigue and want of nourishment; while the carcasses of 40 oxen lay in a heap, which had been slaughtered as an offering to the guardian spirits of the tribe. At noon the whole force formed a circle with Shaka in their centre, and sang the war song, which afforded some relaxation during its continuance. At the close of it, Shaka ordered several men to be executed on the spot, and the cries became, if possible, more violent than ever. No further orders were needed. But, as if bent on convincing their chief of their extreme grief, the multitude commenced a general massacre. Many of them received the blow of death, while inflicting it on others, each taking the opportunity of revenging their injuries, real or imaginary. Those who could not force more tears from their eyes - those who were found near the river panting for water - were beaten to death by others who were mad with excitement. Toward the afternoon I calculated that not fewer than 7,000 people had fallen in this indiscriminate massacre. The adjacent stream, to which many had fled exhausted, to wet their parched tongues, became impassable from the number of dead corpses which lay on each side of it; while the kraal in which the scene took place was flowing with blood. Amidst this scene, I stood unharmed, contemplating the horrors

39. Fynn's Diary, p.120.

around me; and felt as if the whole universe was at that moment coming to an end. I stood there alone, a privileged being, not compelled to take part in this frantic scene; and I felt truly thankful, not only that I was a British subject, but that I had so far gained the respect of this tyrant as to hope for escape even from this horrible place of blood.⁽⁴⁰⁾

Shaka's friendship ensured Fynn's protection even in this over-exaggerated account of Shaka's supposed 'savagery'. There was also the other side of 'savage' life that interested the traders. Strong discipline prevailed amongst the Zulus, 'surprising to us, who could not have imagined that a nation termed "savages" could be so disciplined and kept in order.'⁽⁴¹⁾

The Englishmen posed no direct threat to Shaka as they were relatively few in number and their basic motive was to trade rather than obtain land. Fynn says 'by our intercourse with the natives, we soon acquired a knowledge of their language, manners and customs, and Shaka became daily more attached to us.'⁽⁴²⁾ According to Fynn, besides interceding for the lives of individuals and tribes doomed to death, 'the only other favour I ever asked of Shaka was a Territorial Grant, when Lieutenant Farewell and King were present. Shaka freely granted to me the country from the Stinkeen River to the Umzimvubu River Coast Ways.'⁽⁴³⁾ Shaka interpreted his grant as a royal prerogative, which could be terminated, extended or transferred.⁽⁴⁴⁾ It was merely a concession of trade over the area. As Bryant mentions 'no sable monarch, so astute and jealous as he (Shaka) would ever have entertained the idea for one moment of delivering over

40. Ibid., pp.133-135, 70,

41. Ibid., p.73.

42. Fynn, "The Death of Shaka and Farewell" in Bird, The Annals of Natal 1495-1845, Vol.1, p.101.

43. C.S.O., No.65, Part 2, p.55. Fynn to Napier, August 1843.

44. C. Ballard, "Natal 1824-1844: The Frontier Interregnum", Journal of Natal and Zulu History, V, 1982, p.50.

his country and sacrificing his sovereign rights to a rank stranger.⁽⁴⁵⁾

The traders did not see the grant in that light. Farewell drew up a document in connection with the grant for the purpose of laying it before the Government. It is as follows:

I, Inguos Shaka, King of the Zulus and of the country of Natal, as well as the whole of the land from Natal to Delagoa Bay, which I have inherited from my father, for myself and heirs, do hereby, on the seventh day of August in the year of our Lord eighteen hundred and twentyfour, and in the presence of my chiefs and of my own free will, and in consideration of divers goods⁽⁴⁶⁾ received - grant, make over and sell unto F.G. Farewell and Company, the entire and full possession in perpetuity to themselves, heirs and executors, of the Port or Harbour of Natal, known by the name of "Bubolongo", together with the Islands therein and surrounding country, as herein described, viz: The whole of the neck of land or peninsula in the south-west entrance, and all the country ten miles to the southern side of Port Natal, as pointed out, and extending along the sea coast to the northward and eastward as far as the river known by the native name "Gumgelote", and now called "Farewell's River", being about twenty-five miles of sea coast to the north-east of Port Natal, together with all the country inland as far as the nation called by the Zulus "Gowagnewkos", extending about one hundred miles backward from the sea shore, with all rights to the rivers, woods, mines, and articles of all denominations contained therein, the said land and appurtenances to be from this date for the sole use of said Farewell and Company, their heirs and executors, and to be by them disposed of in any manner they think best calculated for their interests, free from any molestation or hinderance from myself or subjects. In witness whereof, I have placed my hand, being fully aware that the so doing is intended to bind me to all the articles and conditions that I, of my own free will and consent, do hereby in the presence of the undermentioned witnesses, acknowledge to have fully consented and agreed to on behalf of F.G. Farewell as aforesaid, and perfectly understand all the purport of this document, the same having been carefully explained to me by my interpreter Clambamaruze, and in the presence of two interpreters, Coliat and Frederick, before the said F.G. Farewell, whom I hereby acknowledge as the Chief of the said country, with full power and authority over such natives that like to remain there after this public grant, promising to supply him with cattle and corn, when required,

45. A.T. Bryant, Olden Times in Zululand and Natal, (London: 1929), p.581.

46. Goods consisting of beads, brass, cloth, etc. See Bird, Annals of Natal, Vol.1, p.195.

sufficient for his consumption, as a reward for his kind attention to me in my illness from a wound.

Shaka, his X mark
King of the Zulus

Native witnesses: ⁽⁴⁷⁾
Umbequaru (Shaka's uncle), his X mark
Umsega, his X mark
Cuntlope, his X mark
Clambamaruze (King's interpreter), his X mark

Based on this document the traders 'eked out a precarious and adventurous existence.⁽⁴⁸⁾ According to Zulu custom, however, ownership of land can only be changed by conquest.⁽⁴⁹⁾ This makes the grant to Farewell despite documents in relation to it, groundless. The fact that the same territory was granted to others demonstrates this fact. It has been successively granted to five different individuals, twice by Shaka, and three times by his successor, Dingane; the last grant being made to Piet Retief.⁽⁵⁰⁾ Shaka ceded part of the territory concerned in Farewell's grant to King and later to Isaacs and this caused friction among the traders. A quarrel, of a 'pecuniary nature', between Farewell and King caused division in the camp; Fynn and Isaacs sided with King.⁽⁵¹⁾ In 1834 Sir Benjamin D'Urban wrote of the traders, 'what is to be apprehended from a party of men bent upon gain, living at a distance from civilized society, without union, without laws, each absorbed in advancing his

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47. In Fynn's Diary the editor lists the witnesses as Mbikwana, uMsika, Mhlophe, Hlambamanzi, alias Jacob, p.88. Grant - see Fynn's Diary, p.88; Bird, Annals of Natal, Vol.1, p.193.
48. A.E. Cubbin, "An Exposition of the Clash of Anglo-Voortrekker Interests at Port Natal leading to the Military Conflict of 23-24 May 1842", University of Natal Conference Papers, 1985, p.4.
49. James Stuart, "Notes on the Life of Henry Francis Fynn", p.24, K.C.L.
50. B.P.P. - Natal: Correspondence Regarding the Establishment of the Settlement of Natal 1847-1851, Vol.28, p.19. Stanley to Maitland, 29 June 1844.
51. G. Mackeurtan, The Cradle Days of Natal, (Pietermaritzburg: 1948), p.137.
Brian Roberts, The Zulu Kings, (London: 1974), p.108.

individual interests.'⁽⁵²⁾

On 27 August 1824 Farewell hoisted the British flag, fired a salute and took formal possession of Port Natal although the land concession was rejected by the British Government. Fynn, who was then only 21 years of age, has been credited for his diplomacy in the role he played in gaining Shaka's favour and permission for the white settlers to remain at Port Natal. Bond said of Fynn, 'he began a friendship with the Zulu King such as no other white man, and perhaps no other black man, ever enjoyed. That friendship ensured the safety of the tiny white settlement by the lagoon and the success of its ivory trade.'⁽⁵³⁾ There was no insuperable frontier policy, provided only the goodwill of the Zulu ruler could be obtained.⁽⁵⁴⁾ The traders realized that as long as their protection depended upon the 'goodwill' of the Zulu King, their security remained obscure. To ensure their security and prosperity, the traders called for the annexation of Natal. The Colonial Office, however, refused to identify themselves in any way with the settlement.⁽⁵⁵⁾ British imperialism desired colonies that were self-supporting and would 'serve the interests of British industry and commerce; in this context the Cape was important only in relation to the riches in the East.'⁽⁵⁶⁾ Since the interior was considered 'sterile and worthless' the British Government was penurious. Natal had been frequently represented, by the traders, as likely to be advantageous to the British Government, in the hope that it would be

52. B.P.P. - Cape of Good Hope, 1826-36, Vol.20, p.619.
Sir Benjamin D'Urban to Stanley, 17 June 1834.

53. Bond, They Were South Africans, p.93.

54. Brookes and Webb, A History of Natal, p.30.

55. Fynn's Diary, p.233.

56. Galbraith, Reluctant Empire, pp.26-27.

annexed. Even Fynn desired that Natal become a British colony.⁽⁵⁷⁾

The British Government refused to take possession of the port as it would mean added expenditure and Natal did not seem significant enough to warrant annexation. The great benefits derived from bartering with the Zulus, encouraged the traders to persevere in spite of the precarious circumstances. Isaacs says of Fynn, 'he evinces as much solicitude to spread civilization and moral instruction amongst the unlettered and ignorant Zulus as any zealous missionary....'⁽⁵⁸⁾ Fynn was an imperialist at heart and believed that Natal would someday prove to be a valuable acquisition and he was correct.

It, however, does not appear likely that the Government will trouble their heads with this place till they find that it ultimately must be so, when perhaps not with the same advantage as at present. The capabilities of the port are superior to any on the coast, the vacant country, climate and soil being so much superior, with a surety of crops, which the Cape Colony does not afford will induce everyone who visits this place to be in its favour; and although it will take time and proof to persuade those who know nothing of the place to believe in its capabilities, yet I do not hesitate to say it will not be long, before this will be a settlement of importance.⁽⁵⁹⁾

Of the original expedition members to Port Natal only Fynn, Farewell, Ogle, Cane, Halstead and Powell remained, the others unable to endure privations among 'savages' returned to the Cape. These Europeans dropped all guise and adapted to the new surroundings. The traders enjoyed a certain amount of freedom in establishing relations and attaining their objectives. Fynn engaged in trading and hunting and extended his activities far into the interior in search of ivory, accompanied by Zulus

57. Fynn to the Bishop of Cape Town, Fynn Letters, Vol.2, pp.70-71. Fynn to Grey, Fynn Letters, Vol.1, p.206. K.C.L.

58. Nathaniel Isaacs, Travels and Adventures in Eastern Africa, (Cape Town, 1936), Vol.1, p.178.

59. Fynn's Diary, pp.217-218.

he had trained in the use of firearms. Fynn succeeded in establishing a trading station in Pondoland where he remained for nine months. As ivory was regarded as the property of the local Chief, trade was conducted through them. It was only the Zulu royalty that benefitted materially from trade as Shaka did not permit traders to barter with his subjects. Both the Kings, Shaka and Dingane, valued European trade goods and liberally gave ivory and cattle for them. Their interests thus impelled them to protect the traders. Shaka found their beads 'far superior to those he had previously obtained from Delagoa Bay.'⁽⁶⁰⁾ Shaka greatly desired European medicines especially Macassar oil (hair dye) and sent out his whole force to hunt elephants with the object to procure an abundance of ivory.⁽⁶¹⁾ Shaka, it was said, feared a few grey hairs was a sign of old age which was not tolerated by the Zulus and would signal the end of his reign.

The Port Natal traders made a considerable impact on the ecology of the region, particularly the slaughter of the indigenous fauna.⁽⁶²⁾ Fynn and the other hunter-traders contributed to the depletion of much game in the Zulu Kingdom for food and for trade.⁽⁶³⁾ Although they were a handful in number their effect was compounded by their use of firearms which enabled them to hunt elephant, hippopotamus and buffalo far more efficiently than had previously been the case.⁽⁶⁴⁾ Fynns says: 'I now proceeded to the

60. Ibid., p.77.

61. Ibid., pp.131, 142-143.

62. B. Ellis, "The Impact of White Settlers on the Natural Environment of Natal, 1845-1870" in Enterprise and Exploitation in a Victorian Colony, B. Guest and J.M. Sellers (eds), (Pietermaritzburg, 1985).

63. Ibid., p.72.

64. Ibid.

Umzimkulu River with a party of natives, who had learned the use of fire-arms in our service, for the purpose of elephant hunting.¹⁽⁶⁵⁾ Animals that provided commodities for trade or threatened the safety of the whites diminished greatly⁽⁶⁶⁾; hippopotamus and elephant were no longer frequently seen near the bay, where the hunter-traders congregated, as hunting had caused them to move inland.⁽⁶⁷⁾

The traders claimed that they were well received by the local Africans. A colonial historian gave a fanciful description of Fynn and his contemporaries for in Natal 'Zulu cattle were exchanged freely for "brass". Zulu women were to be had for the asking, ivory and game to be had for the hunting.'⁽⁶⁸⁾ The traders thus found that it was more beneficial to work individually than in company and they set themselves up as 'African Chiefs'. Fynn had several kraals in the region between the Bluff and the Umzimkulu River. One of the paradoxes of the frontier was the uncertainty of status: whites were not all masters, and blacks were not all servants.⁽⁶⁹⁾ As clients of the Zulu King, the white traders had to pay tribute in either a military or economic capacity. Shaka and Dingane summoned the assistance

65. Fynn's Diary, p.130.

66. For a detailed analysis, see Ballard, "The Role of Trade and Hunter-Traders in the Political Economy of Natal and Zululand, 1824-1880".

67. Ellis, "The Impact of White Settlers on the Natural Environment of Natal, 1845-1870", p.72.

68. G. Russel, History of Old Durban, (Pietermaritzburg: 1899), p.6.

69. Giliomee, "The South African Frontier: A Theoretical Framework", p.5.

of the traders to crush the power of their rivals. Fynn was reluctant to participate in Zulu warfare as he would be violating British law but being more afraid of provoking Shaka's anger complied even though inadequately prepared in that 'powder was scarce and our arms out of repair.'⁽⁷⁰⁾ Fynn assisted Shaka in his campaigns against the Ndwandwe and against the Kumalo under Beje. Shaka rewarded Fynn with cattle from the plunder, with which he established his Insimbi kraal.⁽⁷¹⁾ Dingane requested the assistance of Fynn's black wards trained in the use of firearms in his attempts to destroy Mzobashi.⁽⁷²⁾ To secure their commercial objectives the traders recognised and yielded to African political authority. Their acceptance of a subordinate role demonstrates the adaptation and cross-racial collaboration that occurred. They strove to maintain good relations with the people with whom they traded.

The ravages of the Mfecane/Difaqane had left many northern Nguni refugees destitute. When Fynn and company arrived in Natal they found the region desolate and the survivors of defeated tribes starving, 'their cattle having been taken and their grain destroyed, thousands were left for years to linger on the slender sustenance of roots - some even of a poisonous kind.'⁽⁷³⁾ Starvation drove many to cannibalism. Fynn, appalled at their stricken state, observed that 'six thousand unhappy beings, having scarcely a human appearance, were scattered over this country, feeding on every description of animal, and driven by their hunger craving in many instances to devour their fellows.'⁽⁷⁴⁾ Malepi in his evidence to

70. Fynn's Diary, p.122.

71. C. de B. Webb and J.B. Wright (eds.), The James Stuart Archive, (Pietermaritzburg, 1979), Vol.II, p.269. Fynn's Insimbi kraal was at Mlazi.

72. Fynn's Diary, pp.194-195.

73. Ibid., p.21.

74. Ibid., p.22.

Stuart mentions that 'there were no cannibals prior to Shaka destroying the country - only after his devastating the country.'⁽⁷⁵⁾ Jantshi says 'There were cannibals. Famine caused these to exist. They appeared in Shaka's time.'⁽⁷⁶⁾ Ecological factors were also instrumental in this social revolution. Drought which occurred between 1820 and 1823, adversely affected cultivation and more especially grazing, caused a severe famine. Guy has suggested that climatic and environmental deterioration contributed to the emergence of the Zulu Kingdom. According to Guy, with drier conditions the various chiefdoms contended for dominance for access to diminishing resources, because as stockkeeping cultivators they required a variety of grazing types.⁽⁷⁷⁾ The two basic types of natural grazing are 'Sourveld' which is found in higher rainfall regions and 'Sweetveld' which is found in the drier localities.⁽⁷⁸⁾ With these grass types having a high nutritional value in differing times of the year it was necessary to have access to both types of pasturage. During the major famine in the early nineteenth century starving marauders tried to seize food-stores and to protect this, settlement patterns were changed by increasing the area controlled by a single political unit giving them access to a wider range of grazing to avoid the effects of drought and shortage.⁽⁷⁹⁾

The northern Nguni suffered severe losses of produce and cattle due to Shaka's conquests and drought further aggravated this. Drought produced

75. Webb and Wright (eds.), Stuart Archive, Vol.III, p.81
H.C. Lugg, Life Under A Zulu Shield, (Pietermaritzburg, 1975), p.41.

76. Webb and Wright (eds.), Stuart Archive, Vol.I, p.201.

77. Guy, The Destruction of the Zulu Kingdom, p.9.

78. C. Ballard, "Drought and Economic Distress: South Africa in the 1800s", Journal of Interdisciplinary History, XVII:2, 1986, p.365.

79. Guy, The Destruction of the Zulu Kingdom, p.9.

famines of such magnitude that it led to a serious breakdown of social, political and economic institutions among Nguni cattle-keeping cultivators.⁽⁸⁰⁾ European infiltration of Natal was thus facilitated by the Shakan Revolution and drought. Many starving refugees sought the protection of the white traders and this enabled the traders to establish themselves as African Chiefs. Fynn writes, 'I had not long been established there (at the Umzimkulu River) before natives from the surrounding country, because of their distressed and famished state, flocked to me for protection....It was not long before the remains of four tribes, with their Chiefs - amounting to more than two thousand of both sexes - came to live under me.'⁽⁸¹⁾ Shaka saw two advantages to be gained by allowing Europeans to settle in his domain: the traders could supply him with European articles and goods, and also the refugee population would be concentrated under white client-chiefs totally dependent on his goodwill for economic and physical survival.⁽⁸²⁾ Fynn gave cattle and grain which he received from Shaka to the refugees around him. The Africans had attached themselves to Fynn, partly by way of gratitude for his medical assistance, but also moved by the courage, good temper and capability of the tall white man.⁽⁸³⁾ Food and the security of life and property provided by the traders resulted in the division of the African population into the Zulu kingdom and the Natal Nguni.⁽⁸⁴⁾ The traders benefitted from accepting these refugees. To maintain their status as chiefs, it was necessary to obtain wealth, in cattle and ivory, and wives and to increase their following. The Nguni refugees turned to hunting

80. Ballard, "Drought and Economic Distress: South Africa in the 1800s", p.369.

81. Fynn's Diary, p.130.

82. Ballard, "Natal 1824-1844: The Frontier Interregnum", p.55.

83. Mackeurtan, The Cradle Days of Natal, p.128.

84. Ballard, "Natal 1824-1844: The Frontier Interregnum", p.64.

and agriculture.⁽⁸⁵⁾ This was to the advantage of the settlers. The refugee agriculturalists provided the whites with food, for they were attracted by commercial benefits and preferred hunting and trade as an occupation.

Fynn and the other traders were responsible for re-introducing maize seed into Natal which they brought among other things from the Cape. Maize was originally introduced by the Portuguese traders from Delagoa Bay in 1700 but due to Shaka's conquests and famine food supplies and all reserve stores of grain were exhausted. Ndukwana says 'People had to protect their gardens against human beings. For starving people would make their way into a garden and eat raw the green mealies growing there.'⁽⁸⁶⁾

The devastating wars and drought had seen stocks of grain owned by the refugees either pillaged by the Zulu or devoured in the face of hunger. So scarce was maize by the early 1820s that there was hardly any remaining in Natal for seed. It would appear that maize cultivation almost ceased entirely during this period.⁽⁸⁷⁾

Fynn's induna, Juqula, planted maize in his kraals. Juqula's popularity and status increased among the Africans and 'he got a number of adherents' for 'in this way food increased and people came to konza him or to buy seed there.'⁽⁸⁸⁾ Maize cultivation soon became well established and by 1835 the majority of the kraals in the Port Natal area were growing more than enough maize to supply the needs of the entire community.⁽⁸⁹⁾ With

85. Fynn's Diary, p.24.

86. Webb and Wright, (eds.), Stuart Archive, Vol.I, p.201.

87. Ballard, "Drought and Economic Distress: South Africa in the 1800s", p.375.

88. Webb and Wright (eds.), Stuart Archive, Vol.I, p.99.

89. Ballard, "The Role of Trade and Hunter-Traders in the Political Economy of Natal and Zululand, 1824-1880", p.4.

European technology, the re-introduction of maize which had a higher yield than sorghum, and the security provided by the traders agricultural production at the port flourished and the Port Natal community grew rapidly. The traders established themselves in Natal within a short time for they arrived at an opportune moment when environmental factors and war caused the Nguni to be very unsettled and thus encountered no real opposition from them. The refugees were in the main 'loyal' to their white chiefs -

no people of any country could have been under more subjugation, could have been more honest and faithful than the natives who looked up to the white man as their protectors and chiefs. In thus lauding their characters, it is not attributable to the wisdom or good judgement of the white inhabitants, but to the circumstances in which they were placed. The power had been given to us to protect; without that protection the natives of Natal knew destruction was their lot. The natives fulfill the assertion which they frequently make use of that they will die round the body of their chief. (90)

Fynn was highly esteemed by the local Africans who looked up to him with more than ordinary veneration,⁽⁹¹⁾ hence his praise poem⁽⁹²⁾

Mbuyazi⁽⁹³⁾ of the Bay!
The long-tailed finch⁽⁹⁴⁾ that came from Pondoland,
Traveller who was never going to go home,
Hungry one who ate the scented reed of the river,
The finch that never begged, unlike the 'kaffirs',
Deep-voiced speaker like rumbling thunder,
Bull-calf with the capacious paunch,⁽⁹⁵⁾
Feathers that grow and then moult,⁽⁹⁶⁾
Tamer of the intractable elephant.⁽⁹⁶⁾
He who became pregnant with many children,
They multiplied as river after river was crossed,
And then they became dogs and barked at him;
He who when he turned his back looked like the tail
of an antelope;

-
90. Fynn Papers, "Boers Migrate from Cape Colony to Natal", K.C.L. Fynn's Diary, p.316.
91. Fynn's Diary, p.117.
92. Trevor Cope, Izibongo Zulu Praise Poems (Oxford, 1968), p.192.
93. Praise name of Fynn made up by Shaka, his other praise names were Sifile and Misifile - Stuart Archieve, Vol.III, p.200.
94. Refers to the feathers Fynn wore in his hat.
95. Fynn shaved off his beard.
96. 'Intractable elephant' refers to Shaka.

Great swaying frame, he ran heavily but fast,
 Running away from Zululand he made haste.
 Beauty like the mouse-birds of Manteku
 That are yellowish on their wings.
 Our white man whose ears shine in the sun,
 Long snake that took a year to pass by
 And eventually passed in another year.
 Protector of orphans;
 Push-aside of elephants so that they fall,
 He who points with a stick and thunder and
 lightening come forth,
 Everything that he points at falls and dies.
 Our egret that came out of the sea;
 Elder brother of Shaka whom he raised from
 the dead.
 He took refugees out of the forests and nourished
 them,
 So that they lived and became human again.
 Hurrah! Hurrah! Hurrah for the Rescuer!
 Wild animal of the blue ocean.

It was claimed that any "native" of Pondoland would say 'Shaka was great but Mbuyazi was greater, because Shaka listened to Fynn. 'Faku was a wise chief and Mbuyazi was his father', meaning that Faku listened to Fynn as well.⁽⁹⁷⁾ Fynn was a professed "friend" and adviser to both Shaka and Faku. Fynn spoke Zulu splendidly, he also spoke Pondo and Xhosa.⁽⁹⁸⁾

As there were no European women on the Natal frontier, the traders took African women as wives. Rather than live a life of celibacy, it was natural that the settlers who in the prime of manhood, 'sought the black-skinned hands of native damsels as the next best substitute',⁽⁹⁹⁾ revealing the degree of adaptation that occurred -

Wholo (Ogle) and Mbuyazi (Fynn) are the two who
 had the largest number of wives. The sexual
 intercourse with these wives took place on the
 Zulu plan; that is any woman required would be
 specially sent for. She would at nightfall come

97. Webb and Wright (eds.), Stuart Archive, Vol.1, p.55.

98. Fynn Papers, "William Bazley's Evidence", p.14.

99. Bryant, Olden Times in Zululand and Natal, p.373.

to the man's house. The man would not go about to each woman's hut from time to time, carrying his blanket with him, as less important men are in the habit of doing.⁽¹⁰⁰⁾

Shaka gave Fynn nine girls as wives of which he kept six and gave three to his brother Frank.⁽¹⁰¹⁾ Fynn had many children by these women. Consorting intimately with Africans was considered as being harmful socially to one's reputation and was frowned upon by the whites in the Cape Colony. Fynn's liaisons with African women and his 'coloured' offspring later contributed to his failure in reaching the higher ranks in government service in Natal. Allen Gardiner, the missionary, who arrived in Natal in 1835 was disappointed to find Englishmen living in squalid huts. He also accused the settlers of immoral behaviour.⁽¹⁰²⁾ The homes of the traders were constructed along the Zulu mode of building. They were all built in the same slovenly manner⁽¹⁰³⁾ of wattle and daub, reed and mud and 'not remarkable either for the elegance of its structure or the capacity of its interior.'⁽¹⁰⁴⁾ Gardiner notes that Fynn's abode in Pondoland consisted of three buildings of different shapes and besides a couple of kaffir huts, the principal building being rectangular with a verandah round it.⁽¹⁰⁵⁾ From Stuart's informants we gather that 'All these Europeans built on this plan: they all had a number of wives and ordinary native kraals, but also differently constructed houses not far off, where they actually lived and at which they received European visitors.'⁽¹⁰⁶⁾

100. Webb and Wright (eds.), Stuart Archive, Vol.I, p.111.

101. Letter from C.H. Karlsen about Henry and Frank Fynn's descendents. Extract from the Fynn Papers.

102. Brookes and Webb, A History of Natal, p.20.

103. Garden Papers, Vol.2, pp.190-191.

104. Mackeurtan, The Cradle Days of Natal, p.129.

105. Garden Papers, Vol.2, pp.190-191.

106. Webb and Wright (eds.), Stuart Archive, Vol.I, p.111.

Isaacs attributed the laying aside of European clothes to circumstance, 'He (Fynn) had from necessity assumed the costume of the savage natives while with them but resumed his own on his return to his habitation.'⁽¹⁰⁷⁾

Isaacs gives a vivid description of Fynn -

Mr Fynn is in stature somewhat tall, with a prepossessing countenance. From necessity his face was disfigured with hair, not having had an opportunity of shaving himself for a considerable time. His head was partly covered with a crownless straw hat, and a tattered blanket, fastened round his neck by means of strips of hide, served to cover his body, while his hands performed the office of keeping it round his 'nether man'; his shoes he had discarded for some months, whilst every other habiliment had imperceptibly worn away, so that there was nothing of a piece about him.⁽¹⁰⁸⁾

Fynn says that he was reduced to the necessity of wearing skins.⁽¹⁰⁹⁾

With no regular shipping the early traders had no means of obtaining clothing.

Fynn is also said to have worn a loin-cover (umutsha) in Shaka's presence.⁽¹¹⁰⁾

In reference to abandoning clothes for blankets, Holden states 'I have good grounds for believing that sometimes it was not convenient to get them; but that frequently they cared nothing at all about them, and dressed like kaffirs without reluctance.'⁽¹¹¹⁾

By forsaking many European values and adopting African mores, values and their social system, Fynn adapted most effectively to the new frontier environment making him successful in this process of acculturation. Fynn and the other traders were instrumental in transmitting European material culture to the Africans in Natal. They also helped to make Natal known

107. Isaacs, Travels and Adventures in Eastern Africa, Vol.1, p.32.

108. Ibid.

109. Fynn's Diary, p.116.

110. Webb and Wright (eds.), Stuart Archive, Vol.I, p.97, and Vol.III, p.44.

111. W.C. Holden, History of the Colony of Natal, (London, 1855), p.44.

to a limited public in the Cape and in Great Britain.⁽¹¹²⁾

Fynn's record of events in early Natal and Zululand has not been seriously questioned or examined by the editors of his diary. Stuart and Malcolm are very complimentary to Fynn, yet a closer analysis of the diary reveals a political reality that does not reflect a constant and enduring friendship between Shaka and the early Port Natal traders. King Shaka wanted to exercise supremacy and was reluctant to allow the traders, even Fynn, to proceed to the fringes of the Zulu Kingdom fearing that his hold over the traders would weaken and they would become too independent. Shaka was angry at Fynn for visiting 'strange nations' as it would ruin Fynn.⁽¹¹³⁾ Fynn was an opportunist and paid little heed to Shaka and affirms 'Business being my object, in a few days I returned to Natal, and from thence went off again to the amaMpondo, for the purpose of forming a trading establishment there.'⁽¹¹⁴⁾ Fynn attempted to gain influence over Chief Faku, who was then not under Shaka's subjection, to trade and to control the local people politically. Carving out a chiefdom of his own, however, would run counter to Shaka's aims of conquest and subjection on his southern boundaries, thus diminishing his power.

In 1828 when Shaka launched an attack on the southern frontier tribes he sent an expedition against Faku as well. During this mission Shaka resided at Fynn's kraal at the Umzimkulu. Although Fynn mentions that he was surprised by Shaka's attack on the Pondos, he gave Shaka cattle and grain for the use of the Zulu army and his followers who assisted

112. Brookes and Webb, A History of Natal, p.23.

113. Fynn's Diary, p.110.

114. Ibid.

them.⁽¹¹⁵⁾ Though Shaka desired the assistance of the traders, they were aware of the fact that after the death of Shaka's mother, Nandi, he meditated upon attacking the Pondo and other frontier tribes.⁽¹¹⁶⁾ Fynn was a freebooter even though he claims to have participated "reluctantly" with the Zulus in their campaigns constantly emphasizing that the situation they were in necessitated compliance. Issaacs writes that Fynn had taken great pains to dissuade Shaka from his present design of disturbing the neutral tribes on the frontier.⁽¹¹⁷⁾ Fynn, manoeuvring for position, discouraged Shaka from attacking Faku. On Fynn's recommendation, Shaka returned the female captives and refrained from further destroying the corn of the Pondo. Faku, in the face of total destruction, was forced to become tributary to the Zulu king and beholden to Fynn.

On receiving contradictory reports of a Zulu thrust southward towards the eastern Cape frontier, the British Government sent Major Dundas on a reconnaissance mission to the region. Dundas learned from Faku that Shaka's army, accompanied by a party of armed Englishmen, attacked the Pondos and assured them that resistance was useless as the English were friends of Shaka and those with them were sent by their countrymen to assist Shaka in conquering the tribes between him and the Cape colony.⁽¹¹⁸⁾ Dundas reports that Fynn was in the thick of it.

115. Ibid., p.143

116. Ibid., p.139.
Issaacs, Travels and Adventures, Vol.1, p.205.

117. Ibid., p.228.

118. N.J. van Warmelo, History of Matiwane And the Amangwane Tribe, (Pretoria, 1938), p.243.

That Fynn was present with the invading army was verified to me beyond a doubt, as a man who had been wounded by a shot from a gun in both thighs was brought to me who said that the person who shot him afterwards saved his life and dressed his wounds and then told him that his name was Fynn and that his father lived in the great Town of the English [Cape Town] where Shaka's people intended to go.(119)

It is also intriguing that Fynn and Isaacs claim to have had prior knowledge of a conspiracy to kill Shaka. According to Isaacs 'It appears that the death of Shaka had been long premeditated by the brothers [Dingane and Mahlangana] by whose hands he fell...'(120) while Fynn states -

There is little doubt that the intention of killing Shaka had been long in contemplation. As I have since understood, it was intended to have taken place at my residence during the attack on the amaMpondos, at which time both brothers remained behind with Shaka feigning sickness, when an opportunity was wanting to effect their purpose.(121)

It is surprising that Fynn and Isaacs may have been aware of a plot to put Shaka to death and yet gave him no warning although he allowed them not only to trade but to settle in his domain. This is perhaps indicative of a deterioration in the relations between Shaka and the traders. Being unable to predict Shaka's activities had probably destroyed the confidence the traders had at first reposed in him.

Shaka's proclamation of the country being 'conquered by the white man' after his death was not so much 'prophecy' but more hindsight as he was suspicious of the traders from his dealings with them.(122) The

119. Ibid.

120. Isaacs, Travels and Adventures, Vol.1, p.259.

121. Fynn's Diary, p.157.

122. Ibid, p.31.

messengers who informed the Europeans at Natal of Shaka's death also said that Shaka had intended killing the traders.⁽¹²³⁾ Yet another reference by Fynn about Shaka's intention to liquidate him was couched in the metaphor of a dream as Fynn recounted:

A rather curious incident occurred whilst Shaka was still at my place. I was surprised one morning to see one of my servants, a most faithful fellow, crying in my hut, evidently in great distress. He had already been four years in my employ. On inquiring into the cause of his grief, he said he had dreamt that he saw me being killed by Shaka's order at the back of my own garden. So great was his distress that I was quite unable to pacify him.⁽¹²⁴⁾

The traders, including Fynn, had taken on a seemingly hostile attitude to Shaka and appeared quite pleased at his death. Fynn writes -

We directed the messengers to return and thank Dingane for his information; and to tell him that the proceedings of the nation were agreeable to us; that we conceived the death of Shaka a just retribution for his innumerable atrocities, his unexampled vices, and for his barbarous executions of his unoffending people. We gave them some tobacco for themselves, and a bottle of brandy for Jacob, when they set off on their way, well satisfied with their present.⁽¹²⁵⁾

Although Fynn might have felt relieved by Shaka's death as it seemed convenient for it meant greater freedom in his trading operations on the frontier as well as a release from Shaka's strict rule and 'savage' conduct, there is no evidence to suggest that he was part of the conspiracy to kill Shaka. It would appear, given the absence of more substantial evidence, that Fynn and the traders tried to procure Dingane's friendship and protection and secure their position with the new monarch after Shaka's assassination.

123. Ibid., p.157.
Isaacs, Travels And Adventures, Vol.I, p.261.

124. Fynn's Diary, p.146.

125. Isaacs, Travels And Adventures, Vol.1, p.261.

By 1835 there were approximately thirty white male residents in Port Natal.⁽¹²⁶⁾ Although Dingane, Shaka's assassin and successor, did not demonstrate to the traders the same courtesy as his brother he tried to avoid conflict with the white people. 'He liked their presents and he respected their firearms and what he knew of the power of the British Government which loomed behind them.'⁽¹²⁷⁾ Dingane's desire for muskets led to increasing involvement between the Zulu Kingdom and the traders. Dingane confirmed Shaka's grant of Port Natal. Isaacs says that Dingane offered to make Fynn paramount chief of Natal. Fynn refused Dingane's offer, being unsure whether 'his countrymen would obey him' but agreed to report to Dingane periodically what takes place. It is interesting that Okoye⁽¹²⁸⁾ brings out the fact that Dingane's relations with the traders was not hostile but friendly, as he punished with death all those whom the traders 'had cause to complain of', and yet not surprising in view of his interest in obtaining instructions in the use of the musket.⁽¹²⁹⁾ Dingane did not believe that any people could conquer the Zulus except the Europeans from the Cape Colony. As early as 1833, Dingane's chiefs had begun to resent the sanctuary given to the Zulu refugees by the British traders and had, in fact, begun to urge the King to send an army into Natal to exterminate all the black people.⁽¹³⁰⁾ Dingane refused because

126. Ibid.

127. L. Thompson, "Co-operation and Conflict: The Zulu Kingdom and Natal" in Wilson and Thompson (eds), The Oxford History of South Africa, Vol.1, p.358.

128. F. Okoyo, "Dingane: 'A Reappraisal'", Journal of African History X, 2, 1969.

129. Fynn's Diary, p.238.

130. Okoye, "Dingane: 'A Reappraisal'", p.230.

he did not want to antagonise the whites although they were undermining his authority. This was attributed to the fact that despite the superiority of numbers on the Zulu side, the traders and a significant number of their black wards not only possessed muskets but knew how to use them.⁽¹³¹⁾ Dingane's friendly attitude towards the traders lasted until around 1830.

To ensure 'a perfectly happy and peaceful reign' Dingane initiated his rule by exterminating King Shaka's favourites.⁽¹³²⁾ He had to consolidate his position by destroying his real or potential enemies.⁽¹³³⁾ Dingane lacked Shaka's capability of keeping together the Zulu nation. Under Dingane some of the regional chiefdoms like the Qwabe, Cele, Qadi and Phisi became insubordinate. To them as well Dingane extended his policy of extermination. This increased the number of desertions from the Zulu kingdom. These fugitives from the Zulu nation fled to Port Natal which was then about the only sanctuary open to them. Dingane did not fear the traders as they had never been a threat though their harbouring of runaways had become a more contentious issue as Port Natal's refugee population grew to several thousand by the 1830s. By native law desertion from one chief to another was viewed as treason because it weakened and endangered the abandoned tribe.⁽¹³⁴⁾ No chief could easily maintain his rank and power by resting solely on his hereditary claim but could be secure and great only in proportion to the number of his men, or his ability to maintain his position and protect the cattle of his tribe.⁽¹³⁵⁾

131. Ibid., p.231; Fynn's Diary, p.242.

132. Fynn's Diary, p.241.

133. Okoye, "Dingane: 'A Reappraisal'", p.222.

134. C.O. 879/2, No.5, Natal, Sept. 1862-June 1864, p.24.

135. The Natal Mercury, 5 May 1853, Fynn's Evidence - 1852 Native Commission.

The Zulu refugees played a major role in straining the relations between Dingane and the traders, and this mutual suspicion was to increase, for 'they naturally have no love for the King repeatedly and maliciously spread the rumour that the Zulu monarch was contemplating exterminating the whites.'⁽¹³⁶⁾ Fynn and most of the traders, by ignoring Dingane's plea not to harbour refugees as this seemed to encourage the internal disintegration of the Zulu kingdom, fanned the flames of tense relations. The tension however was eased for a while when the missionary, Allen Gardiner, proposed a treaty in an attempt to maintain a peaceful co-existence between the two different but competing cultures. Accordingly on 6 May 1835, Dingane signed a treaty with Gardiner, guaranteeing the lives and property of the white traders and their African followers. On their part the traders undertook not to harbour refugees but they violated the agreement. The deterioration in relations between King Dingane and Port Natal created a political instability that hampered trade and motivated raiding and warfare.⁽¹³⁷⁾

Dingane's attitude to the traders became more hostile when Jacob, an interpreter, quarrelled with John Cane, a contemporary of Fynn's, on their return from his Cape mission in 1831 that was undertaken on behalf of Dingane who desired 'to continue on friendly terms with the white people',⁽¹³⁸⁾ and falsely warned Dingane that on Cane's advice the British government was going to attack the Zulus. Another of Jacob's falsehoods was that the traders were plotting to destroy the Zulu kingdom. Fynn wrote -

136. Okoye, "Dingane: 'A Reappraisal'", p.223.

137. Ballard, "The Transfrontiersman: The Career of John Dunn in Natal and Zululand, 1834-1895", p.45.

138. Fynn's Diary, p.230.

Jacob had reported to the king that as he was going to the Colony he had met a Frontier kaffir, who told him he wanted to find a home with the Zulus, as there was no living so near the white people; that the first white people came and took a part of their land, then they encroached and drove them further back, and have repeatedly taken more land as well as cattle. They then built houses (i.e. missionary establishments) among them, for the purpose of subduing them by witchcraft: that at the present time there was an umlungu - and a white man's house, or missionary in every tribe; that they had even got as far as the amaMpondo (St John's Cave); that lately no less than four kings had died, and their deaths were attributed to witchcraft of the abelungu, as all the izinyanga (doctors) or prophets had predicted it. (139)

Fynn blamed Jacob for the strife between Dingane and the traders - 'it is only Jacob that has made this difference with Dingane.'⁽¹⁴⁰⁾ Jacob was seeking vengeance against Cane for forcing him to accompany Cane to the Cape and for reporting to Dingane his desertion. But this jeopardised the position of all the settlers at the port. Dingane became suspicious of them all being disloyal to him and even more so of Fynn who was the most prominent among them and had also been a friend and favourite of Shaka.⁽¹⁴¹⁾ However it was only Cane who fell into disfavour and had to be punished. Dingane said that he had directed that warning was to be given to Fynn beforehand, to enable him to acquaint the other settlers and so prevent them becoming alarmed.⁽¹⁴²⁾ Fynn had not been informed and he naturally believed that Dingane intended destroying all the traders. The traders frequently escaped Dingane's wrath by fleeing into the bushes or away from Natal and returning when all was quiet. Fynn, hearing

139. Ibid., p.196.

140. Ibid., p.218.

141. Ibid., p.189.

142. Ibid., p.190.

rumours from the refugees at the port of an intended attack upon him, fled to a region occupied by Mzoboshi on the Illovo River, which was about twenty miles from Port Natal. When Fynn returned to Natal, Dingane apologised for the inconvenience that had been caused to him and said Fynn did not have to fear for his safety. Okoye mentions that Jacob's attempt to get Dingane to destroy the settlers was unsuccessful because of Dingane's good sense and not so much because of Fynn's forensic abilities for Jacob's assertions were believed.⁽¹⁴³⁾ Although Dingane eventually had Jacob put to death for lying, the relations between the Zulu king and the white traders remained delicate.

The treachery of Lukilimba, a Zulu Chief, also made Fynn quit Natal for a short while. He lied to Dingane about Fynn and the traders to get his attention. Lukilimba asked Dingane to release him from Fynn's protection and even though Fynn objected, Dingane granted Lukilimba's request. During Shaka's reign Lukilimba rebelled and sought the protection of the traders. He returned to Zululand and during Dingane's rule he was ordered for execution but his life was saved by Fynn's intercession. Lukilimba warned Fynn that Dingane intended destroying the traders as soon as the St Michael left the port - 'I advise you to leave Mr Fynn, but I think there is no danger while the vessel remains here, as they want to manage it so as to kill all, and not leave one to tell the story, as you know the Zulus are afraid of the Governor, and think that your countrymen would come and revenge themselves.'⁽¹⁴⁴⁾ Fynn filled with apprehension fled to Pondoland. Lukilimba not only instigated the theft of Fynn's cattle but also persuaded his subjects to desert him. During Fynn's flight many

143. Okoye, "Dingane: 'A Reappraisal'", p.226.

144. Fynn's Diary, p.203.

of his followers, including his son Frank, known as Mphale, were killed by Dingane's army at Bilhanhlola which is between the Umtamvuna and Umzimkulu rivers.⁽¹⁴⁵⁾ The Fynns sustained a great loss of forty people and seventeen wounded, in addition to 150 cattle, two horses, together with cloth, beads and medicine. 'Everything else, including paper of every description, was destroyed on the spot. All that we succeeded in recovering was two books.'⁽¹⁴⁶⁾ The Zulus only incurred a loss of thirteen men. The rest of the Fynn's sought shelter at the Bunting Mission Station in Pondoland. When Fynn confronted Dingane about killing his people, Dingane shifted the responsibility of the misdeed to Lukilimba who lied that Fynn was about to steal the king's cattle.⁽¹⁴⁷⁾ Tom Fynn mentions that together with Babeni and Mzobotshi, deserters from Fynn, Lukilimba informed Dingane that 'all the tribes were throwing off his yoke and were going over to the white man as his subjects.'⁽¹⁴⁸⁾ Dingane permitted Fynn to kill these traitors and he shot Lukilimba.⁽¹⁴⁹⁾ Dingane also gave Fynn two hundred cattle - 'these are to heal your sore heart for the loss of your children.'⁽¹⁵⁰⁾ This incident was the result of a false alarm. Cane, who did not flee from Natal but hid in the bushes, writes, 'It all turns out to be an alarm of our own. Had Mr Fynn only stayed a few days more, he would not have been assegaied.'^(151.) It is ironical that Fynn's flight caused him much pain for he asserts that 'in the case of an imminent Zulu attack, the wisest course is to move forthwith and to do so swiftly.'⁽¹⁵²⁾

145. James Stuart, "Maguntsha E'hsimbini", p.1. K.C.L.

146. Fynn's Diary, p.206.

147. Webb and Wright (eds.), Stuart Archive, Vol.I, p.61.

148. Fynn Papers, 'Chief Tom Fynn gives an account of Henry Francis Fynn's doings in Natal', p.16.

149. Fynn's Diary, p.205.

150. Webb and Wright (eds.), Stuart Archive, Vol.I, p.61.

151. Fynn's Diary, pp.207,208.

152. Ibid p. 100

The friendship between Dingane and Fynn deteriorated further when on Fynn's return to Natal in 1831, Dingane ordered him to put to death the six Cele Chiefs under his care for being guilty of witchcraft. Fynn did not consent for he saw it as a scheme to make the refugees lose confidence in the protection of the traders. Dingane however was merely conforming to the policy of wiping out his enemies and their dependents. The European settlement was objectionable to Dingane because it harboured many that could confidently be assumed to have vowed everlasting vengeance against himself and as constantly plotting to bring about his downfall.⁽¹⁵³⁾

By 1833 there were about three thousand refugees at the port who were again responsible for the clash between the traders and Dingane's army. They were influential in the breakdown of relations between Dingane and the European settlers. The refugees, having been deprived of their property and driven from Zululand, harboured much bitterness towards Dingane and his subjects. They spread rumour to the effect that 'white men' presumably the Cawoods who were at this time on their way to Pondoland, had been murdered by Dingane's army who was now about to plunder the settlement. Dingane's army was returning from an unsuccessful mission to recover Zulu cattle from Mcaphayi and as a result was in a state of starvation. When the Zulu army helped themselves to cattle at Port Natal, the refugees assumed the attack had begun. The feeble state of the army provided an irresistible opportunity for retaliation. The traders and their wards killed two hundred warriors and then fled to Pondoland fearing Dingane would wreak vengeance. Dingane condoned the transgression which was a result of misunderstanding and allowed the traders to return to Port Natal. Although Dingane was probably suspicious of the settlement the fact that they possessed firearms was vital in influencing his decision.

153. Fynn's Diary, p.241.

The proceedings of the traders had attracted much attention in the Cape and the Government got Dr Andrew Smith to explore Natal and to visit Dingane to obtain information on the conditions and advantages of Natal. When Andrew Smith arrived in Natal in March 1832, Fynn accompanied him as a guide. Smith's report influenced some Cape merchants and inhabitants to petition the Government for the occupation of Natal.⁽¹⁵⁴⁾

When Fynn returned to Natal in June 1833 he was to hear from the Portuguese soldiers at Delagoa Bay that Dingane had put their Governor to death, 'a governor who had a fort and soldiers under his command.'⁽¹⁵⁵⁾ By September 1834 Fynn felt that Dingane could no longer be trusted and he left Natal for the Cape. By now he was disillusioned. He had lost most of his friends, Isaacs had left Natal, King died on the Bluff in 1828 and Farewell was murdered by Nquetho in 1829, and the long looked for military protection had never materialised.⁽¹⁵⁶⁾ The following extract from a letter to Napier reveals Fynn's disappointment -

Various representations were made to the Colonial Government and mercantile schemes proposed for the occupation of Port Natal by British subjects, all of which failed of their purpose during which I had remained at Natal in the hope of ultimately deriving some advantage from the time I had spent in that country and the experience and influence I had gained.⁽¹⁵⁷⁾

The sixth frontier war was about to begin on the Cape Eastern Frontier and Fynn with his excellent knowledge of Zulu, an Nguni language akin to Xhosa, became Headquarters interpreter to Sir Benjamin D'Urban, the Cape Governor.⁽¹⁵⁸⁾

154. Fynn's Diary, pp. 210, 215, 216.

155. Ibid., p.231.

156. Roberts, The Zulu Kings, p.236.

157. C.S.O., No. 65, part 2, p.55. Fynn to Napier, August 1843.

158. Perrett, Footprints in Time, p.68.

This is where Fynn's diary ends, also bringing to an end his first hand observation on the settlement at Port Natal, 1824-1834. Fynn motivated by publication recorded his observations and made notes 'for a future history of Natal.'⁽¹⁵⁹⁾ Although Fynn was a biased European observer of Zulu society, his notes were not totally inaccurate. His diary which gives vivid descriptions of his activities during this period, is incomplete like other major published works on South African history for the period in the sense that significant aspects of Fynn's life have been ignored probably because as Karlson says 'it was anything but complimentary to the man.'⁽¹⁶⁰⁾ Holden wrote there is no existing author who has given any continued and correct account of these times, i.e. on the first English settlers, as there was much in the personal history of each individual which it would not be convenient to publish to the world.⁽¹⁶¹⁾ Fynn adapted to African life in Natal for pragmatic reasons, to increase his wealth and status. He ignored recording aspects like the taking of African wives, for example, that would undermine his image in colonial society. The traders, however, like Isaacs and Fynn to a lesser extent, thought it nothing to expose and emphasize the 'flaws' of the Zulu kings, Shaka and Dingane, and distort their respective images:

Isaacs' advice in the following extract from a letter to Fynn on hearing that he intended to publish his work, makes it questionable -

I am most anxious, my dear fellow, to see your work out...endeavour to exhibit the Zulu policy in governing their tribe. I mean show their Chiefs, both Shaka and Dingane's treachery, and intrigues, as you have done respecting Maiqi - and his son Umconto. Make them out as bloodthirsty as you can, and endeavour to give an estimation of the number of people that they have

159. Fynn's Diary, p.xii.

160. C.H. Karlson, letter to Miss Killie Campbell, 13 August 1952. Fynn Papers, No. 9. K.C.L.

161. Holden, History of the Colony of Natal, pp.42-43.

murdered during their reigns, and describe the frivolous crimes people lose their lives for. Introduce as many anecdotes relative to Shaka as you can, it all tends to swell up the work and makes it interesting. (162)

Also the fact that his diary was re-written and Fynn had to amplify his material from memory many years later rendered his notes fragmentary. The original notes for his book erroneously believed to have belonged to his brother Frank were buried with him. Only Africans were present when Frank died and, in accordance with native custom, the personal possessions of the deceased were also placed in the grave. 'To have opened his brother's grave to recover the manuscript would have been a most heinous and unpardonable offence, the act of a sorcerer, or murderer, in the eyes of the natives of those days, an unthinkable proceeding.'⁽¹⁶³⁾

Fynn viewed the Africans as 'savages' but he was not as subjective and sensational as Isaacs. He was more open minded. Fynn did not come to Natal with preconceived ideas of the African people for he had previously come into contact with them on the Cape frontier. Fynn does not portray the idea that the black people are innately deficient or inferior. He says that the Zulus have a 'clear intellect'⁽¹⁶⁴⁾ and are a 'superior people distinguished for good order and discipline.'⁽¹⁶⁵⁾ Since every transgression from the law was punishable by death it is no surprise that rigid order prevailed in Zululand. Shaka's perceived 'ignorance' could thus be attributed to circumstance. Being British, the traders brought with them the Christian belief and the notion that they were representatives of civilisation which

162. Fynn Letters, Vol.2, p.59. Isaacs to Fynn, 10 December 1832.

163. Fynn's Diary, p.xiii.

164. Ibid., p.48.

165. Ibid., pp.21, 73.

was an important concept of European imperialism. Fynn impresses upon Shaka that it was customary for his countrymen 'to strive to benefit those with whom they came into contact by teaching them something of British manners and customs'⁽¹⁶⁶⁾ which the traders believed were superior. Fynn wished to present an unvarnished account of incidents as he saw them for he says he has 'adhered strictly to the plain matter of fact in describing their persons, manners and customs.'⁽¹⁶⁷⁾ Shortly after his arrival in Natal Fynn isolated himself from his countrymen for eight months and associated with the Africans with the intention of learning the Zulu language to communicate effectively and to obtain accurate information. Fynn, however, did not neglect Isaacs advice totally. He conceptualises Shaka as a despot and recites Shaka's and Dingane's atrocities.

Fynn tends to depict the Zulu monarchs, especially Shaka, as having an insatiable lust for blood. Fynn wrote that individuals were put to death daily and 'on one occasion I witnessed sixty boys under twelve years of age despatched before he (Shaka) had breakfasted.'⁽¹⁶⁸⁾ Fynn provides no reason for their death. Shaka would merely point his finger to a person near him and the victim would instantly be killed, 'his neck would be twisted, and his head and body beaten with sticks.'⁽¹⁶⁹⁾ The implication of this is that Shaka had people killed for no apparent reason which seems hardly credible. The victims were probably guilty of some offence known to Shaka. Fynn scorns the penalty of death for trivial offences. Taking exception to either imprisonment or execution as the penalty for crime is indicative of cross-cultural differences. Fynn's disgust at Zulu execution was just

166. Ibid., p.93.

167. Ibid., p.xv.

168. Ibid., p.25.

169. Ibid., pp.70, 78.

British prejudice. Shaka on the other hand believed that if people committed an offence they should be dealt with as he did, i.e. put to death so that 'they would not then offend anymore.'⁽¹⁷⁰⁾ The paradox is that although the traders, even Fynn, viewed this as being 'savage' when they 'ruled' as chiefs, they meted out the same fate to wrongdoers. Shaka ordering an attack on the frontier tribes and the seizure of their cattle for not mourning Nandi's death superficially indicates that Shaka upon the slightest pretext engaged in wars. But his thirst for blood was not the motive for wars. Cattle theft never occurred in the Zulu country⁽¹⁷¹⁾ and being thus restricted war was a means of obtaining cattle. Fynn was sometimes inconsistent and gave more than one version of a particular incident that were contradictory in detail but taken as a whole are valuable. For example, on the death of Nandi he writes 'as tears could not be forced from these distant nations, war should be made against them and the cattle taken should be the tears shed upon her grave.' Another manuscript has 'As tears could not be forced from foreigners, an attack should be made on the frontier tribes whose cattle should be considered as tears shed for Shaka's dead mother', and also 'all that now remained to complete the ceremonies of Nandi's death was a declaration of war against some nation or tribe in which the Mkhindini that had been guarding the burial ground was to be the first to attack the enemy, the cattle captured by it to be considered as being tears shed for her by foreign nations.'⁽¹⁷²⁾

Buisson points out Fynn's estimation that Shaka alone was responsible for a million deaths, that in a population of well below half a million, and also that Fynn noticed cattle with four, six and eight horns in the royal

170. Ibid., p.145.

171. Ibid., p.24.

172. Ibid., p.139.

herds.⁽¹⁷³⁾ Fynn was no historian but his curious nature and sound education enabled him to write fairly well. Although his work had shortcomings, it still remains a valuable source of information on early Natal.

173. Louis du Buisson, The White Man Cometh, p.7.
Fynn's Diary, p.75.

CHAPTER THREE

CLOSING FRONTIERS

Although Fynn held important posts in colonial administration on the Cape frontier, he did not sever his contact with Natal. He still took an interest in the territory and subscribed to both the Church and Town funds of early Durban.⁽¹⁾ During the Sixth Frontier War in 1835 Fynn returned to Port Natal to secure the neutrality and possible aid of the Thembu and Pondo Chiefs against the Xhosa. Fynn's diplomacy secured the British a new ally on the frontier for Vadana, the Thembu Chief, offered the Cape Colony assistance against the Xhosa while Faku, the Pondo Chief, agreed to remain neutral. Fynn's success has been hailed as a great achievement by Stuart and Malcolm:

These negotiations owed their success largely to the assurances Fynn was able to give that neither Mpondos nor Thembus would be attacked by the Zulus...his intimate knowledge of the situation in Zululand, and the messages he had, when passing through Natal, sent to Dingane acquainting him with the state of affairs, backed by great personal prestige among the natives along 300 or 400 miles of the south-east district, as well as his previous acquaintance with Faku, proved of substantial practical value at a critical moment.⁽²⁾

The years 1824 to 1837 marks an era of co-operation and integration between the Port Natal traders and the Zulu Kingdom. But with the arrival of the voortrekkers we have a new era of conflict and instability to emerge for they did not come to trade or preach but in search of land. They found Natal to be suitable for their brand of extensive pastoralism as well as strategically situated as Port Natal provided them with an outlet to the sea. From the commencement of the Boer migration

1. Fynn's Diary, p.243.

2. Ibid., p.236.

in 1834, until 1848, Fynn was on the Cape frontier. He wrote -

Piet Retief, aware of my knowledge, my influence and experience, strongly urged me to leave the Government service and join them in their contemplated migration, tempting me with the offer of giving me one of the highest appointments and a handsome salary. (3)

Fynn's temptation to resign was increased by the fact that the Colonial Minister disapproved of the measures adopted by Sir Benjamin D'Urban under whom Fynn served with pleasure. In this state of indecision, Fynn sought the advice of a Boer officer who answered, 'My dear Fynn, You be damned, Yours truly, G.H.S.'⁽⁴⁾ This persuaded him to remain in office. Even though Fynn was attracted to Natal and desired to return to his farm on the Isipingo, he declined Retief's proposal believing that his services would not be appreciated and he disagreed with Retief's proceedings with Dingane. Retief who could have benefitted from Fynn's knowledge of the Zulus held the view that it took a "Dutchman" to understand a "native".⁽⁵⁾

The British settlers at the Port welcomed the voortrekkers, having confidence in their protection from any attack of the Zulu nation. Initially Dingane's response to these events was indecisive. By 1837 his relations with the traders had deteriorated, and since Fynn had left Natal in 1834 there had been none among them in whom he could confide or obtain advice from.⁽⁶⁾ He distrusted the 'false measures' of missionaries and the 'wavering policies' of distant colonial governments.⁽⁷⁾ King Dingane

3. Fynn Papers, "Boers Migrate from the Cape Colony to Natal", p.3, K.C.L.
4. Mackeurtan, The Cradle Days of Natal, p.233.
5. Fynn Papers, "Boers Migrate", p.4.
6. L. Thompson, "Co-operation and Conflict: The Zulu Kingdom and Natal" in Wilson and Thompson (eds) The Oxford History of South Africa, vol. 1, p.358.
7. Hattersley, The British Settlement of Natal, p.21.

was mindful of Shaka's warning - 'As soon as I go, this country of ours will be overrun in every direction by the white man. Mark my words.'⁽⁸⁾

The voortrekkers posed a major threat to Zulu hegemony over Natal. By 1842 the Boer community of approximately six thousand in number claimed almost all the pasture land between the Buffalo, Tugela and the Umzimkulu Rivers.⁽⁹⁾ Considering Dingane's fear of the power of firearms, his reaction to the formidable Boers was to exterminate them. But Dingane's fierce actions strengthened a trader-voortrekker alliance against him. In 1838 John Cane led an expedition against the Zulus and returned with over '4000 cattle and 500 Zulu women and children.'⁽¹⁰⁾ Sir George Napier, Governor of the Cape, recommended the occupation of Port Natal in May 1838 in order 'to protect the natives of that part of South Africa from extermination or slavery by the Boers who are already there and commencing a war with Dingane.'⁽¹¹⁾ On 16 December 1838 the voortrekkers defeated the Zulus at Blood River, demonstrating the superiority of the musket over the assegai. The Zulu Kingdom became increasingly divided as voortrekkers encouraged internecine warfare among the Zulus and supported a rival prince, Mpande, against Dingane.⁽¹²⁾ Mpande became an ally of the voortrekker Republic and with their assistance defeated Dingane and assumed the kingship.⁽¹³⁾ The Boers in Natal were a strategic and political threat to British interests in South Africa. The British Government feared that Boer pressure on the

8. Fynn's Diary, p.31.

9. Thompson, "Co-operation and Conflict: The Zulu Kingdom and Natal", p.364.

10. Ballard, "The Frontier Interregnum", p.61.

11. D. Welsh, The Roots of Segregation. Native Policy in Natal, 1845-1910, (Cape Town, 1973), p.7.

12. Cubbin, "An Exposition of the Clash of Anglo-Voortrekker Interests at Port Natal....", p.8.

13. Brookes and Webb, A History of Natal, p.85.

Africans would disturb the various tribes in Natal and threaten the peace and stability on the Cape frontiers. Napier also wanted to prevent foreign ships from calling at Port Natal presuming this would undermine British supremacy. He therefore sent a British force to occupy Natal in May 1842. The Boer military resistance was eventually broken. So even though Britain was reluctant she annexed Natal for both humanitarian and strategic reasons. The voortrekkers in Natal were catalysts that prompted Britain towards outright annexation. The British annexation of Natal in May 1844 marked the origins of the development of a new community along colonial lines and the hunter-traders gradually became integrated into a new and complex imperial context.

Returning to Fynn, from 1837 to 1839, he served in a diplomatic capacity on the Cape frontier as British Resident with the Tambookie Tribes during the terms of the Cape Governors, Sir Benjamin D'Urban, Sir George Napier and Sir Peregrine Maitland. In 1842 he was appointed Justice of the Peace for Cradock. When Sir Harry Smith became Governor, Fynn was placed as British Resident with Faku for three years until he returned to Natal in 1852. The British Government valued Fynn's services. While he was on the frontier the Government had 'no insurmountable difficulties to contend with in transactions with Chiefs.'⁽¹⁴⁾ Fynn's early experience in Natal suited him, it is claimed, for the task of "improving" relations between blacks and whites.⁽¹⁵⁾ Governor Smith wrote:

14. Fynn Papers, Vol.10.

15. Todd, "The Remembrance of your kindness to us. Henry Francis Fynn's Other Decade in Natal".

In order to preserve perfect understanding with all the Great Chiefs throughout Southern Africa, I have the honour to request that Fynn the elder may be sent as British Resident to Chief Faku. Mr Fynn is so well from previous experience acquainted with the duties imposed upon him, I send him no instructions, but rely with confidence on his discretion for he has previously, both with Faku and the Zulu king, ably done his duty. (16)

It was an office of great responsibility for as the representative of the British Government, Fynn had to handle all complaints, whether of British subjects or Africans, with impartiality and thus endeavour to promote peace on the frontier. (17)

Chief Faku was pleased at Fynn's appointment and presented him with cattle from his own herds as a personal expression of friendliness. Faku endeavoured to be co-operative with the British Government and even went as far as saying

I have no country, it belongs to the Government, they are my refuge. I shall appeal to Smith and his mouth shall direct me, my whole country will be happy now my Father has seen me in sending you (Fynn) to reside here. I will again thank him. (18)

Fynn however longed to return to Natal and mentioned to Faku 'I did not come to this country from any choice of my own but as a duty at the command of the Governor....' (19) While in Pondoland he resided at Ngoso, close to Faku's chief kraal.

Fynn and his family, however, experienced many difficulties on the frontier. His various appointments to remote parts of the country was not only costly

16. Fynn Papers, Vol.6, Smith to Mackinnon, 3 April 1848.

17. C.O.879/1/XX, April 1851, p.54.

18. Fynn Papers, Vol.4, Fynn to Southey, 29 July 1848.

19. Ibid, Vol.8, Fynn to Faku, July 1848.

but as he says

On my appointment with Faku I found myself far removed from Europeans and without the means of obtaining the necessities of life, and even clothing sometimes for months together and never except at an enormous expense, and with the risk of my wagon and its contents being captured on its way to or from the colony to my residence. (20)

Fynn was discontented with his salary of £150 per annum which even Smith agreed was inadequate to the importance of his position.⁽²¹⁾ Although Fynn's knowledge of African languages had saved the Government the cost of an interpreter, which was the case with every other border agent except Shepstone, his salary was half of that of the other border agents though the responsibilities were equal. Fynn's insufficient finances left him destitute in Pondoland.⁽²²⁾

This morning the Chief Faku arrived with about two hundred attendants forming divisions, each party driving cattle when the Chief addressed me in these words, 'We salute you presenting you with this basket of corn, it is not Faku that salutes you but Goongooch (his Father) who says take care of his children. You were the first white man we ever saw. You witnessed our distress when Shaka defeated us. You are sent to us by the Governor that we might hear news from each other. We thanked him, we again thanked him last year for sending you to us but you have no food to eat and we desire to show you our wishes towards you. Take this basket of corn from the children of Goongooch.

Fynn was very unhappy on the Cape frontier and hoped to return to Natal. His resignations from the service of the Cape Government were constantly turned down because he was 'much needed and appreciated by the Government - his services could not be spared.'⁽²³⁾ Fynn thought that the

20. Ibid., Vol.5, Fynn to George Cathcart, 26 July 1853.

21. Ibid., Vol.10, Smith to Sir Benjamin D'Urban, 16 April 1836.

22. Ibid., Vol.4, Fynn to Garvock, 25 September 1851.

23. Fynn Letters, Fynn to Secretary of State for the Colonies, 20 March 1861, Vol.2, p.6.

opportunity to return to Natal had come when in 1841 the British Government contemplated occupying the Port which was in a state of insurrection. Fynn was asked to proceed to Natal in advance as Diplomatic Agent to protect the Boers against a possible African revolt if they suspected that the British Government was waging war against the Boers.⁽²⁴⁾ Fynn had sold his property at a loss of £130 when he heard that his service in Natal was no longer required. In 1845 Shepstone was appointed Diplomatic Agent to the native tribes in Natal. Fynn was not given the post of Diplomatic Agent although he qualified for it – 'aged 42 at the time, he was fourteen years older than Shepstone and, with twenty-six years of frontier experience behind him, including ten spent in Natal.'⁽²⁵⁾ Fynn's seniority and experience were ignored. Being the pioneer of the Natal settlement he was greatly disappointed, 'above all I had a prior claim and just right to be considered in the estimation of the Government in the most favourable light.'⁽²⁶⁾ Fynn was even overlooked when it came to the vacancy left by Shepstone. This was given to Captain Maclean, an army officer, with a salary of £300 per annum and an interpreter to help him with a salary of £150 per annum.⁽²⁷⁾

While Fynn was British Resident with Faku, the Natal Government informed him of frequent cattle thefts by the Bushmen and requested Faku's co-operation in allowing a Natal commando to track down the thieves. Fynn discovered that it was not only the Bushmen but also the Bhaca that were

24. Ibid., Vol.1, p.252.

Ibid., Hare to Fynn, 17 August 1841, p.101.

25. Wright, "Henry Francis Fynn", Natalia, p.16.

26. Fynn Letters, 20 March 1861, Vol.2, p.111.

27. Ibid., Fynn to the Secretary of State for the Colonies (undated), Vol.1, p.253.

involved. Fynn asked that the cattle be returned but in vain. When the Natal commando failed to arrive Fynn promoted a Pondo attack on the Bhaca to retrieve the colonial cattle. The Pondo did not need any prompting for a cattle raiding venture against their old enemies, and must have been delighted to act with the sanction of the British Agent.⁽²⁸⁾ It was a matter that drew in other local tribes and missionaries as well. The Wesleyan missionaries condemned Fynn's actions, on the grounds that he lacked authority and proof and that his duty was to ensure peace, and believed the Bhaca and Bushmen to be innocent.⁽²⁹⁾ Fynn asked the Natal Government to enquire into the case and Walter Harding was commissioned to go to Pondoland but by the time the incident was cleared up Fynn's reputation was already tarnished. Harding and Lieutenant Governor Pine found that the evidence produced by Fynn was insufficient to justify his proceedings and therefore the Bhaca and Hans Lochenberg were to be compensated.⁽³⁰⁾ Harding demanded 1024 head of cattle from Faku⁽³¹⁾ for by a treaty signed with the Cape Government in 1844 Faku was responsible for the region south and west of the Umzimkulu. Faku, failing to fulfill the conditions of the treaty agreed, on Fynn's advice, to give up the sovereignty of that part of the country.⁽³²⁾ Pine, hopeful of obtaining land, returned 600 head of cattle to Faku.⁽³³⁾ When Thomas Jenkins told Faku that he was no longer the great chief he had been for Fynn had sent a document

28. Wright, Bushman Raiders of the Drakensberg, p.119.

29. Fynn Papers, Vol.12, "Bushman Affair", 20 July 1849.
G.T.J., "African Discovery – Treatment of the Natives",
 13 July 1850.
 Fynn Letters, Wesleyan Missionaries to Fynn, 22 July 1849, Vol.1, p.78.

30. Government House (hereafter abbreviated as G.H.), Vol.1209A,
 1849–1853, No.11, 3 October 1850, p.109.

31. S.N.A., Vol.1/1/1, 1846–1849, 2 October 1850.

32. Fynn Papers, Vol.4, Faku to Natal Government, 7 October 1850.
Ibid., Fynn to Moodie, 13 October 1851.

33. Ibid., Vol.8, Messages to and from Native Chiefs 1835–1857, Pine to Faku, 2 November 1850.

to the Government with Faku's signature to the effect that he had ceded portions of his territory to them.⁽³⁴⁾ This destroyed the cordial relationship between Fynn and Faku and the expectation of annexation.⁽³⁵⁾

In 1851 when there was friction once again on the Cape frontier, Shepstone and Fynn, under the instructions of Pine, were to raise a force to proceed to the frontier to create a diversion and so prevent other tribes becoming involved. Fynn says he encountered indescribable opposition but he still had hopes of being able to render some assistance and mustered up a force of fifteen hundred men.⁽³⁶⁾ Faku and other neutral tribes on the frontier viewed the native contingent with suspicion and hostility. According to Fynn, Faku's opposition stemmed from 'sympathy for the kaffir success against the colony and a strong desire to be on favourable terms with the kaffirs having several daughters married amongst them.'⁽³⁷⁾ The British Government scorned Fynn's actions as unsatisfactory and dangerous. Smith, the Governor of the Cape, said

... if the success of my operations were to depend upon a Zulu contingent, I should regard it as distant indeed. Mr Fynn is a man of very romantic temperament, carried away by the force of his own conceived exertions, which in this instance will prove, in my opinion, abortive; and I at once say I expect no Zulus. I never contemplated to employ the Zulus against Kreli's people, and I have restrained Faku from making war on Kreli.⁽³⁸⁾

Even the Natal Independent of April 1851 satirises the Zulu expedition - "Resident Agent Fynn, it is said, has collected an army of fifteen men;

34. Ibid., Vol.4, Fynn to Moodie, 13 October 1851.

35. Wright, "Henry Francis Fynn", Natalia, p.16.

36. B.P.P., H.G. Smith to Gladwin, 17 April 1851, vol.23. Fynn Papers, Vol.4, Fynn to Moodie, 20 April 1851.

37. Ibid., Fynn to Garvock, 25 September 1851.

38. B.P.P., H.G. Smith to Gladwin, 17 April 1851, Vol.23.

if true, he had better say to them, 'Begone, brave army, and don't kick up a row.'⁽³⁹⁾

Fynn had become seriously ill and in November 1851 returned to Natal to obtain medical attention. He had not spoken for several days and his family was anxious about his health as reflected in the following extract from a letter received from William MacDowell, his brother,

Happy indeed were we to receive your letter today telling us of your restoration to health, from what we heard our fears were great indeed about you fearing you would not recover your speech....We thank God for his mercy to you, although deserted by man God is Almighty.⁽⁴⁰⁾

When Fynn resumed his duties in Pondoland in February 1852, he was not aware that his job had ceased with Faku until he had read about it in April in the Government Gazette and discovered that his pay had been stopped on 1 March.⁽⁴¹⁾ Fynn received no official notice of his office being abolished and wrote to the Government to this effect,

I received intelligence by the Gazette that his Excellency the Governor had removed the Agencies in Kreli and Faku's country and that Mr M.B. Shaw was appointed to all the tribes south of the Umtamvuna. Having received no communication from Head Quarters, I am proceeding to Durban.⁽⁴²⁾

When Fynn returned to Natal in May 1852 it had already been under the administration of the Colonial Office for nine years. Colonial Office policy was executed in Natal by the Lieutenant-Governor and appointed officials who formed the Executive Council, but they had no power to legislate for

39. Charles Barter, The Dorp and the Veld, (London, 1852), p.189.

40. Fynn Papers, William MacDowell Fynn to Fynn, 4 November 1851. Ibid., Fynn to Garvock, 19 November 1851.

41. Fynn Papers, Fynn to Mackinnon, 31 May 1852.

42. Ibid., Fynn to the Government, April 1852, No.144.

Natal. The only body empowered to legislate for Natal was the Cape Legislative Council.⁽⁴³⁾ In 1845 Sir Peregrine Maitland, the Governor of the Cape, appointed Martin West as Lieutenant-Governor of Natal, who served in a subordinate administrative and judicial capacity; Donald Moodie as Colonial Secretary, who was also Colonial Treasurer, Registrar of Deeds and Postmaster, reflecting the parsimony of the Colonial Office; Walter Harding as Crown Prosecutor and Theophilus Shepstone became Diplomatic Agent to the Natives in Natal and Secretary for Native Affairs from 1853 to 1875.⁽⁴⁴⁾ The Cape Government was aware of Fynn's keenness to return to Natal yet excluded him from the list of new appointments to the colony.

With the annexation of Natal, Britain not only took responsibility for a large African population in Natal but was also confronted with the problems of administering them. Because of limited resources African administration was left to the official "on the spot," namely Shepstone. Natal's 'native' policy which came to be called the Shepstone system was not devised by him but by the Colonial Office. Financial constraints played a major part in shaping the system. Shepstone however was responsible for the modification and implementation of the policy that came to bear his name. Shepstone exercised considerable influence in African affairs and in other aspects of colonial administration. As one of his critics observed:

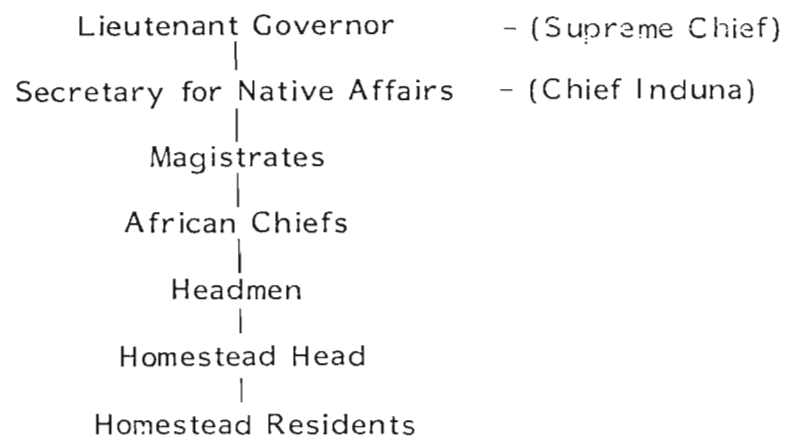
Mr Pine's successors, Mr Scott and Mr Keate, have both been mere tools in the hands of Mr Shepstone, by whose influence he controlled the legislature; and there is too much reason to fear that the present Governor will permit himself to be dragged into a position which adds neither to his dignity nor influence. Yet we can hardly blame Mr Scott,

43. Brookes and Webb, A History of Natal, p. 54.

44. Ibid., pp. 55-56.

Mr Keate or Mr Musgrave. They came to a colony where the current business occupied all their time and were called upon to take action in native matters before they had any idea of the native question. Placed in this position, they were simply compelled to do as Mr Shepstone requested.⁽⁴⁵⁾

Shepstone emerged as the nearly supreme ruler of the African people in Natal whom he settled in locations. He administered them by customary law, i.e. by developing them along their traditional lines which he saw as being 'just and admirably calculated to rule men in the condition of the "natives".'⁽⁴⁶⁾ Chieftainship was an important feature of the administrative hierarchy formulated by Shepstone, consisting of the



Shepstone as 'the paternal head and guardian of...a mass of grown-up children would rule by leaving the internal management very much to the chiefs themselves.'⁽⁴⁷⁾ Tribal or communal responsibility was the principle characteristic of Shepstone's administration which substituted the requirement for a large military and police force thus reducing imperial and colonial costs.

45. Stuart Papers, "The Shepstonian Native Policy", File No. 71, K.C.L.

46. Welsh, The Roots of Segregation, p.15.

47. N. Etherington, "The Origins of 'Indirect Rule' in Nineteenth-century Natal", Theoria, 1974, p.15.

Shepstone's system of ruling the indigenous population was opposed by many colonists and some missionaries who were hostile to African traditionalism. The locations were criticized as being too large, encouraging the Africans to be 'idle' and 'independent' and thus depriving the colonists of labour. Although the location system failed to 'civilize' the Africans it was accepted by the Colonial Office for it secured peace and stability at minimal expense and thus endured. The Boers accused the government of neglecting their claims to land and of being too generous to the Africans. This induced many of them to leave Natal by the late 1840s.

British immigrants known as the Byrne settlers streamed into Natal and filled the vacuum left by the Boers. Between 1849 and 1852 about five thousand settlers arrived in Natal making the colony predominantly English. Having come from the towns and rural areas of Britain, the immigrants represented various occupations and contributed to a diversified economy. The towns of Durban and Pietermaritzburg grew in size. The settlers experienced many difficulties upon their arrival in Natal as they had to adjust to the climate and environment which differed greatly from what they were accustomed to, their acreages were small and away from markets and there was a shortage of labour. Most of the white-owned land in Natal was concentrated in the hands of speculators and absentee landowners who found that renting the land to Africans provided an easy source of income. African cultivators had access to various types of land owned by whites.⁽⁴⁸⁾

They could choose between occupancy of Crown lands or land owned by absentee landlords, or mission lands, or land provided in return for labour services or rent

48. Bundy, The Rise and Fall of the South African Peasantry, pp.170-171.

by white farmers or graziers, or they could reside in locations...but in each case the obligations entered into could be balanced against the prospects of producing an agricultural surplus sufficient to meet the demands of state and/or landlord, and to permit the acquisition of trade goods.

The Africans developed and intensified commercial agriculture after the settlers, most of whom being tradesmen rather than agriculturists, established and immigrated into towns – inland towns such as Richmond, Howick, Verulam and Ladysmith were founded. It was however the men from the shires, particularly those from Yorkshire, 'who viewed their land with other eyes...and set to work to till the land, and utilize the ox and his brother the native.'⁽⁴⁹⁾ While the white farmers were beginning to understand the conditions in this new land, the African peasants had the advantage of being familiar with the physical environment, flora and fauna of Natal. This experience helped them to confine their attention to crops which

are best suited to the soil and climate – are raised with least trouble, and in greatest quantities – and are therefore in the greatest general demand; the very same to which the ordinary settler must look for the chief means of support. And it is here that the competition is most keenly felt.⁽⁵⁰⁾

The Africans practised subsistence farming but with the arrival of the settlers they produced a surplus and products such as firewood, reeds, grass, brooms and mats, to sell to them.⁽⁵¹⁾ The cash profit obtained from the surplus produced for local markets enabled the African agriculturalists to pay taxes, rents and acquire manufactured goods. Their success was partly due to their limited needs, the use of family labour in the production of crops and their utilisation of new agricultural techniques

49. Russell, History of Old Durban, p.89.

50. Barter, The Dorp and the Veld, p.197.

51. Russell, History of Old Durban, p.502.

like the use of the plough and hoe. As the Africans became 'rich and independent' and 'more insubordinate and impatient of control',⁽⁵²⁾ it became more difficult to obtain their labour. This hindered the efforts and prosperity of the colonists -

Instead of providing the farmer with cheap labour, we have brought a rival producer into the market, to whom we have given every possible advantage, as if those which nature had given did not render him sufficiently formidable. The Zulu has nothing to learn or unlearn; he attempts nothing new, he risks no loss, he incurs no expense and though he shows but little energy when working for the white man, he will work hard enough for himself when the fit takes him; and if not, he can set his slaves, his wives, to work for him.⁽⁵³⁾

The colonists tended to neglect the production of food crops as they found it difficult to compete with African producers for local consumption and became dependent upon them for grain, vegetables, milk and wood. But the settlers having come from the most advanced industrial country in the world, were accustomed to living within a political and administrative structure geared towards the production for a market economy.⁽⁵⁴⁾ The conflict of interest encouraged them to focus on suitable crops for export. Various experiments were conducted with coffee, tobacco, wheat, cotton, indigo and arrowroot. These crops however proved ineffectual, Cotton failed while some of the other crops did grow but could not be marketed successfully. Coffee plantations established along the coast in 1850 appeared to flourish but failed by the end of the decade because of blight.⁽⁵⁵⁾

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52. Bundy, The Rise and Fall of the South African Peasantry, p.171.
 53. Barter, The Dorp and the Veld, p.197.
 54. B. Ellis, "The Impact of White Settlers on the natural environment of Natal, 1845-1870" in B. Guest and J.M. Sellers Enterprise and Exploitation in a Victorian Colony, p.75.
 55. Ibid, C. Ballard and G. Lenta, "The Complex Nature of Agriculture in Colonial Natal: 1860-1909", p.124.

Arrowroot thrived and was exported from the early fifties though the value was extremely low when compared to the other exports for the period. Sugar had come to contribute to the prosperity of coastal Natal. Maize which was the staple food of the Africans had become the most promising crop of the interior and found a ready market among the colonists as well. The African peasants produced the bulk of the maize in Natal, 'whereas the average produce of mealies per acre under white management is but five muids, the kaffirs absolutely obtained six muids to the acre.'⁽⁵⁶⁾ It was more profitable for the colonists to buy maize from the Africans than to grow it, for when brought to the port for shipment to the Cape they could get three times as much for it.⁽⁵⁷⁾ Timber was also exported from Natal, in 1854 the export of yellowwood was valued at just less than £2000.⁽⁵⁸⁾

The want of efficient labour and transport facilities was a major drawback to the settlers. All goods were transported by ox wagon. As trade expanded a new form of enterprise, transport riding, developed. The cost of transport was relatively high and good profits were to be made as one observer noted:

Only at times were owners seen driving their own wagons. They mostly employed white and coloured drivers, and many waxed rich and prosperous. Farmers found carrying more lucrative than stock-raising or cultivation, and the agrarian interests of the colony suffered by the consequent diversion of energy.⁽⁵⁹⁾

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56. The Natal Mercury, 12 May 1853.
Bundy, The Rise and Fall of the South African Peasantry, p.178.
57. Ibid., p.171.
B.P.P., Vol.29, Scott to Stanley, 31 July 1858, p.222.
58. Ellis, "The impact of White settlers on the natural environment of Natal, 1845-1870", p.84.
59. J. Robinson, A Lifetime in South Africa, (London, 1900), p.188.

With the settlers advent in Natal in the 1850s opportunities for trade were broadened and a period of change and advancement was ushered into the new colony. Natal had become a market for foodstuff and the manufactured goods of Europe and in return supplied overseas markets via Cape Town with pastoral products – ivory, hides and wool were sent to Britain and butter to Mauritius to be made into ghee for the Indian labourers. The following table of the value of imports and exports for the fifties gives an indication of the commercial position and development of the colony.

Table I

Year	Imports	Exports
1850	£111 015	£15 613
1851	125 462	17 423
1852	103 701	20 164
1853	98 534	26 694
1854	112 492	37 555
1855	86 551	45 126
1856	102 512	53 931
1857	184 549	77 844
1858	172 832	90 882

By the end of the 1850s the white population of Natal was approximately ten thousand. 'Natalians were coming to be a localised group of men and women, characterised by a sturdy determination to establish a new Britain on African soil.'⁽⁶⁰⁾ The Natalians could be divided into three major groups, namely officials, missionaries and colonists. Their attitude towards the Africans varied. Some like Fynn and Shepstone were largely paternalistic.

60. A.F. Hattersley, The Natalians – Further Annals of Natal, (Pietermaritzburg, 1940), p.26.

The settler outlook was one of racial and cultural superiority unlike the attitudes of the earlier hunter-traders, who protected refugees and established sound relations with the African Chiefs. The settlers, having had little or no contact with Africans in Europe, failed to see them as a distinct culture and probably associated them with slaves merely by the colour of their skin. From the literature of the eighteenth century, the word 'black' had come to have connotations of evil, sin, ugliness, filth and degradation while 'white' on the other hand was associated with qualities like purity, cleanness, beauty, virginity and peace.⁽⁶¹⁾ As most of the settlers were social products of the early Victorian age, racialistic views were intense producing stereotype attitudes of non-whites as being 'uncivilized' and 'savage'. Most settlers would have agreed with the racist views expressed by the Locations Commission in 1852 regarding the African:

...the true and universal character of the kaffirs, as framed by their education, habits, and associations, is at once superstitious and warlike. Their estimate of the value of human life is very low; plunder and bloodshed are engagements with which their circumstances have rendered them familiar since their childhood; they are crafty and cunning; at once indolent and excitable; averse to labour; but bloodthirsty and cruel when their passions are inflamed....Cupidity is another strongly developed feature in the kaffir character; their general habits like those of other savages, are debased and sensual to the last degree..., they cherish a belief in the most degrading system of witchcraft. The kaffirs recognise no moral delinquency in deceit or falsehood, but are remarkable for a disregard of truthfulness and gratitude. (62)

The settlers felt it was their task to 'civilize' the Africans. It was also important to establish strict control over them as their numerical preponderance gave rise to insecurity -

61. C. Bolt, Victorian Attitudes to Race, (London, 1971), p.121.

62. C.O.879/1, Extract from the Report of the 1852 Commission, p.26.

It seems impossible to eradicate the original savageness of the African blood. As long as the black man has a strong white Government and a numerous white population to control him he is capable of living as a respectable member of society. He can be made quiet and even industrious by the fear of the supreme power, and by the example of those to whom he necessarily looks up. But whenever he attains to a certain degree of independence there is the fear that he will resume the barbarous life. (63)

The colonists' aim of exploiting cheap African labour required moral justification. Thus racial attitudes developed regarding the African as inferior. Opinions such as 'these poor black cattle, who's afraid of them...they bring us the very thing we want, in common with every other colony - cheap labour; and with cheap labour and cheap land, if the fortune of Natal is not made', were expressed and easily accepted. (64)

The colonists disapproved of close associations formed between black and white fearing the small white population would be swamped by the large African population not only in the strategic sense but also culturally which would undermine the foundations of western and Christian values. They found polygamy and other features of African life such as witchcraft obnoxious. The settlers were apprehensive of the African lifestyle contaminating some Europeans as they might go 'native'. They were still mindful of Fynn and other early white settlers, Henry Ogle, John Cane and John Dunn who went beyond the pale of 'proper' white society in the colony indulging in polygamy with African women and producing coloured offspring. The fact that 'Almost all hoped to stamp the pattern of Victorian respectability on the new land' (65) was evident in Bleek's firm recommendation to prospective immigrants in 1856 -

63. Bolt, Victorian Attitudes to Race, p.76.

64. Barter, The Dorp and the Veld, p.196.

65. Hattersley, The British Settlement of Natal, p.120.

no one should emigrate to Natal who would find it difficult to deny himself the enjoyments of civilization and who would not be satisfied with a semi-wild, simple farm life. I strongly advise that the immigrant should come here as a married man. For several reasons that are absolutely essential, particularly as there is a shortage of young ladies here. The immigrant cannot therefore expect to marry here. (66)

When Fynn returned to Natal he was once again connected with the Government. During his first visit to Natal Fynn had adopted an African lifestyle but now being a subject of the British Government in Natal, he had to readapt to European ways for white deviation from western European cultural norms was met with ostracism in all spheres of Natal colonial life.⁽⁶⁷⁾ So as not to be alienated from colonial society and to regain social respectability Fynn discarded his African wives, and as a magistrate he could hardly do otherwise than conform to European norms and live with one wife. That other contemporary of Fynn's, John Dunn, rejected European society and maintained a Zulu lifestyle. The impact of white civilization being felt, Fynn accepted the Victorian value system and the new social order emerging in the colony yet he was not popular among the colonists - his polygamous and miscegenative ties during his earlier phase in Natal proved a serious obstacle to his career. When Pine appointed a commission in September 1852 to investigate and to make recommendations upon the best measures to be adopted when governing the Africans, Fynn who had a vast knowledge of Natal and its indigenous inhabitants was not included in this Commission.⁽⁶⁸⁾ He served in the capacity of an interpreter only.

66. O.H. Spohr, (ed.), The Natal Diaries of Dr W.H.I. Bleek 1855-1865, (Cape Town, 1965), p.36.

67. Ballard, "The Transfrontiersman: The Career of John Dunn in Natal and Zululand, 1834-1895", p.60.

68. C.O.879/1/xxiii, Management of the Natives of Natal, 6 March - 24 October 1854, pp.12, 13.
Great Britain Parliament: Further Correspondence Relative to the Establishment of the Settlement of Natal 1848-1853, Pine to Parkington, 7 October 1852, pp.31-83, K.C.I.L.

But he did give evidence before the Commission in 1853 on the history and customs of the Africans. The importance of the evidence was recognised and it was published in The Mercury - 'Mr Fynn's communication occupies ground to a considerable extent untraversed by other witnesses, and possesses a value exclusively its own.'⁽⁶⁹⁾

When Pine assumed the governorship of Natal in 1850, he appointed Resident Magistrates to the various divisions for effective administration of the colony. The power conferred on the African chiefs diminished as 'magistrates were appointed to direct and rule.'⁽⁷⁰⁾ These magistrates were under the supervision of Shepstone who being the Diplomatic Agent to the Native tribes was their official and principal chief. On 30 August 1852 Fynn was appointed as Assistant Resident Magistrate of Pietermaritzburg when John Shepstone took on the post of Resident Agent on the Tugela Border. The duties performed by the magistrates were diverse and important. They included the administering of justice over both whites, according to Roman-Dutch law, and Africans, under customary law so long as it did not clash with the basic principles of 'civilization'; settling disputes; fostering a sense of mutual trust between the colonists and the Africans and exercising a civilizing influence over the latter; promoting labour; collecting Hut Taxes and keeping records of matters within their districts. These tasks indicate that the job of a Resident Magistrate was a difficult one demanding tact, stamina and ability. They were however dealt with according to their significance - 'taxation, labour and European

69. The Natal Mercury, 14 April 1853.

70. Welsh, The Roots of Segregation. Native Policy in Natal 1845-1910, p.111.
 Stuart Papers, "Notes on Conversation re Sir T. Shepstone's Life, by J.W. Shepstone Esq.", p.35.

law cases were attended to first, native cases were fitted in, and civilization was neglected entirely.⁽⁷¹⁾ commented one cynical critic.

Fynn's role as magistrate was quite a contrast to his earlier career as a trader in Natal when he strove to protect the Africans. As a colonial official his attitude towards the African people had undergone some change. He was now responsible for enforcing laws intended to promote the interests of the settlers and maintained 'the kaffir tribes on the frontier cannot be said to be completely conquered. The tribes must fall before the sword, until, feeling they are a conquered people, they become humble, obedient, and willing to be instructed.'⁽⁷²⁾ Fynn's policy, like that of Shepstone's, was to keep the Africans under their own customs and social system. Fynn administered 'justice' to the Africans according to Zulu law in the same manner as the chiefs. The Africans preference for flogging over imprisonment as a form of punishment was regarded as 'the most horrid pain that a man could endure'⁽⁷³⁾ was of "advantage" when considering the want of prison accommodation and expense, and the absence of money from which to enforce a fine.⁽⁷⁴⁾ Russell gives a graphic account of Fynn trying African cases in the open.⁽⁷⁵⁾

...the verandah of McDonald's Hotel, which adjoined J. Millar and Co.'s store, was the Court of Mr Henry F. Fynn, the Assistant Resident Magistrate and Administrator of Native Law. His Native Assistant, or Chief Constable, was Tuta, who for his services was afterwards raised to the rank of "Induna", and with his successor, Mafingo, was for many years connected with the Resident Magistrate's Court. He had a kraal under the large fig tree, between the present Mosque and the

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- 71. L.R. Anderson, "The 1846 Locations Commission and the Origins of the 'Shepstone' System of Native Administration in Natal". (Unpublished Honours dissertation, University of Natal, 1984), p.58.
 - 72. The Natal Mercury, 14 April 1853.
 - 73. Fynn's Diary, p.83.
 - 74. Russell, History of Old Durban, p.172.
 - 75. Ibid., p.171.

Cemetery, serving as Native Police Camp, where the Post runners and Government Messengers congregated. Prisoners for minor offences, master and servant cases, thefts, assaults, etc., would be marched up from the "Tronk" by great-coated Native constables, armed with assegais. A grassy seat near by the presence, would be pointed out to them, until their case was called. The prisoner was then duly haled before the judge, whom he would salute, squatting down a respectful distance in front of him, until ordered by the great man to stand. Complaint promptly heard, prisoner interrogated, reprimanded, but more frequently condemned to ten or twenty lashes, more or less. Mr Fynn gave point to his sentences by producing his snuff box and taking a refresher, while Tuta and his men took the culprit aside a convenient distance, spreadeagled him on the sand, face downwards, and counted out the stripes with a sjambock on his back and shoulders. Prisoner, on his release, would writhe into his blanket, hold up his hand and shout a respectful "Inkosi" to the dignified white chief, while walking past to resume his employment.

In a despatch to Smith, Grey outlined British policy regarding Natal whereby improvements had to be introduced -

...without looking to the mother country for pecuniary assistance to more than a very moderate extent. The maintenance of no very large military force for the support of the authority of the Government and to aid the inhabitants in defending themselves, is the only charge which I am prepared to recommend that Parliament should be asked to provide for Natal; the expenditure incurred for other purposes must be provided from such funds as can be raised within the settlement. (76)

As Natal was largely responsible for financing its own administration, Shepstone recommended the extraction of a Hut Tax of 7/- per hut from the Africans which would serve a threefold purpose of contributing to the revenue of the colony, forcing the Africans into the labour market and discouraging polygamy. According to Nguni custom each wife was to have her own hut, a man who possessed a number of wives would be

76. B.P.P., Vol. 22, Earl Grey to Smith, 10 December 1847, p.138.

obliged to pay 7/; for each of the huts and evasion would be difficult.⁽⁷⁷⁾

The Africans, being informed that they had to make some contribution to the Government 'under which they enjoyed the privilege of security to life and property, peace and good government', willingly paid the tax.⁽⁷⁸⁾ The Resident Magistrate of each division was responsible for the collection of taxes and this called for extensive travelling. Fynn's tax collecting duties were described by an early colonist:

James Saunders, the sugar planter at Tongaat, when addressed by his name Nkosi Bomvu ('Red King'), allowed his gaze to rest on the strong, confident face of the visitor. The features reflected a composure and self-reliance that were incompatible with fear or trepidation. He speculated on the stranger's identity and the object of his visit. There had been a rumour that the 'kaffir magistrate' from Durban was on the march, touring the coastal plantation districts. 'The name is Fynn - Henry Francis Fynn. I'm out on a tax-collecting tour. I hope you won't mind if I visit your kraals with my induna. I've been continuously on the trek, on the South Coast and now on my way to Zululand.'⁽⁷⁹⁾

Before setting out to collect the Hut Tax the Magistrate had to inform the Colonial Secretary of the time he intended leaving, of his duration of absence and of his replacement for that period.⁽⁸⁰⁾ From 1853 Fynn held the position of Assistant Resident Magistrate of the Lower Umkomaas and of Durban with a salary of £200 per annum and an allowance of £30 per annum for house rent and 3/- per day for forage for two horses.⁽⁸¹⁾

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- 77. N. Ramdhani, "Financing Colonial Rule: The Hut Tax System in Natal 1847-1898", (Unpublished M.A. thesis, University of Natal, 1985), p.29.
 - 78. Shepstone Papers, "Memorandum on a proposal to increase the amount of the Hut Tax paid by the Natives", K.C.31375, File No.2. N.G.C. 6/1/1/4, Fynn - 8 March 1859.
 - 79. R.G.T. Watson, Tongaati - An African Experiment, (London, 1960), pp.54-55.
 - 80. C.S.O., Vol.76, Fynn to Colonial Secretary, 27 March 1855.
 - 81. Fynn Papers, Sargeant to Fynn, 29 July 1853.

On 15 May 1856 Fynn was confirmed Resident Magistrate in the district of Natal by warrant under the Royal Sign Manual ⁽⁸²⁾

Although travelling expenses for the collection of the Hut Tax was defrayed by an allowance of five per cent of the tax collected, Fynn found that it was inadequate to cover the costs. He wrote -

In my report of last years collection (1854), I reported having lost two horses by the sickness and have this year lost two more, while the resolution of the Government of allowing the magistrates five per cent to cover the whole of the expenses of the collection falls particularly hard in my case, the natives residing in the Lower Umkomaas Division being more widely dispersed than in any other Division, while the roads present difficulties, causing longer time to perform the duties while the amount allowed by the percentage leaves me £26.0.0. minus of the amount incurred for last years collection. (83)

The Hut Tax was collected in cash or cattle during April and May as crops were harvested in that season. ⁽⁸⁴⁾ Fynn reports for the south coast in 1853, that:

the amount of tax received by me up to this day is 185 head of cattle, valued at £152.7.0. and cash £679.12.0. making a total of £831.19.0. The greater portion of the tax I have yet to receive at this encampment, and at the Umkomanzi which I expect will occupy 15 to 20 days. (85)

From 1849 to 1875 the Hut Tax contributed around £10 000 annually to the colonial treasury. ⁽⁸⁶⁾

At the close of 1856 civil war irrupted in Zululand when King Mpande's sons, Cetshwayo and Mbuyazi, contested for sovereignty. Mbuyazi's followers

82. G.H. Vol.28, Labouchere to The Officer Administering the Government, Natal, 7 February 1856, No.14, pp.104-111.

83. C.S.O., Vol.78, Fynn to Colonial Secretary, 2 June 1855. Ibid., Vol.76, 27 March 1855.

84. S.N.A. 1/3/6, Fynn to S.N.A., 8 September 1857.

85. C.S.O., Vol.57, Fynn to the Acting Secretary, 9 June 1853.

86. Welsh, The Roots of Segregation, p.23.

numbering approximately eight thousand were known as the Zigqoza and Cetshwayo's supporters of approximately twenty thousand were the Usutu.⁽⁸⁷⁾ Outnumbered by the Usutu, Mbuyazi and his force fled towards the Tugela hoping to find sanctuary in Natal. Mbuyazi visited Walmsely, the Natal border agent, who refrained from intervening as he feared jeopardising the security of the colony.⁽⁸⁸⁾ His assistant, John Dunn, volunteered to cross the Tugela with a small party of men to arbitrate between the belligerent factions. Dunn and his men acted in an unofficial capacity and endangered the government's relations with the Zulu Kingdom by ranging themselves with the Zigqoza who were defeated on 2 December 1856 by the Usutu at Ndondakusuka.

Shepstone feared that Cetshwayo might interpret Dunn's participation as British intervention on behalf of the Zigqoza thus provoking a possible Usutu invasion of Natal in retaliation.⁽⁸⁹⁾ The colonists who were trading in the Zulu country escaped across the Tugela with much difficulty, their cattle and other possessions were confiscated by the Usutu. The Mercury reported 'had it not been for Dunn and his party no white man's life would have been endangered.'⁽⁹⁰⁾

The unrest in Zululand alarmed the colonists in Natal. The small white population felt that it would have been unable to defend the colony, had a Zulu army decided to invade Natal. The instability across the Tugela

87. The Natal Mercury, 11 December 1856.

88. P.J. Colenbrander, "Some Reflections on the Kingship of Mpande", (UND, Conference Paper, 1985), p.17.

89. Ballard, "The Transfrontiersman: The Career of John Dunn in Natal and Zululand 1834-1895", p.64.

90. The Natal Mercury, 11 Dec. 1856, 18 December 1856.

also made the Africans in Natal restless. According to Russell, Fynn summoned them to a meeting,⁽⁹¹⁾

A great body, armed chiefly with sticks, assembled at the junction of Gardiner and Smith Streets, where about 11 o'clock in the morning of the 4th December he addressed them from the stoep at the corner of Messrs. Wirsing and Acutt's Store.

Pointing out the advantages and protection they enjoyed under the British Government, and the folly and danger of their embroiling themselves in Zulu affairs, he finally urged them to remain at work until their several engagements terminated, and leave the rest to the Government.

Respectful salutations to Mr Fynn followed his remarks; the crowd seemed disposed to obey, and were returning to their employers, but unfortunately the Acting Resident Magistrate (Mr H. Cope), who knew nothing of Natives or their language, felt it incumbent upon him to show his authority, so ordered the Natives to be informed that if any of them left the town - employed men or free - he would arrest and punish them. This little suggestion was sufficient for the wild lovers of liberty and cattle; the crowd quickly dispersed, and as quickly collected their blankets and assegais and went....Mr Cope announced his intention of calling out the "Royal Durban Rangers" and swearing in special constables to patrol the town limits and arrest all Natives leaving.

The Town Council criticized and condemned the Resident Magistrate's action as a threat to public peace and safety.

During this border crisis, Fynn was employed on important diplomatic missions. The Mercury is laudatory of him, 'such a fund of experience as that possessed by him, was invaluable to a young and comparatively ignorant government, with no local precedents to shape its policy.'⁽⁹²⁾

91. Russell, History of Old Durban, p.288.

92. The Natal Mercury, 26 September 1861.

In December 1856 Fynn, having had links with the Zulu royal house and being familiar with the territory, was sent on a special mission to Zululand to procure information on the state of affairs. Due to the upheaval there was no acknowledged chief in friendly communication with the Government. During the Zulu civil war Mbuyazi and five of his brothers were killed together with many Zulus. King Mpande wanted to remain on friendly terms with the British Government. He asked the Natal authorities to send him an 'officer of rank' and to return whatever belonged to him, his children or his people that had come into the colony.⁽⁹³⁾ Fynn was requested to proceed to Mpande's royal residence and, in accordance with British policy, he was to observe strict neutrality, beyond that he was not given detailed instructions or measures to adopt with the Zulus.⁽⁹⁴⁾ Prince Cetshwayo said, 'I'm thankful today that the friend of my fathers has come among us. I have great hopes he will save our nation. My father has no more judgement. Mr Fynn may guide me.'⁽⁹⁵⁾ The Zulus believed that Fynn was delegated to act for the British and being widely known as a tax collector he was even asked on one occasion if he had come to receive taxes for the Government.

Prior to Fynn's arrival, Mpande had instructed that cattle be collected as compensation to the traders but Fynn did not remove the 1123 cattle on behalf of the Government as they were of inferior quality.⁽⁹⁶⁾ Fynn did not succeed in retrieving the traders' cattle from Cetshwayo who initially intended to make restitution. Cetshwayo felt that Fynn had betrayed him by harbouring Zulu refugees and refused to communicate with him. Fynn had lost influence with Cetshwayo. In 1857 a trader wrote disapprovingly of –

93. Fynn Papers, Message from Mpande to Shepstone, 11 February 1857.

94. Ibid., Shepstone to Fynn, 27 March 1857.
S.N.A. 1/3/5, Fynn to Schreuder, 29 December 1856, p.566.

95. S.N.A. 1/3/6, No.126, Message from Cetshwayo to Fynn, 15 May 1857, p.431.

96. Ibid. No. 146. Fynn to S.N.A. 1/3/6, 1857.

the bungling mess made by Mr Fynn's people with Cetshwayo's people, by taking away Zulu women. Cetshwayo offered to make full indemnity for all the losses sustained by the traders at the Tugela. Fynn previously informed Cetshwayo that the English Government wishes to establish friendly relations between themselves and the Zulu nation, and would do all they could to discourage the Zulus running away to Natal. During the conference Cetshwayo received information that Goozie's Natal kaffirs were taking away some Zulus to Natal, he then left Fynn abruptly, telling his chiefs that he had been deceived by the man who professed that he had been sent to establish peace in the country, instead of which he only came to steal away the people. (97)

Conscious of being overshadowed by the multitudinous African population made the colonists and the Government wary of them and anxious about white security. Consequently the Legislative Council contemplated a Bill 'for securing the better protection, and peace of the colony' in 1857 whereby the Africans were forbidden to possess firearms, horses, to carry assegais and to assemble. Fynn, from his experience and knowledge of the Africans on the Cape frontier and in Natal, believed that if the Bill was confirmed it would have an antithetical effect - 'rebellion and not the peace of the colony will be the result.'⁽⁹⁸⁾ Fynn opposed the Government's policies regarding the Africans. It was neither firearms nor horses that produced friction but a lack of understanding and confidence between the white and black inhabitants because of what perceived as the mutual ignorance and dissentious policy of successive Lieutenant-Governors. Fynn was convinced that an efficient military force or an increased European emigration was 'not only essential to develop the resources of the colony but on it alone depends the permanent peace and safety of the country and success of every experiment for the advancement of the natives.'⁽⁹⁹⁾ Fynn's main

97. The Natal Mercury, "Report of a Zulu Trader to the Editor", 27 June 1857.

98. S.N.A. 1/3/6, No.208, Fynn to Philip Allen, Acting Colonial Secretary, 12 September 1857, p.669.

99. Ibid., Fynn to Shepstone, 9 February 1857, p.190.

interest was centred in African affairs.⁽¹⁰⁰⁾ He believed that the Africans should be ruled according to their traditions and considered the passage of the Bill pernicious to their welfare and control. According to the Bill, African assemblies were forbidden, as this would include festivals and it would mean the abolition of the customs that regulated social intercourse. Since there was no previous law prohibiting Africans purchasing firearms, which they did at high prices, restitution should be given. Fynn realised that weapons were necessary for protection from enemies and wild animals and objected to them being carried only near towns. Fynn's opinions on African affairs conflicted with that of the Government and he decided to resign so as not to execute the new policy -

...holding opposite opinions in all matters of policy regarding the Natives, I no longer feel myself competent to serve the Government with the spirit which the attainment of their object demands, but which every other Magistrate may more conscientiously carry out, unfettered as they must be by such fixed opinions as I have imbibed during 37 years, 24 of which I have been in the Public Service under Governors. This experience instead of being an advantage to me in my official career, actually compels me to abandon it, because it places me in opposition to what may be considered by many, to be the true interests of the colony.⁽¹⁰¹⁾

Scott, the Lieutenant-Governor of Natal, expressed his regret at Fynn leaving the service as 'he should be thereby deprived of your valuable assistance and experience' and 'a long and faithful service like yours over 24 years should thus terminate unrewarded.'⁽¹⁰²⁾ There was no pension at the time and Fynn, hoping his services would be compensated in some substantial way, withdrew his resignation.

100. James Stuart, "Notes on the Life of Henry Francis Fynn by his Son", p.20, K.C.L.

101. C.S.O., Vol.103, Fynn to Philip Allen, 15 February 1858.

102. *Ibid.*, Vol.120, No.90, Philip Allen to Fynn, 12 March 1858. G.H., Vol.32, No.15, Stanley to Scott, 5 May 1858, pp.26-28.

During his term as magistrate Fynn embarked on an enterprising project for the improvement of the Africans by establishing a Native Industrial Village at Inyangwini, south of the Mtwalume.⁽¹⁰³⁾ The commercial crops grown included coffee, sesamum, ginger and cotton. In spite of the opposition from the tribes in the vicinity of the Industrial Village and the difficulties experienced in procuring African labour, Mr Struthers, the superintendent, was able to report favourably on its success -

During January I planted the coffee and have succeeded in raising 35,000 promising plants. I obtained one muid of seed from the sesamum sown. The remainder of the year was employed in planting food for the labourers, finishing a house for public purposes and one for the superintendent, and in building kraals, outhouses, etc. (104)

By 1855 Natal's sugar industry emerged as steam powered machines were used to convert the cane juice into sugar which surpassed that imported from Mauritius.⁽¹⁰⁵⁾ Fynn saw that with the advancing sugar industry there would be a greater need for vacoa bags and suggested to the Government in 1856 that the Africans be given the opportunity of weaving sugar bags from rushes. This would serve a twofold purpose of providing the Africans with a useful industry and reduce import costs. Sugar contained in gunny bags were enclosed in vacoa mat bags, imported from Mauritius, for further protection. In 1854 Natal imported 3 861 vacoa

103. G.H., Vol.1211, No.55, H. Cooper to Labouchere, 30 October 1856, p.118.
Stuart Archive, Evidence of William Bazley, 25 June 1907, Vol.1, p.53.

104. S.N.A. 1/3/6, No.193, Report of the Superintendent, R.B. Struthers, 31 August 1857, p.603.
 Ibid., No.194, Fynn to the Acting Colonial Secretary, p.609.
 Fynn was of the opinion however that 40 000 to 50 000 coffee plants were raised.

105. Russell, History of Old Durban, p.232.

bags at a cost of £96.10s or 6d. each whereas Fynn estimated that if the scheme was adopted it would cost the government £2000 for the first year.⁽¹⁰⁶⁾ He recommended that it should be left to the missions to promote the project and that the magistrates of each division offer a prize of £2 for the best twenty bags. The sugar bags manufactured in Natal were cheaper and superior to those of Mauritius.⁽¹⁰⁷⁾ Thus, Fynn attempted to introduce the workings and incentives of a capitalist market economy to the Africans in his district.

Shepstone realised the need of African labour to the settlers but at the same time he recognised their potential as producers. Encouraging the Africans to produce a surplus for export and trade would contribute to their advancement as well as the general prosperity of the colony. In 1856 Shepstone wrote, 'in securing for the native population the toleration and even the respect of their fellow subjects is to induce them to raise from the soil some exportable and permanently marketable product.'⁽¹⁰⁸⁾ Viewing the Africans solely as labourers would inevitably result in conflict between blacks and whites. To stimulate the growing of cash crops among Africans, Shepstone instructed the magistrates to collect the Hut Tax in sesamum seed and cotton, an additional sum of 3/- per hut was required of all those who paid the Hut Tax in money.⁽¹⁰⁹⁾ It was believed that Natal's prosperity was in the cultivation of cotton which was introduced in 1838 by D.C. Toohey and planted at Congella. But the prosperity never came because of the shortage of labour. Cotton would therefore be

106. R.F. Osborne, Valiant Harvest, (Durban, 1964), p.138.

107. The Natal Mercury, 2 September 1862.

108. Anderson, "The 1846 Locations Commission and the Shepstone System", p.41.

109. S.N.A. 1/8/7, No.453, Circular from Shepstone to Resident Magistrates, 13 November 1853.

the most appropriate product for the Africans to cultivate and Fynn was to introduce and superintend the growth of cotton among them in Natal.⁽¹¹⁰⁾ Fynn found that it was not easy to persuade the Africans to produce marketable crops other than food crops and particularly cotton. The Africans initially reacted to the growing of cotton with much resistance because of false superstition circulated among them that those who had previously planted cotton died from having done so. Cotton is an 'article which may be grown by the kaffirs in the field but which they will never attempt by persuasion but by example.'⁽¹¹¹⁾ Having their welfare at heart, Fynn did not consent to the Africans growing cotton in the area between the Umkomanzi and the Umzinto, where 1133 taxpayers resided, as it was not a confirmed African reserve and to this effect he wrote to Shepstone that, 'it would be useless to require them to cultivate cotton on lands belonging to Europeans who may remove them at pleasure.'⁽¹¹²⁾

Fynn objected to the colonists' demand for cheap labour as well as to the government's system of compulsory labour, known as isabhalo, from the Africans living in locations as this tended to weaken tribal life. In 1859 he refused to supply Africans from his division for public works in Durban.⁽¹¹³⁾

Although Fynn's opinion on African matters conflicted with that of the Government, as magistrate he conformed to Government policy. Fynn had great influence with the Africans and was fluent in three African languages, yet he remained in the lower ranks in Government service. It was however the same factors that made Shepstone rise to prominence.

110. B.P.P., Vol.29, Scott to Stanley, 31 July 1858, p.22.
G.H. Vol.1538, No.55, Scott to Stanley, 3 July 1858, p.30.

111. S.N.A. 1/3/6, No.194, Fynn to Acting Colonial Secretary, 31 August 1857, p.609.

112. Fynn Letters, Fynn to Shepstone, 28 November 1858, Vol.1, p.158.

113. Ibid., Fynn to S.N.A., 20 September 1859, Vol.2.

This probably clouded the relationship between Fynn and Shepstone. When Shepstone was on the Cape frontier he had valued Fynn's experience and opinion on African affairs as reflected in the following extract from a letter to Fynn, 'My ever dear dear Fynn,...Your opinions on kaffir affairs is just what I have been ramming down the throats of these people ever since I came here...'⁽¹¹⁴⁾ Shepstone later found Fynn's eagerness to offer his unmistakable valuable advice and service an interference which threatened his status.⁽¹¹⁵⁾ Both Shepstone and Fynn had won the respect of the Africans and although Fynn was away from Natal his influence prevailed, for example in 1851 when Fynn and Shepstone were raising an African force to assist on the frontier, it is said that 'Mr Shepstone's influence among the natives has been, in some cases, much diminished by the introduction of Mr Fynn's authority...'⁽¹¹⁶⁾ Also on his return to Natal Fynn wrote to Shepstone

previous to my reappearance to this country the tribes formerly belonging to me recognised and appreciated your authority, looking up to you with confidence but on my arrival their old feelings were revived, they did not forget your authority, or were you less esteemed by them, they know that you and I have their welfare at heart.⁽¹¹⁷⁾

Although there is no hard evidence of hostility in their correspondence, Shepstone and Fynn were natural rivals to the claim of who was most knowledgeable and experienced in African affairs. Fynn aspired to a higher position in the colonial service but his efforts were met with little success and he lingered in the shadows as a magistrate until he retired in 1860. The following letter from Fynn is worthy of inclusion as it gives

114. Ibid., Shepstone to Fynn, 5 October 1836, Vol.1, p.43.

115. R.E. Gordon, Shepstone: The Role of the Family in the History of South Africa, (Cape Town, 1968), p.184.

116. The Natal Witness, 21 March 1851.

117. Fynn Papers, Fynn to Shepstone, 12 June 1854.

an indication of the injustice he felt that he had endured prior to being promoted to magistrate.⁽¹¹⁸⁾

I was removed to the Lower Umkomanzi Division from Pietermaritzburg with the same rank that is Assistant Resident Magistrate although no Resident Magistrate existed there to render necessary my continuance in that position while on the contrary the duties of the superior appointment devolved upon me. I now find assistant magistrates promoted to the rank of full magistrates who are junior to me in the general government. I am therefore forced to the conclusion either the Government place too low or too high a value upon my services. My object in bringing this to Your Honour's notice is to ask your consideration whether the grievance I complain of and which I cannot help feeling as a stigma upon my character and standing in the service could not be removed by my being appointed to the full rank in the Lower Umkomanzi Division although I may still continue to act in the lower capacity in the Division of Durban.

Fynn's role in Natal is significant, in his earlier phase in Natal he was an agent of British expansion and the founder of white settlement whereas during his second phase as a magistrate he was an agent of the colonial state, enforcing its goals. Unfortunately, his social liabilities and outspokenness prevented him from obtaining any higher official position when his career ended.

118. C.S.O., Vol.74, Fynn to C.S.O., 2 February 1855.

CHAPTER FOUR

FYNN'S LEGACY : THE EVOLUTION OF A COLOURED
COMMUNITY IN NATAL, 1861 - 1960

The establishment of metropolitan control in Natal in 1843 had closed the frontier. The British Government however was confronted with the complex issue of land allocation and titles. The boers had claimed most of the vacant land in Natal. The Volksraad had conferred upon the voortrekkers vast tracts of land, often without title deeds, on the payment of a small sum for registration. Under republican law they qualified for one or two, if they arrived in Natal before December 1839, 3000 morgen farms. As the colonial government preferred smaller farms, cash payments and proper survey, the boer land claims seemed exorbitant.⁽¹⁾ The British Government appointed a Special Commissioner, Henry Cloete, to investigate the land claims in Natal and freely granted 6000 acres of land to those who had been in occupation of their farms for twelve months prior to the arrival of the Commissioner. Those who did not meet the occupational requirements in full could claim farms of 2000 acres. The delays in surveying the farms and the British Government failing to recognise all the boer lands estranged them even further and many left Natal. The boer land policy did not affect Fynn's claim to land in this period as he was away. But when the British Government took possession of Natal the land policy changed and Fynn found that he did not satisfy the conditions of occupation for the land that he claimed.

While Fynn was in Natal he resided at the Isipingo farm at Umlaas and before leaving for the Cape Colony he placed one of his chiefs, Juqula, in charge of the farm to secure his claim to the property should Natal come under British control. But Fynn's absence from the colony when

1. Brookes and Webb, A History of Natal, p.61.

the commissioner was registering farms abrogated his claim to the land.

The Isipingo farm became part of an African location but was subsequently excluded from the location and granted to Richard King, who settled on it while Fynn was away, as a reward for his ride to Grahamstown to assist the British against the Boers at the Port in 1842.⁽²⁾

Having lost the Isipingo farm, Fynn had since 1843 constantly appealed to the British Government for a grant of land.⁽³⁾ He believed that as the "founder" of Natal and having possessed the whole territory he was entitled to land of equal extent as received by many others. In 1855 Fynn requested 6000 acres of land on the Illovo River on the grounds of -

having been the first pioneer of British rule and civilization in this country, having been so long engaged in the service of the Government and he has himself been the possessor of the whole territory in which he now prays but for a single farm of 6000 acres on the Illovo River in this district 25 miles south of the port⁽⁴⁾

Fynn's claim was rejected as it was not government policy to grant land for services rendered by civil servants.⁽⁵⁾

On the recommendation of the Natal Executive Council, Labouchere, the Secretary of State, sanctioned a grant of 2000 acres to Fynn.⁽⁶⁾ This was independent of his public services but in consideration of his claim to the Isipingo farm.⁽⁷⁾ Fynn was at 'liberty to make a selection of land to the above extent' and to report it for the Lieutenant-Governor's information.⁽⁸⁾

2. J. Stuart, 'Notes on the Life of Henry Francis Fynn by his son', p.12, K.C.L.

3. Fynn's Letters, 20 March 1861, vol.2, p.109, K.C. L.

4. C.S.O., vol.56, No.168, Fynn to Grey, 5 November 1855.

5. Fynn Letters, Philip Allen to Fynn, 16 November 1857, Vol.2, p.93.

6. G.H., vol.1211, No.38, 29 June 1856.
Ibid., vol.30, No.59, 14 September 1857.

7. Fynn Letters, Philip Allen to Fynn, 16 November 1857, vol.2, p.93.
Ibid., 29 December 1857, p.94.

8. Ibid. 16 November 1857, p.93.

Fynn selected land south of the Illovo as this locality was the closest to his dispossessed farm. But Governor Scott did not comply with Fynn's request. He erroneously believed that area was included in the African location and other applicants had been refused for the same reason as well. Fynn proved the boundary of the Umlaas location to be the Illovo and not the Umkomanzi making his choice vacant crown land. Fynn was persistent and in 1860 wrote to the Natal Colonial Secretary -

I do not further urge my claim for 6000 acres which every British subject was entitled to receive and did receive at the time I speak of for the mere asking and with nine tenths less of the occupation right I had. I do not ask for my farm back, nor do I ask for land in a Native location, I merely beg to be allowed the privilege of selecting the 2000 acres which Her Majesty's Government has been graciously pleased to grant me at the mouth but on the right bank of the Illovo, where it happens that land to this extent is left open between that granted to Umnini and the boundary of the location; it has but a few native kraals on it and the owners of them have been attached to me ever since I have been in the colony, and would gladly permanently reside under my management⁽⁹⁾

Fynn had set his heart upon that particular piece of land because of his personal ties formed during his previous stay in Natal. Adjacent to this land was the freehold grant he obtained for the Umnini tribe that had come under his protection. Fynn's selection no longer clashed with government policy and African interests, for this location was to be broken up and the Africans would be granted titles in trust, but the government still deprived him of the land. Fynn's son, Henry Francis, says that the Home Government accepted Fynn's claims but 'hinderances and excuses' were made by Sir John Scott.⁽¹⁰⁾

Ironically, it was Lieutenant-Governor Scott who in 1858 advised Fynn that if he resigned his services would go 'unrewarded'. He now hindered Fynn's

9. Fynn Letters. Fynn to Colonial Secretary, Enclosure B, 29 February 1860, vol.1, p.221.

10. Stuart, 'Notes on Fynn by his son' n 3

opportunity of being compensated. Scott wrote to Newcastle, the Secretary of State, of Fynn's preference being 'very choice and valuable land' and estimated by the Surveyor General to exceed ten thousand pounds.⁽¹¹⁾

He questioned whether the Government consented to Fynn's claim to land of such great value or only to land of average value, to which the Secretary of State replied 'that it was not the intention of Her Majesty's Government to allow Mr Fynn to select land as valuable as that in question nor would such a grant be consistent with due regard to public interests.'⁽¹²⁾ Fynn's Isipingo farm was said to be worth £20 000 and yet the Government refused to acknowledge his claim to land worth £10 000.

Fynn's son blamed Shepstone for the tensions between Fynn and Scott over the land question. Fynn's son wrote -

Sir Theophilus Shepstone was jealous of my father. He was cute, always as in the Cape, remained at headquarters. My father and Sir John Scott were on particularly intimate terms and yet the objections to his having land came from him. There can be little doubt that was worked upon by jealous interference on the part of someone. Sir T. Shepstone could not bear anyone being looked on as anything greater than himself. My father had great influence over the natives, was always entrusted with missions at a distance from Headquarters. This gave him power which Sir T. Shepstone objected to.⁽¹³⁾

A noted authority, Killie Campbell, attributed Fynn's poor reputation to Shepstone's intrigues.⁽¹⁴⁾

Fynn wrote lengthy letters that dissuaded the Government from perusing and looking favourably on his requests. Even William Macdowel cautioned his brother, 'Your letters official is very good but excepting

11. G.H., vol.1212, No.19, Scott to Newcastle, 6 April 1861, p.479.

12. G.H., vol.37, No.137, Newcastle to Scott, July 1861, p.260.

13. Stuart, 'Notes on Fynn by his Son', p.13. Bazeley in his evidence to James Stuart mentions that Shepstone strove to maintain total control and was jealous of magistrates. Stuart Archive, vol.1, p.130.

14. Letter from Killie Campbell to Karlson, 21 August 1952, K.C.L.

the one fault too long, they cannot bear long letters.⁽¹⁵⁾ Scott's disapproving words confirm this, 'there is I fear too much of the commanding tone about Mr Fynn. He evidently likes a long speech and past history is always a long part of it.'⁽¹⁶⁾ Fynn frequently emphasized he was the first pioneer of the colony and his twenty-three years of service to Britain. The fact that the Government did not entertain his claim to land embittered him. Fynn was only permitted a third of the number of acres granted to others and that third he considered 'the refuse of the Colony.'⁽¹⁷⁾

Fynn held out an expectation of prosperity on the assumption of British authority in Natal, but the material benefit he hoped to derive evaded him. He was not compensated in any substantial way for his long service. Right to his endmost days he was refused a grant of land. Having seen others who did not have a portion of his claims upon the Government receive land must have greatly grieved him. He wrote -

R.N. Dunn [father of Chief John Dunn] came to Natal twelve years subsequent to me and received a grant of 8710 acres. Richard King came to this country eight years subsequent to me and obtained 5816 acres. Robert Louie, a private soldier in Her Majesty's 72 regiment from which he was missing from the Cape Frontier was ultimately found in Natal, pardoned and was granted 6031 acres.⁽¹⁸⁾

Dick King and others received 6000 acre grants, in addition to other grants of 3000 acres for their services to the Government.

On 31 March 1860 Fynn resigned his magistracy. His health was poor and with the exception of thirty acres of land which he purchased on the Bluff he was penniless.⁽¹⁹⁾ But pressured by his financial circumstances

15. Fynn Papers, W. Macdowel Fynn to Fynn, 4 November 1851.

16. S.N.A. 1/7/2, Scott to Shepstone, 1858, p.219.

17. Fynn Letters, Fynn to Colonial Secretary, 20 March 1861, vol.2.

18. *Ibid.*, p.9.

19. Fynn Papers, Fynn to Erskine, 29 February 1860, Despatch 185.

he eventually had to mortgage this small property. When Fynn became ill in September 1861 the Fynns moved from their Mount Prospect home at Fynnland on the Bluff to Durban, to Robert Andersen's house near Cato's Creek in Smith Street where he previously lived when he returned from Pondoland in 1852 but at a place called the Pavilion. Fynn, startled and dejected after reading an 'abrupt' letter signed by Philip Allen rejecting his last request for a grant of land, died unexpectedly on 20 September 1861.⁽²⁰⁾ He was buried with "honours" on the following day.

...on both days the various flags in town were hoisted half mast high. Mr G.C. Cato, Mr R. King, Mr Benningfield and Mr J. King, old colonists and friends, attended as pall bearers...The presiding minister concluded by saying "My friends, only two words would I wish to say upon this occasion, and they are these - that is the grave of a good Samaritan"(21)

Fynn had married two white wives in his lifetime. His first wife was Ann Brown whom he met and married in Grahamstown on 6 March 1837.⁽²²⁾ Ann died on 30 June 1839. In January 1841 Fynn then married Christiana Brown in Grahams-town by whom he had a son who was also called Henry Francis Fynn but became known to the Africans as Gwalagwala.

Theophilus Shepstone did not attend Fynn's funeral and expressed his condolences only after Mrs Fynn wrote to him of her distress and of his 'neglect' of Fynn. Shepstone did not write to her immediately after Fynn's death as he intended coming to Durban and his correspondence does not reveal estrangement to Fynn as evident in his reply to Mrs Fynn.

Had I for a moment supposed that my silence would have been misinterpreted I should have certainly written to you both. I am especially grieved to think that Mr Fynn should have entertained the idea that I

20. Stuart, 'Notes on Fynn by his son', p.13. Fynn died intestate.

21. The Natal Mercury, 26 September 1861.

22. G.T.J., 13 April 1837.

neglected him - I never intended to do so, nor did I in fact. There is no man in the world for whom I should have been pleased to do more than for him, and there is no man for whom I have actually done more and from a sincere regard for him.(23)

Mrs Fynn wrote again to Shepstone on 13 November apologising for the acerbated tone of her previous letter and hoping that 'all erroneous impressions might be cleared away.'⁽²⁴⁾ Although Mrs Fynn was destitute for Fynn died in poverty and debt she assured Shepstone that she did not require assistance. Her financial plight is disclosed in her appeal to the Legislative Council for assistance.⁽²⁵⁾ The Council granted to Fynn's estate two plots of land, numbers 14 and 16 of 300 and 600 acres respectively at the Illovo. The smaller piece of land had to be sold to cover part of Fynn's debts. It was subsequently bought by his son, Henry Francis Fynn (Gwalagwala).

Fynn's death was lamented by the local Africans as well -

when rumours of his death got about in 1861 they came in hundreds to my father's place to enquire if it was really the truth that their father Mbuyazi, the father of the people, had really passed away. Without exception everyone was deeply affected and showed the sorrow on their faces, and for months they mourned for him on their own accord.(26)

The day before Fynn died he sent a messenger to his son Duka and his family on the Umzimkulu but prior to his arrival and about the time of Fynn's death Nomanga (Eliza), Fynn's eldest daughter, had a dream of his death. When she revealed her dream to the others they believed it and were grieved.⁽²⁷⁾

When Fynn first settled in Natal, King Shaka had given him women from the royal isigodlo. Fynn is said to have had six African wives by whom

23. Fynn Papers, Shepstone to Mrs Fynn, 6 November 1861.

24. Ibid., Mrs Fynn to Shepstone, 13 November 1861.

25. Fynn Letters, Mrs Fynn to the Natal Legislative Council, 4 August 1862, vol.1.

26. Stuart Archive, William Bazeley's Evidence, vol.1, p.56.

27. Stuart, 'Notes on Fynn by his Son', p.14.

he had several children. By 1828 Fynn had established his Nsimbini 'tribe' south of the Umzimkulu in the present vicinity of Port Shepstone. Later Henry Francis Fynn was joined by his father and brothers. Frank, known as Pobana, also took African women as wives but his principal wife was Vundhlase who became chieftainess of the Izimkumbini tribe when Frank died in 1841.⁽²⁸⁾ It would be appropriate at this point to introduce Henry's and Frank's descendants. This will be via a geneological table drawn from information obtained during an enquiry held in 1925 to investigate disputes between the Amavundhla and Fynn supporters when some detail of Fynn's African wives and progeny was obtained as well as from deceased estates and interviews with Fynn's descendants (See Appendix 1 and 2). There are gaps however when it comes to his offspring and the names of his African wives are not known as they were referred to by the name of the tribe from which they came, for example, if a woman came from the Cele clan she was known as Macele.

Fynn and his African family were clearly victims of Victorian racialism and white middle-class morality at the time. When Fynn left Natal in 1834 he placed his black family and followers in the care of his izinduna.⁽²⁹⁾ Fynn did not have a good reputation amongst whites because of the alleged 'desertion' of his children. When his wives became attached to African men Shepstone placed Fynn's children and adherents under the control of Vundhlase, who raised Henry Fynn's twenty children with her own.⁽³⁰⁾ When they grew up she sent them to Nomansland to carve out their own territory and establish themselves.

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- 28. Frank was buried near the Sugar Bush Cutting in the Port Shepstone District.
 - 29. Mtungwana, Jacula and Mtamo were Fynn's indunas who presided over the Nsimbini tribe when he left Natal.
 - 30. Fynn Papers, KCL, 'Henry Francis Fynn, his brothers, wives and descendants'. Letter from C.H. Karlson to Killie Campbell about Henry and Frank Fynn's descendants, 13 August 1952.

Some of Henry Fynn's children were not law-abiding. Governor Scott was displeased with Fynn's inability to control his sons who were a poor example to the Africans. Gunrunning was a serious problem that the government tried to curb and the fact that 'an illegitimate son' of Henry Francis Fynn was a prominent member of the Rudd and Andrews gang that operated from Natal to Umtata trading gunpowder, irritated the government.⁽³¹⁾ Moodie, the magistrate of the Lower Umkomanzi, mentioned that the Fynn's were friendly with gunrunners and were harbouring an escaped convict. James Perrin, when trading in Pondoland in 1852, had shot and killed an African. Fynn handed him over to the magistrate in Durban who jailed him for this offence. Perrin later became clerk to Shepstone in the Native Affairs office. He reported to Shepstone hoping he would not be regarded as being 'over-zealous', of the possibility of a hostile collision occurring between the Fynns and Ogles supported by the local people on the southern boundary of the colony unless the government intervened.⁽³²⁾ In drawing attention to the Fynns, Perrin probably had an ulterior motive for obtaining revenge against Henry Francis Fynn who was then magistrate of the Lower Umkomas. However, no confrontation occurred. Fynn informed Shepstone of Chief Duka's efforts to maintain peace in the vicinity by inducing a chief who was on the brink of war to submit his case to the Government.⁽³³⁾ Fynn advised that a Government Agent be appointed on the south-eastern boundary to maintain order in that territory.⁽³⁴⁾

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- 31. C.H. Karlson, 'Gunrunning in Natal', Southern Review, April 1952, vol.1, no.1.
 - 32. Fynn Letters, James Perrin to S.N.A., 25 May 1857, vol.1, K.C.L. Stuart's Notes, pp.7-8, K.C.L.
 - 33. Fynn Letters, Shepstone to Fynn, 16 June 1857, vol.1. S.N.A. 1/3/6, No.195, Fynn to Acting Colonial Secretary, 31 August 1857, p.629.
 - 34. Ibid., No.223, Fynn to S.N.A., 8 October 1857, p.724.

Fynn gained little official acknowledgement for his achievements because he co-habited with African women and his coloured offspring annoyed the government by violating the laws. The unlawful activities of his children strained his reputation as a father and magistrate and further diminished his chances of reaching the higher echelons in government service.

Undoubtedly Fynn's most enduring contribution to Natal is his founding of the Fynn community which is of mixed origin. The Mercury said of Fynn -

from the time Mr Fynn first landed on the sand beach of this part, there began the mighty work of civilization. However rudely and unwittingly he was the symbol of that glorious future whose rapid unfoldings, we, his remoter successors, now behold. He was the pledge of that progress of that flowing tide is bearing on so quickly this land of Natal, with all its hopes and destinies. He was the link that bound the present to the past, and reminded us perpetually of our meagre youth. (35)

After Fynn's death his son, Henry Francis Fynn, became Resident Magistrate at Umsinga in Natal in 1875. He retired in 1896 and went to live in Pietermaritzburg. "Gwalagwala" married a Miss Payne and had nine children, two of whom, tragically, drowned.

As Fynn's eldest son, Frank (Mphalwam), was killed at Tugela by Dingane's forces, Duka, son by Fynn's second wife, was appointed chief of the Nsimbini tribe on the south coast where still today there is the largest concentration of the descendants of Fynn. Duka's kraal was kwaNobamba meaning 'The Place of the Catcher on the Banks of the Boboyi'.⁽³⁶⁾ Duka married Sizibili, an African woman, but he left her giving her one cow for the "indignity" and married Susan Lochenberg, a coloured woman by whom he had four sons, Bisset (Tutana), William, West and John Duka, and four daughters. Bisset, Willie and John Duka all became chiefs in the Nsimbini tribe.

35. The Natal Mercury, 20 September 1861.

36. Bulpin, To The Shores of Natal, p.71.

Although Fynn did not exert a paternal influence over his 'coloured' children he seemed concerned about their welfare. He visited his non-white family in Nomansland even though he was married to a white woman and was a magistrate. Mrs Manning⁽³⁷⁾ said that Fynn's white wife, Christiana, maintained an attitude of friendliness towards Fynn's coloured offspring. She taught the girls household duties and to sew. Fynn's black family was no threat to Christiana. She did not have to compete with Fynn's African wives for his attention because when Fynn left Natal they became attached to African men. Gwalagwala also visited Fynn's black family. When Fynn and Captain Garden journeyed to Pondoland in 1851, Duka accompanied them.⁽³⁸⁾ Fynn sent his nephew Charlie who was living in Pondoland, back to Natal because Pondoland was not considered safe.⁽³⁹⁾ Fynn's black family did not express feelings of rejection or abandonment when Fynn returned to the Cape in the 1830s.

Owing to the unsettled state of Nomansland, notorious for violence and the illicit trade in arms and gunpowder, it was annexed to Natal by General Bisset, Acting Lieutenant-Governor of Natal, on 1 January 1866 to decrease the lawlessness and ease the cost of administration. The territory was named Alfred County after Prince Alfred of the British Royal Family, who visited the Colony and H.K. Wilson became its first magistrate. From a census carried out in 1866 by Dr Sutherland, the Surveyor General, and Wilson, the African population of Alfred County including the descendants of Fynn totalled 13400. Alfred County comprised about 1 000 000 acres and 104 000 acres were allocated for African locations allowing $7\frac{3}{4}$ acres

37. Interview with Mrs Manning (daughter-in-law of Duka's eldest daughter, Eliza), 26 April 1987.

38. Garden Papers, vol.2, p.59.

39. 'Chief Tom Fynn', Manuscript Collection, p.23, K.C.L.

per person. There were ten locations varying from 30 000 to 36 000 acres, with crown land dividing each unit, to accommodate all the tribes having claims on the territory including those who had temporarily sought shelter in Adam Kok's country from the more powerful tribes beyond the Umtamvuna.⁽⁴⁰⁾ The locations were not named but were known by numbers. Location numbers 7, 8, 9 and 10 were set apart for the families and adherents of James, Duka, Charles and Thomas Fynn.

General Bisset believing that the lower south coast would sometime in the future prove to be valuable, reserved the sea front and higher and flatter portions for European occupation. The Africans were distributed in the rugged and broken regions and the explanation used to justify this was that it was 'more suitable to the wants of the Natives'.⁽⁴¹⁾ The Africans were to be located in such manner as to serve as protection from the "thieving disposition" of the tribes beyond the colony. He wrote 'I have distributed the natives so as to promote mixture with Europeans and subject them to civilizing influences. They have not been massed together but strung out so as to have as many points of contact as possible.'⁽⁴²⁾

Tom and Charlie Fynn informed Faku that the land he had given them had been taken over by the Government with the annexation of Nomansland. Faku and his successor Mqikelo, grateful for Henry Francis Fynn's assistance during Shaka's conquests, said to the sons of Henry Francis and Frank Fynn that Pondoland was open to them and they could pick any place they liked.⁽⁴³⁾ Tom and Charlie chose land in the Umnceba Valley and were also given land at Mbitshe where Frank Fynn resided in Pondoland. Duka was offered the land at Emanleku, Henry Fynn's old kraal site. The Fynns however continued to occupy land in Alfred County.

40. G.H., vol.1635, 17 December 1866.

41. Ibid., Colonial Secretary to Resident Magistrate.

42. South Coast Herald, 22 February 1952.

The Fynn community in southern Natal was part of an emerging British colonial system that effected major changes in the social, economic, and political lives of all. The Fynn's claims to land were indirectly affected by Britain's Confederation scheme. With the appointment of Lord Carnarvon as Secretary of State for the colonies in 1874 there was a shift in British policy from one of uncertainty to a consuming interest in stabilizing her influence in southern Africa by federating the different communities and independent states under British domination. Carnarvon believed the confederation would enable Britain to maintain paramountcy in South Africa, imperial expenditure in this sphere would decrease and various disputes within the country would be resolved because of uniform policy.⁽⁴⁴⁾ Consequently Carnarvon appointed Sir Garnet Wolseley as Special Commissioner to Natal in 1875 to pave the way for confederation. In 1879 Wolseley returned to South Africa with immense power. He was Governor of Natal and the Transvaal and High Commissioner for the adjacent territories, as well as commander-in-chief of the forces in the field.⁽⁴⁵⁾ Wolseley described as brash, ambitious and self-seeking was a man who could be depended upon to carry out instructions in high risk imperial ventures.⁽⁴⁶⁾

The Langalibalele episode of 1873 had far reaching consequences for Natal. Carnarvon saw it as a loophole for advancing his confederation scheme. He believed that Shepstone's system of administering the Africans by customary law through the chiefs was inefficient and a homogenous native policy was necessary in South Africa. The severe treatment meted out to Chief Langalibalele and his Hlubi tribe convinced Carnarvon that since Natal was incapable of managing its African affairs, successful management of its own affairs

44. C.F. Goodfellow, Great Britain and South African Confederation 1870-1881, (Cape Town, 1966) pp.51-72.

45. Brookes and Webb, A History of Natal, p.143.

46. Guy, The Heretic, p.234.

would be highly unlikely and therefore the designs of the colonial legislature for responsible government had to be thwarted. Wolseley's instructions from the Colonial Office were to reorganise the Natal constitution and remodel African administration to stabilize Natal to prevent black unrest. His aim was to alter the charter of Natal to suit the plans of confederation and the Colonial Office. By employing bribery and "champagne", he swayed the colonists from the direction of responsible government and increased the hold of the imperial government in Natal's affairs.

Wolseley did not manage to effect major changes in African administration for it was impossible to decrease the powers of the chiefs without a large military force. So Shepstone's system of ruling through the chiefs was seen in a more positive light and Wolseley merely initiated some reforms to modify it. He established a High Court administering native law and repealed the marriage tax of five pounds but increased the Hut Tax to fourteen shillings to compensate this loss. The locations in Alfred Country were thickly inhabited and as the population increased so did their need for land. The inhabitants under Chief Duka Fynn based on the Hut Tax returns in 1875 at four souls per hut numbered 1936 and those under Chief Charlie Fynn 1116.⁽⁴⁷⁾ Table 1 gives an estimate of the large African population and small European population in Alfred Country, from 1867 to 1880, both of which rose gradually.⁽⁴⁸⁾ Consequently several complaints were made of land shortage. The magistrate commented upon the unsuitability of the locations in Alfred County -

47. S.N.A. 111/1/1, p.

48. N.B.B., 1867-1887, Population Statistics.

With regard generally to these locations I must state that all the rough and broken country in the county has been set apart for the natives...in fact I do not think that any white man would take a grant of land for agricultural purposes if offered any of the locations - the Commission does not appear to have regarded the interests of the natives, the former owners of the land, in allotting them these lands either as regards the capability and quantity of land for the number of natives who were to occupy it or its quality. (49)

Table 1

Year	Whites	Africans
1867	76	13 439
1868	86	14 470
1869	49	15 178
1870	47	15 178
1871	63	15 478
1872	70	17 447
1873	78	16 690
1874	104	24 564
1875	120	18 725
1876	149	19 130
1877	166	20 328
1878	217	20 328
1879	225	21 469
1880	282	21 474

When in 1875 Captain Giles, the Magistrate, reiterated to Wolseley this insufficiency of location land he declared, 'we are bound to provide a sufficiency of land for all the kaffir families that were actually in occupation of Alfred Country, when we annexed it to Natal'.⁽⁵⁰⁾

Wolseley on behalf of Queen Victoria granted to the Natal Native Trust on 3 August 1875 all the land set apart as reserves in Alfred County in 1866, including the locations for the members of the Fynn family, for 'purposes connected with the support, advantage, or well being of the inhabitants of the said colony, of African descent, thereafter called "Natives"'.⁽⁵¹⁾

49. G.H., vol.1635, Magistrate's Report, 27 October 1871, pp.42-45.

50. *Ibid.*, Memoranda of Sir Garnet Wolseley, 8 August 1875, Minute Paper No.8, p.13.

51. Trust Deed of 1875, see Appendix 1.

Title was not given to individuals but was made over to the Native Trust created in 1864 to safeguard African land from the clutches of the colonists despite strong opposition from them. But by the Trust Deed of 1880 (Appendix 4) the Fynns who were regarded as 'Natives' were given individual titles to the smaller pieces of land comprising 1 255 acres which had been previously classified as location land in Alfred County. There was no distinction then between the terms 'Native' and what is now known as 'Coloured' which seemed to indicate anyone not of pure European descent. Natal Law No.15 of 1869, Section (2) states "A Coloured Person shall mean any Hottentot, Coolie, Bushman, Lascar, or any of the people commonly called kaffirs, whether they are refugees from any of the surrounding states or tribes originally in this colony and its neighbourhood."⁽⁵²⁾ The Trust Deed of 1880 distinguishes and specifically allocates to

James Fynn and his family Lot number 7 containing
16 acres.
Duka Fynn and his family Lot number 8 containing
760 acres.
Charles Fynn and his family Lot number 9 containing
290 acres.
Tom Fynn and his family Lot number 10 containing
189 acres.

These four grants were therefore independent of the tribal locations and were made in accordance to the number of people belonging to each family. The Secretary for Native Affairs mentions that these plots of ground were given to the sons of Henry and Frank Fynn not as chiefs of the tribes but on account of the position their fathers held in the country prior to its annexation by the Natal Government.⁽⁵³⁾ When Henry Francis Fynn lived in Natal a vast tract of land was given to him by Shaka but the Cape

52. Mary Stoker, 'Brief Survey of the Origin and Development of the Coloured Community in Alfred County: Natal 1824-1971', p.3.

53. S.G.O. 111/1/45, R-SG 1210/1879, Secretary for Native Affairs, 31 December 1879.

Government did not recognise the grant, Fynn possessed the land without title. Thus legally Fynn's descendants have no right to the land they acquired from him. They however laid claim to the land because of previous occupation. It was only in 1880 that Fynn's non-white descendants were given title to land. Lot number 7 was designated to James Fynn in consequence of him residing on that spot of his father's homestead and a coffee garden.⁽⁵⁴⁾

In 1887 Nomanga Clothier, daughter of Henry Fynn, requested land from the Government stating that although she was the eldest child of Henry Francis Fynn she was not only neglected when grants of land were made to the Fynn family and consideration was given to Charles and Tom who were only nephews of Henry Francis Fynn, but the land on which she was born was taken possession of by General Bisset. The grant made to Duka comprised land intended for Nomanga. She refused to accept land from his acreage as Duka has twelve children and the farm of 760 acres granted to him is too small for his family alone. Duka had to accommodate other members of the Fynn family, namely Phineas whose family comprised fourteen members, Dick four, Mary one and Nomanga five, making the land insufficient. According to Nomanga 'If the farm granted to Duka was split up say into five portions, only no one could possibly live and keep a small number of cattle on a lot of that size.'⁽⁵⁵⁾ An expanding population and the increase in cultivation and livestock created much pressure on the land. The Resident Magistrate of Alfred County wrote of Nomanga's plight to the Secretary of Native Affairs -

I trust you may be able to do something for her as she was born in this country, and would have been an heiress if the government had not taken over the country. She was left by her father in charge of the tribe as guardian to her brother Duka when her father went to the old country.⁽⁵⁶⁾

54. Ibid.

55. S.N.A., Minute Papers, 1/1/103, Ref.1887/1123.

56. S.N.A., 1/1/103, Ref.1887/1123.

In the tradition of Henry Fynn, Duka, James, Charles and Tom ruled as chiefs. Charlie and Tom however were chiefs over the Izimkumbini. Shaka bestowed upon Fynn the title of paramount chief and entrusted him with the protection of the African people from Tongaat to the Umtamvuna. The position of paramount chief was recognised by the British government. Since Duka lived in the Harding area he appointed his brother James in charge of the Nsimbini in the Port Shepstone district. But James was inept and Duka replaced him with Mtshiwa Magopeni, a headman of the tribe whose son Gamalake eventually became chief.⁽⁵⁷⁾

The Fynns took up independent occupations as farmers and transport riders.⁽⁵⁸⁾ The Fynns in Umzimkulwana, Alfred County, were mainly independent peasant farmers. They kept livestock, poultry and grew a small quantity of pumpkins, madumbis, coffee and tobacco in addition to the chief crops of maize, sorghum and sweet potatoes. With the extensive use of imported agricultural implements, especially ploughs, these peasant farmers achieved some success. The Resident Magistrate of Alfred County noted that 'the natives now see the value of ploughs and have been purchasing largely.'⁽⁵⁹⁾ Table 2 illustrates the number of agricultural implements in the Africans' possession in Alfred County.⁽⁶⁰⁾

57. 'Henry Francis Fynn, his brothers, wives, and descendants', p.3.

58. N.G.G., 1880-1890, Voters Roll.

59. G.H., vol.1635, Report of Resident Magistrate, 31 January 1872, p.22.

60. Ibid., p.26.
N.B.B., 1880-1890, Agricultural Implements in Natives' possession.

Table 2

Year	Ploughs	Harrows	Wagons	Carts
1871 ^(a)	68	–	7	–
1881	800	–	14	6
1890	1 140	3	28	7

(a) In 1871 Charlie Fynn owned 16 ploughs and 3 wagons, and Duka 4 ploughs and 2 wagons.

The Magistrate also reported that the Africans were the leading producers of grain and vegetables in Alfred County – 'the european residents appear to neglect agricultural farming on account of the distance to a market and nearly all the produce of the County is grown by natives.'⁽⁶¹⁾ Their progress can be seen in the following table on estimates of the chief crops grown for a decade.

Table 3

Year	Indian Corn	Kaffir Corn (Sorghum)	Sweet Potatoes	Total No. of Acres of all Crops
1867	4 500	5 000	70	9 570
1869	5 500	6 000	200	11 700
1871	5 150	6 100	200	11 450
1873	6 000	7 000	200	13 200
1875	10 400	7 500	400	18 311 ¹ / ₄
1877	15 000	9 000	100	24 207

The reserves in Alfred County also have a great number of livestock. Table 4 on the estimates of livestock owned further illustrates the success and prosperity of the Africans.⁽⁶⁴⁾

61. N.B.B., 1878, 1887, Magistrate's Report.

62. Ibid., 1867-1877, Crops Cultivated by Natives.

63. Ibid., Livestock owned by Natives.

Table 4

Year	Horses	Cattle	Sheep(a)	Goats	Pigs
1867	350	22 000	2 500	4 500	–
1869	660	23 756	4 490	8 210	15
1871	700	24 500	4 500	8 500	30
1873	750	24 500	5 000	9 000	50
1875	1 050	25 200	7 000	13 000	300
1877	400	2 900	8 000	15 000	650

(a) Sheep – not wool bearing.

The African and Coloured farmers of Alfred County also had to grapple with adverse weather conditions and the prevalence of cattle diseases, such as red water, lung sickness (bovine pleuroneumonia) and glanders amongst horses, that destroyed many animals. With the wealth and status of the Africans being measured in terms of cattle much emphasis is placed on numbers. Cattle were essential for cultivation and to meet the ilobola requirements. The depression of the early 1880s was a further check on the prosperity of the Africans. Although the drought and late rains severely affected the harvests there was no famine in Alfred County because the Africans generally stored a reserve of grain until they saw the outcome of their crops for the year. While the surplus of mealies was disposed of to the Europeans, sorghum is kept for their food and beer. During this period of adversity, the Magistrate reported 'poor crops', 'scarcity of money' and stated 'this country is only suffering with the rest of the world.'⁽⁶⁴⁾ In 1881 the magistrate noted that 'the crops have been very short this year in consequence of the drought at the usual sowing time...taking an average of the whole county, I don't think that there can have been gathered more than one muid to each acre under cultivation.'⁽⁶⁵⁾

64. Ibid., 1881-1886, Magistrate's Reports.

65. N.G.C. 8/1/13/2/1 – Blue Book on Native Affairs 1879-1887
Magistrate's Report on the Native Affairs of the Colony.

Although they were under pressure from the depression, drought and cattle diseases, the African population in Alfred County was reported as remaining 'peaceful', 'docile' and 'loyal'. It should be noted that in spite of the large African population, there was little incidence of severe crimes as the magistrate observed in 1881 -

The natives of this County are well disposed and give little trouble. In obedience to the command of the Government, and for the fear of punishment they have to a large extent given up smelling out criminals, witch-doctoring and rain-making, but their faith is not the least shaken in their efficacy, and all these superstitions would be in full swing tomorrow if the Government withdrew its prohibition. During the last four years the natives here have not seemed disturbed by the wars that have raged all round Natal, though in the Griqua and Basuto affairs the fighting was close on the borders of Alfred County...it is wonderful how small the amount of cattle-stealing in this quarter is.... There are only twelve cases of theft, and altogether, for a record against a population of 20 000 for one year, it cannot be said to be a heavy one.(66)

A few of the Fynns were part of the colonial chiefly stratum and although subject to Native law they had certain privileges. As regards firearms and gunpowder they were treated as europeans.⁽⁶⁷⁾ The Government appointed chiefs via which the Africans were ruled. The chiefs became a sort of titled landowner, respected but without political power, and they could only exercise distribution of land to their followers from the land they obtained from the Government.⁽⁶⁸⁾ By giving the chiefs salaries and by appointing magistrates and paid headmen to serve as officials the Government curtailed the authority of a chief within his division. The chiefs accepted the fact that their political, economic and judicial powers had been diminished and most became compliant agents of the colonial state.

66. Ibid.

67. S.N.A. vol.460, Ref:1104/1910, Magistrate of Alfred County to S.N.A. Ibid. 1/1/33, Ref.1879/487.

68. Bundy, The Rise and Fall of the South African Peasantry, pp. 97, 100.

In 1905 an Act was passed imposing an annual Poll Tax of £1 upon every unmarried African male aged 18 years and over in the colony. The Poll Tax was very unpopular and was one of the root causes of the 1906-08 African Rebellion in Natal. The Africans initially refused to pay the tax and uprisings had to be suppressed by Government troops even in the area administered by the Fynns. As chiefs, the Fynns had to ensure that the Poll Tax was paid in their districts. Chief Charlie Fynn did not mind paying the Poll Tax but his subjects who were influenced by his principal induna refused to do the same and tensions ran high in his district. When disturbances broke out in Charlie Fynn's district at the time of the collection of the tax, Government troops had to be called in to restore order. The magistrate at Mtwalumi sentenced five of the rebels to death and Charlie Fynn was made responsible for collecting a fine of 1500 head of cattle.⁽⁶⁹⁾ See Table 5 for the Poll Tax from Alfred County for the years 1906 to 1908.⁽⁷⁰⁾

Table 5

Year	Poll Tax
1906	£2 128
1907	921
1908	716

The Fynn chiefs had to supply isibhalo labour (compulsory free labour) from their divisions for the government's public works.⁽⁷¹⁾ Tom Fynn however asked for a time of duration to be stamped on passes issued to Africans from the locations as absence for indefinite periods partially contributed to the deterioration of tribal life. He found that many evaded responding to the public works they were called upon to do as well as neglected their

69. S. Marks, Reluctant Rebellion: The 1906-8 Disturbances in Natal, (Oxford, 1970), p.197. Also see S.N.A. 1/1/339, Ref.1906/1053.

70. Blue Book for Native Affairs, 1906-1908.

71. N.B.B., 1887, Magistrate's Report for Alfred County.

duties in their homes and locations. They went off to Durban and Pietermaritzburg where they became demoralized. Tom Fynn exercised strict discipline over his tribe. He even requested the government's permission to fine members of his tribe who came to his court not decently dressed.⁽⁷²⁾

The Magistrate of Alfred County said of Tom -

As regards natives running away when called out for road service I can only say that since my arrival here in October 1903 I can only remember one case in Tom Fynn's tribe. Tom is a great believer in severe sentences and if he has his own way he would never let a guilty man off under a fine of £5. At the same time he is a great opponent of anything which he thinks savours of oppression.⁽⁷³⁾

Duka was apprehensive of receiving payment as a chief not knowing how far this would extend the government's power over him and put him at a disadvantage. In 1895 he asked the government to pay him in the form of land rather than money so that his tribe might benefit as 'money is slippery and goes nobody knows where.'⁽⁷⁴⁾ If he could not get land he was prepared to accept the money to purchase land with it. The government paid the chiefs a salary according to the number of huts taxed in their tribes. An increase in the African population thus meant an increase in the Hut Tax collected. According to Law No. 13 of 1875, the Hut Tax was doubled, making it fourteen shillings in response to pressure from the settlers to acquire labour and to increase the contribution of the Africans towards the general revenue of the colony. Houses of European construction occupied by Africans having one wife were exempted from the Hut Tax to promote a 'civilizing' influence among them. Some of the Fynn family and the Africans on mission stations in Alfred County occupied square houses. Table 6 indicates the amount of Hut Tax collected in Alfred County and the colony for the years 1869 to 1890.⁽⁷⁵⁾

72. S.N.A. Vol.292, Ref.1315/1901.
Magistrate of Alfred County to S.N.A., 22 June 1901.

73. Ibid.

74. Ibid. 1/1/1911, p. 8, 1911.

Table 6

Year	Alfred County	Colony
	£ s d	£
1869	1 073 2 0	23 217
1870	1 107 16 3	25 785
1871	1 223 5 0	27 480
1872	1 356 19 0	27 655
1873	1 374 16 0	28 207
1874	1 432 18 0	27 638
1875	1 457 1 0	28 083
1876	2 975 14 0	57 390
1877	3 146 10 0	59 100
1878	3 264 2 0	60 350
1879	3 339 14 0	60 900
1880	3 340 8 0	62 638
1881	3 539 18 0	64 460
1882	3 778 12 0	66 571
1883	3 901 2 0	68 992
1884	3 922 2 0	70 042
1885	3 955 0 0	71 155
1886	3 978 2 0	72 299
1887	3 774 8 0	73 273
1888	3 826 0 0	74 319
1889	3 822 0 0	76 004
1890	5 403 6 0	77 213

The chiefs were paid a rate of £10 per annum for 200 to 750 huts and £15 per annum for 750 to 1500 huts taxed in their divisions. The following tables indicate the number of huts under Chiefs Duka, Charlie and Tom and the salaries they were paid on the huts taxed for the years 1901 to 1908.⁽⁷⁶⁾ From 1886 to 1890 Duka's return on the number of Huts under him amounted to £10 annually but from 1891 as the number of huts increased

76. Blue Book for Native Affairs, 1901 to 1908.

so did his salary to £15 per annum.⁽⁷⁷⁾ Duka resided in Alfred County but the major part of his tribe was in the lower Umzimkulu where he appointed his son, Willie, as headman.

Duka Fynn

Year	No. of Huts		Total No. of Huts	Salary £
	Alfred	Lower Umzimkulu		
1901	274	594	868	15
1902	243	645	880	15
1903 ^(a)	244	660	886	15
1904	241	656	897	15
1905	254	660	914	15
1906	268	659	927	15
1907	329	661	990	15
1908 ^(b)	336	699	1 035	15

(a) 18 houses were exempt from tax.

(b) Duka died and Bisset Fynn became Chief.

77. S.N.A. Minute Papers, 1/1/211, Ref.449/1875, 5 October 1875.

Charlie Fynn

Charlie was resident of Alexandra and Joseph, his son, was headman over the Izimkumbini in the lower Umzimkulu.

Year	No. of Huts		Total No. of Huts	Salary £
	Alexandra	Lower Umzimkulu		
1901	1 270	210	1 480	15
1902	1 270	229	1 499	15
1903	1 337	230	1 567	15
1904	1 414	241	1 655	15
1905	1 468	249	1 717	20
1906	1 480	250	1 730	20
1907	1 533	301	1 834	20
1908	1 553	265	1 818	15

Tom Fynn

Year	No. of Huts in Alfred	Salary
1901	667	£10
1902	682	10
1903 ^(a)	663	10
1904	700	10
1905	717	10
1906	753	15
1907	837	15
1908	904	15

(a) 9 houses exempt from tax.

The Fynns also responded to new challenges and new opportunities provided by the burgeoning mining industry. Chief Willie Fynn required money

to educate his children. He proceeded to the Rand in 1910 for six months to be employed as an Induna in charge of Africans working on the mines. The agricultural depression and the poor harvests of the 1900s forced the Fynns and many Africans out of the locations to labour in industries and white agriculture as it was only when money was needed for taxes and other purposes did they leave the locations.

Duka died in 1908 at the age of 84 and was succeeded as Chief by his eldest son, Bisset Fynn, on 1 September.⁽⁷⁸⁾ Prior to Duka's death, Bisset with the consent of Sigcau, the Paramount Chief of the Pondos, resided at Lusikisiki in Pondoland. In 1912 Bisset relinquished his position as Chief of the Nsimbini tribe in Natal in favour of his brothers William, in Port Shepstone, and John Duka alias Wan, in Harding.⁽⁷⁹⁾ Bisset returned to Lusikisiki to resume the chieftainship of the Pondoland Nsimbini which was held by Wan in the interim.⁽⁸⁰⁾

When Bisset Fynn died his son Jack took over as Chief in Pondoland. From an account given by David Fynn, Jack's son, both Bisset and Jack died of poisoning as jealousy was rife in the tribe. It is believed that Bisset died after drinking beer given to him by his own people. Upon Jack's death, David was offered the chieftainship but he turned it down and since his brothers also declined, the leadership of the tribe was taken over by someone from Port Shepstone who within three months was poisoned as well.⁽⁸¹⁾

78. Duka is buried in Port Shepstone, in the Anglican cemetery, Row K, No.288.

79. Magistrate's Report for Port Shepstone, vol.3/3/1/1, Magistrate of the Lower Umzimkulu Division to the Chief Native Commissioner, 23 December 1912.

80. 'Henry Francis Fynn, his brothers, wives and descendants', p.3.

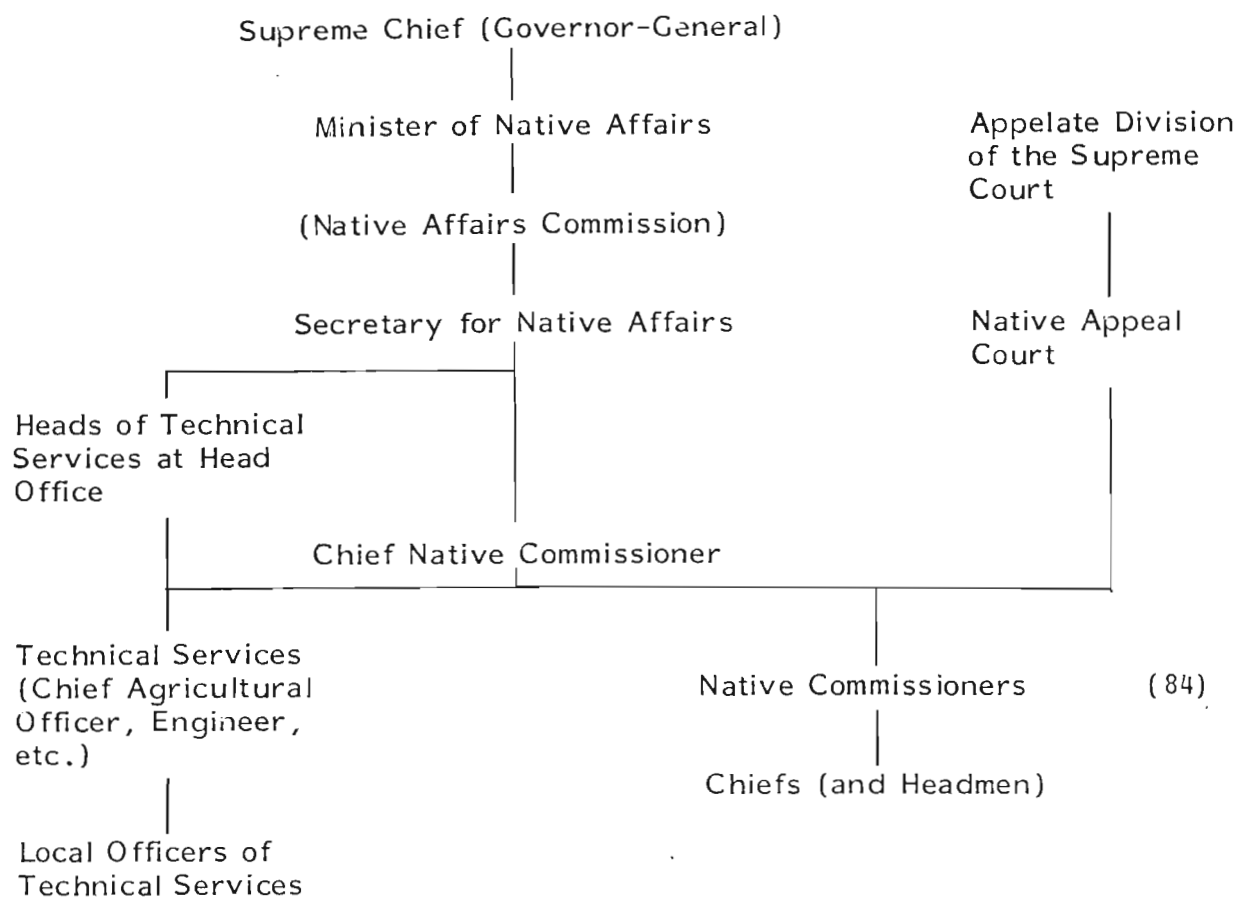
81. Interview with David Fynn, 7 May 1987.

Most of the descendants of Henry and Frank Fynn were propelled by social circumstances and white racism towards an African lifestyle and they were partial towards African laws and values and even married African or 'coloured' women. But as far as the government was concerned they were regarded as Europeans. There was economic interaction between Fynn's 'coloured' descendants and the settlers but socially they were excluded from white society. When Natal became a separate colony in July 1856 there was no colour bar in its constitution and franchise was granted to all males over 21 years provided that they owned immovable property to the value of £50 or rented property to the value of £10 per annum.⁽⁸²⁾ The Indians and Africans eventually fell off the voters roll before 1910 but the 'coloured' people, including the Fynns, retained the franchise if they qualified until their status was altered by statutory enactments after Union.

On 31 May 1910 the four provinces united to form the Union of South Africa. As the Africans were to be relegated to a subordinate position, priority was given to the formation of "native" policy. The tribal system was still recognised and the chiefs still had a subordinate role to play but their authority waned even further. The Governor-General became the Supreme Chief of the African population and was empowered to govern by proclamation. African administration came under the Native Affairs Department headed by the Minister of Native Affairs and assisted by the Native Affairs Commission, consisting of whites, established under Act 23 of 1920. The administrative structure of the Native Affairs Department was as follows.⁽⁸³⁾

82. Brookes and Webb, A History of Natal, p.75.

83. E.H. Brookes and N. Hurwitz, The Native Reserves of Natal, (Cape Town, 1957), p.36.



General Hertzog who was Minister of Native Affairs for a short period, while holding the office of Minister of Justice, in the first Union Cabinet under General Botha, believed that as the Africans constituted a threat to white interests and civilization there should be a separation between blacks and whites defined by legislation. The first step in the direction of segregation was the passing of The Native Land Act of 1913 which set aside existing native reserves as 'scheduled areas' for exclusive African ownership and prohibited them from acquiring land outside the reserves without the approval of the Governor-General. Certain areas were to be allocated for African purchase. But it was only in 1936 by the Native Trust and Land Act that provision was made for the released areas to be added to the reserves. With Union came territorial segregation as the kernel

84. In some districts the Magistrate acts as Native Commissioner.

of "native" policy. In Natal prior to Union there were no legal restrictions preventing Africans from acquiring land. Until 1906 the status of the Fynns was indeed uncertain. According to Act No.1 of 1906 people of mixed origin appear to be 'natives' - 'Native means and includes all members of the aboriginal races or tribes of Africa whether exempted or not from the operation of Native Law, and Griquas and Hottentots, and any person whose parents or either of them come under the description of Natives, Griquas or Hottentots and the descendants of any such person.'⁽⁸⁵⁾ Thus, as the Fynns were now legally classified as "natives", their title to the four locations in Alfred County was not affected by the Land Act of 1913. Although African squatters had settled on land belonging to the Fynns this phenomenon increased after 1913 because of the Land Act which dislocated many peasant tenants formerly on white farms. There was much tension with these encroaching Africans slowly dispossessing the Fynns.

There was conflict in the Port Shepstone district under Willie Fynn who was appointed Chief on 25 June 1913. Willie applied to the magistrate in 1923 for the removal of some members of the tribe who had made false accusations against him. His affidavit was supported by that of Sigwili Lushaba and Mhlubukelwa Ciliza, indunas in the tribe.⁽⁸⁶⁾ As the antagonism mounted it caused division amongst the Amavundhla and Fynn supporters within the tribe and necessitated Government intervention. The Amavundhla section under the leadership of Gamalake Magopeni Mvundhla complained to the magistrate of mismanagement of tribal affairs under Willie Fynn and demanded separation from the Fynns under their own Chief. In 1925 a magisterial

85. S.N.A. Minute Papers 1/1/460, Ref.1104/1910. Stoker, 'Brief Survey of the Origin and Development of the Coloured Community in Alfred County....', p.4.

86. Magistrate's Report for Port Shepstone, vol.3/3/1/1, 25 May 1923.

board comprising three members, J.B.K. Farrer of Umzinto as Chairman, B.Hodson of Pinetown and G.V. Essery of Port Shepstone, was appointed by the Government to investigate the dispute between the two sections of the Nsimbini tribe.⁽⁸⁷⁾ During the enquiry the board found that

allegations were freely made by the Amavundhla of maladministration, bribery, drunkenness and flogging of natives by Willie Fynn. The bitter feeling had also been accentuated by a movement which Willie had engendered for the removal of the Amavundhla from the location No.5, and by quite unfounded allegations by Fynn supporters against Amavundhla indunas of killing and skinning people in order to obtain human flesh, i.e. of being abatakati.⁽⁸⁸⁾

The result was the division of the tribe and Lot No.5 with Gamalake as Chief over the Amavundhla section and Percy Fynn, Willie's son, Chief over the Nsimbini. The Port Shepstone-Harding railway line served as the boundary between them. Willie Fynn died of dysentery, as certified by autopsy on 10 December 1924 and is buried in the Bathania Mission in Port Shepstone. There are however allusions to his death having been caused by the Amavundhla through witchcraft.

It is well to note that the authority of the Fynns had been previously contested by the Africans settled on their land. In 1876 Chief George Fynn of the Izimkumbini had asked the magistrate to remove Umcotoyi, Umnini's son, and his followers from his location in Alexandra. The magistrate reported that

They were originally admitted into Fynn's location upon the understanding that in all matters, socially and politically, they were to be subordinate to Fynn, and were to report through him to their magistrate, for a while they did so, but as their numbers increased they became confident in their own strength, defied his authority, and made themselves obnoxious to the tribe on whose land they were located.⁽⁸⁹⁾

87. 'Henry Francis Fynn, his brothers, wives and descendants', p.2.

88. *Ibid.*, p.3.

89. G.H., vol.1542, Magistrate's Report, 15 September 1876, p.171.

There was also controversy and personal rivalry in the Fynn community itself. There is a hint of one of Duka's sons, West, having died under mysterious circumstances. There are allegations of foul play. West did not return after attending a function given by Bisset's daughter, Daisy, at her house. He was subsequently found murdered at the side of the road. Although West did not rule as chief like his brothers Bisset, Willie and Wan, it is said that he was Duka's heir. Duka had given him cattle and a farm in Ezingolweni in Port Shepstone. But when Duka died Bisset claimed to be heir and stripped West of the possessions given to him by Duka. Bisset sold West's farm and the farm belonging to Duka's step-brother.

Further legislation that affected the non-whites including the Fynns was the Mines and Works Act No.12 of 1911 and No.25 of 1926 which established the principle of a colour bar reserving all skilled and supervisory jobs in mining and certain industries for particular groups of people.⁽⁹⁰⁾ This was intensified by the 'civilized labour' policy where black workers were replaced by poor whites. Hertzog's racially discriminatory legislation laid the foundation for segregation and apartheid pursued by the successive Union governments.

While previous statutory measures had been introduced affecting blacks and whites, most of the legislation determining the status of the coloureds and lowering it at the same time came with the advent of the Nationalist Government in 1948 under Malan who advocated complete apartheid and placed a series of laws on the statute book enforcing separation on the

90. The Union Statutes, 1910-1947, vol.8, p.1403. By this Act as amended by Act No.25 of 1926 and Act No.27 of 1956, certificates of competency were only granted to the following classes of people - Europeans, Cape Coloureds, Cape Malays and St Helena persons.

basis of colour. Division between the races had been practised before but the difference was that it now became written law. It is only the Coloured Persons Settlement Act No.7 of 1946 where the term 'Coloured person means any person other than a European, an Asiatic or a Native.'⁽⁹¹⁾ Persons of mixed race having white ancestors emerged as a distinctive category, namely 'Coloured'. The Fynns were therefore included in the coloured group. Some of the more familiar laws of the 1950s that altered the position of the coloureds in Natal are the Prohibition of Mixed Marriages Act, No.55 of 1949 and the Immorality Amendment Act, No.21 of 1950.⁽⁹²⁾ By a 1927 Act marriage between black and white was forbidden. It was now extended to marriages between whites and coloureds or Indians. This was consolidated by the Immorality Act No.23 of 1957 which made any form of carnal intercourse between whites and non-whites illegal.⁽⁹³⁾ Before the Immorality Act was introduced there was intermarriage of the Fynns with those of other race groups. Liaisons between the Fynn females and white men were popular. For example, the daughters of James Fynn, of Lot No.7, married white men. Margaret married Bill Sayers and Janet married John William Smithwick, an Irishman.⁽⁹⁴⁾ The female Fynn descendants have married amongst others men with the following surnames, some of whom appear to be white – Bazeley, Bishop, Clothier, Gertze, Goldsmith, Grobber, Grove, Hargreaves, Holstein, Houston, King, Lupke, Manning, Mansoor, Manuel, Naidoo, Newcastle, Nipper, Ogle, Schafer and Stainbank.

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91. Stoker, 'Brief Survey of the Origin and Development of the Coloured Community in Alfred County...', p.4.
Statutes of the Republic of South Africa classified and Annotated from 1910, Coloured Persons, Vol.7, p.15.
 92. Statutes of the Union of South Africa, 1949, p.614 and 1950.
 93. Ibid., 1957, part 1, p.276.
 94. Stoker, 'Brief Survey of the Origin and Development of the Coloured Community in Alfred County....', p.2.

The Population Registration Act No.30 of 1950 classified people on the basis of appearance, general acceptance and descent into the various racial groups and to maintain 'purity' of the races made provision for identification documents with the race group endorsed on it. The coloured group defined in terms of Section 1 of the Population Registration Act reads 'A coloured person is a person who is not a white person or a native.'⁽⁹⁵⁾ Prior to this the status of the coloured person was obscure. As the Act gives an exclusionary definition of a coloured person rather than state who is a coloured person for a clearer meaning of the expression coloured person it is necessary to establish who is a white person and who is a "native". A white person is one 'who in appearance, obviously is, or who is generally accepted as a white person, other than a person who although in appearance obvious a white person, is generally accepted as a coloured person.'⁽⁹⁶⁾ A native person is one 'who in fact is or is generally accepted as a member of any aboriginal race or tribe of Africa.' Although the majority of the population was easily classified there were numerous cases of those who did not fit into any race classification and official investigation into such cases caused considerable distress. Morris Fynn, Chairman of the Henry Francis Fynn Descendants Association and coloured Local Affairs Committee member in Durban, commented on what it means being coloured - 'It's so degrading it makes you feel dehumanized - you're just nothing. You're stripped of your status as a human being when somebody decides for you that if you're not of these race groups, then we call you coloured and this is still unresolved.' He went on to explain that his father Charles Fynn who was born in 1900, had a birth certificate stating that he was of European descent. Morris born

95. Statutes of the Republic of South Africa, Census and Statistics, vol.7, p.73.

96. Statutes of the Union of South Africa, 1950, p.407. Definition of a white person according to the Group Areas Act of 1950.

in 1930, his birth certificate said that he was "mixed" and when he got his book of life it stated that he was coloured. But then coloured fell away and the term Other Coloured was endorsed on identification documents. Morris said that he challenged the Government, B.J. Vorster was then Prime Minister, on this issue when his daughter who is now fourteen years had to be classified, he refused to have her classified as Other Coloured and challenged to take the matter to court. He said that they then decided to regard them as Cape Coloured and at the moment every 'coloured' person is classified as Cape Coloured and those identification documents issued as other coloured had to be returned.⁽⁹⁷⁾ By being classified coloured the Fynns have also lost their status as chiefs and the tracts of land granted to them.

The Group Areas Act, No.41 of 1950 demarcated certain areas for residence and business and compelled the different population groups to move into the areas reserved for them.⁽⁹⁸⁾ It was the first experience the coloured people had of compulsory residential segregation. Although this Act was initially intended to bring about residential segregation, it was gradually extended to include separate amenities for coloureds and as they compared unfavourably with that of the whites it resulted in dissatisfaction among the coloureds.

The most resentful measure was the Separate Representation of the Voters Act No.46 of 1951 which excluded the enfranchised coloured voters from the common voters' roll and placed them on a coloured voters' roll.⁽⁹⁹⁾ Previously the coloured franchise was exercised on the same basis as that for whites although the qualifications were increased occasionally. Since

97. Interview with Morris Fynn, 3 June 1987.

98. Statutes of the Union of South Africa, 1950, p.407.

99. Statutes of the Union of South Africa, 1951, p.272.

Union however the potency of the coloured vote slowly decreased – enfranchisement of women in 1930 did not include coloured women, in 1956 there was no further registration of the coloured voters and in 1960 they were expelled from the polls.

The Population Registration Act, Group Areas Act and Separate Representation of the Voters Act form the nucleus of the Government's apartheid policy and the implementation of these as well as other measures severely hampered every aspect of the lives of the coloured people. Forced removals and expropriations, exclusion from the highest levels of decision making, reservation of jobs and amenities, and salary disparity for workers similarly qualified, frustrated the aspirations of the coloureds and adversely affected their status and material well-being. Because of these restrictions many coloured people, including the Fynns, have left the shores of South Africa.

Percy Fynn, born in 1885, was the third successive generation of eldest male descendants to have held the position of chief over the Nsimbini tribe. When Chief Willie died in 1924, Percy, then employed as a whaler by the Premier Whaling Company in Durban, took over the chieftainship at the age of 39. He ruled over Lot No.5 and Lot No.7 in Albersville which is presently disputed, until his death in 1960.⁽¹⁰⁰⁾ Percy died of a heart-attack. The following table illustrates the Natal Locations, the magisterial district within which the location falls, the tribes and area of the locations in 1953.⁽¹⁰¹⁾

100. Interview with Adeline and Kate Fynn (Percy's wives), 3 June 1987. Percy is buried in Bathania.

101. Brookes and Hurwitz, The Natives Reserves of Natal, 'The Natal Locations, 1953', Table 2, p.19.
 (a) For the 10 coloured families, descendants of James Fynn.
 (b) Is a scheduled area, colloquially known as "Tom Fynn's Location", possibly because African followers were initially settled there by him.

Location	Magisterial District	Tribe	Area in Acres
Alfred No. 1	Harding	Jali and Maci	32 000
Alfred No. 2	Harding	Maci	35 000
Alfred No. 3	Harding	Cele	35 000
Alfred No. 4	Port Shepstone	Nzimakwe	35 000
Alfred No. 5	Port Shepstone	Amavundhla and Percy Fynn	16 000
Alfred No. 6	Harding	Nyuswa	14 000
Alfred No. 6A	Harding	Mboto	12 723
Alfred No. 7	Harding	Percy Fynn ^(a)	16
Alfred No. 8	Harding	Nkumbini	760
Alfred No. 9	Harding	Nkumbini	290
Alfred No. 10	Harding	Nkumbini	189
Tom Fynn's ^(b)	Harding	Nkumbini	7 544

Percy had five wives; Dora and Stella (coloured) and Kate, Adeline and Violet (African). Dora and Violet are deceased. Kate and Adeline, who are still living in Lot No.5 said that Zulu custom being strict, Percy paid lobola for them in cattle, seven for Kate and six for Adeline, blankets and crockery. All Percy's children are recognised as coloured. They are fluent in both Zulu and English. Percy lived in Nyandezulu with Stella and visited his other wives who had their own dwellings. Adeline is in Boboi and Kate in Bathania. Percy was the last of the Fynn chiefs because in 1960 his descendants being classified as coloured were prevented from succeeding to the chieftainship. With the region being proclaimed as an African tribal area it was considered expedient not to appoint a coloured person as chief. But if Percy's descendants chose to have been classified as natives they could have still retained the chieftainship. Percy's son, Betheel, who would have been the next chief, said that in 1960 he was too little to assume chieftainship or argue the definition of coloured against native but now he would not mind changing his race classification to that of African

and taking a position as chief.⁽¹⁰²⁾ The younger generation felt that it was no use contesting the chieftainship because of the many requirements imposed on the chiefs; for example, as tribal leaders they had to have more than one wife and this caused confusion as it did not fit in with the teachings of the church as most of the Fynns professed to being Anglican. If the Fynns chose to be classified as Africans it would have meant relinquishing certain privileges such as identity cards for reference books, entry into bottlestores, firearms, etc.

Similarly, in the Izimkumbini tribe, Colin was the last Fynn chief. When Chief Colin died in 1926 there was much controversy among the Fynns themselves about who should take over as chief of the tribe. Colin had no children and his brother Albert was overlooked because he was alleged illegitimate. So Thomas Fynn, Colin's uncle, held on to the chieftainship of the Izimkumbini in Mtwalumi. While this dispute was raging on among the Fynns Unkhuku Luthuli who had settled in the Ubangibizo area with Chief Colin's permission, saw this as an opportunity of becoming chief and asked the authorities to allow him to rule the area as he was from a family of chiefs until the matter was resolved. To the authorities it was a loophole to hand the chiefly title over to the Africans to fit in with the policy of separate development. Luthuli had come from Umgababa where he had fallen out with his brother who was chief. So he came to Chief Colin with a small group of followers to ask 'isiza', a place where he could put up his homestead until his dispute with his brother was settled. Since the Izimkumbini tribe then stretched from the Umzinto to the Umzimkulu (Port Shepstone) a vast region sparsely populated, Colin Fynn allowed him to stay with the Izimkumbini tribe and they are now the chiefs in that region.⁽¹⁰³⁾ Thus, being classified coloured

102. Interview with Bethel Fynn, 3 June 1987.

103. Interview with Morris Fynn, 26 April 1987.

marked the end of paramount chieftaincy under the Fynns. The local Africans still hold the Fynns in high esteem. Colin Fynn is buried in Mtwalumi. An African women, on enquiring what I was looking for, said 'the king is more or less buried here' and pointed to the thicket nearby.⁽¹⁰⁴⁾

The Fynns are not pleased about the fact that the Africans that had once settled under them have now taken over as chiefs. On the question of land their status has always been clouded by uncertainty and is one of the biggest challenges that they have inherited from their patriarch, Henry Francis Fynn (Mbuyazi).

104. Visit to Chief Colin Fynn's grave, 19 March 1987. The tombstone states -

Chief Colin Fynn
Born 10 Jan. 1885
Died 23 Dec. 1926
Aged 41 years

CHAPTER FIVE

THE STRUGGLE FOR LAND AND IDENTITY:
THE APARTHEID ERA - 1961-

Henry Francis Fynn travelled extensively throughout Natal and Zululand but he established his chiefdom on the banks of the Umzimkulu River where King Shaka had visited him in 1828.⁽¹⁾ Although the Fynns are not a close knit community many of them today are scattered to a great degree over Alfred County, particularly in the vicinity of Henry Francis Fynn's early settlement in and around Port Shepstone. A substantial number of Fynns are dispersed throughout Durban with a large concentration of them in the mixed ethnic suburb of Wentworth. By the mid-1970s informed estimates put the number of Fynn's descendants at between six and eight thousand scattered over South Africa and abroad.⁽²⁾ The entrenchment of apartheid under the Nationalist government in the sixties and seventies ushered in serious problems for the coloured community at large. Some Fynns, especially those that have made it up the social ladder such as doctors, lawyers, academics and artisans, disillusioned by the government's policy of segregation, abandoned South Africa. Being coloured had several disadvantages. The race classification act served to destroy the unity amongst the Fynn descendants by classifying and categorizing them as coloureds, whites and blacks. According to Proclamation No.46 of 1959 and as repeated in 1967, No.64, the coloured group was even further subdivided into seven categories, viz. Cape Coloured, Malay, Griqua, Chinese, Indians, Other Asiatics and Other Coloureds.⁽³⁾ This division was intensified by enforced residential segregation of the various race groups.

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1. Fynn's Diary, p.143. Fynn's residence was the furthest south Shaka had ventured.
 2. Stoker, 'Brief Survey of the Origins and Development of the Coloured Community in Alfred County...', p.6.
 3. Union of South Africa Government Gazette, No.6191, vol.195, p.10.

The Fynns did not want to have the stigma of being classified African and accepted the change in their racial status. This however was not without significant consequences for them. The paradox was that their position had altered making them racially distinct and 'elevated' to a higher status than the African but the law lacked clarity - they were not accepted as Europeans and they no longer possessed the same authority as when they were classified African. The Fynns had to forgo their chiefly status together with their security regarding the land. Being coloured obscured their claims to land and created considerable tensions between the Fynns and the Africans who increasingly came to live in the lots held in trust for the Fynns. The latter tended to regard the lots as African areas and the Fynns as outsiders. This resulted in friction between both the groups. Now the Fynns are flinging similar charges against the Africans who usurped their position. Morris Fynn said that they were displaced as chiefs by the headmen and being neither African nor chiefs their situation became unbearable forcing some of them out of the locations. This insecurity and the lack of employment opportunities and educational facilities prompted the Fynns to migrate and merge into the wider coloured society.

Henry Francis Fynn did not endeavour to educate his non-white children. He was busy trading, negotiating with African chiefs and working for the British Government and the education of his children was therefore left largely to their mothers, who being African, placed little or no emphasis on western style education, and to the missionaries. The Fynn descendants thus did not grasp the importance of education. The formal education of the Fynns began late in the nineteenth century when schools were established for African children at the mission stations where they received training in domestic service and farm labour. J. Giles, the Magistrate of Alfred County, reported in 1879 that

The St Luke's Mission aims more particularly at educating the half-caste members of the Fynn families, and I trust that they may be successful. The school is well attended, but the usual experience with regard to half-caste races does not give ground for hope of great things from them. (4)

It is said that when Tom Fynn was given a piece of land by the government for his services he requested that a school be built for his children. In 1904 the Umzimkulwana School was established in Nquabeni and was attended mostly by Fynns. (5) Now the school caters for the coloured children in the area. It was only in 1942 that education for coloured children was made compulsory. As schooling formed an essential part of apartheid ideology segregation was institutionalized after 1948 and education was brought under the control of the government. By the Coloured Persons Education Act, No.47 of 1963 the Department of Coloured Affairs assumed responsibility for coloured education and from 1983 the House of Representatives took over. (6) Since there are no secondary schools for coloured children in Alfred County except for one in Harding, many Fynns complete their schooling in Durban.

The iniquities of apartheid education are further borne out in the account given below. A Fynn family living in Lot 5 has an illegitimate grandson of about eight years old. This family has lived in Lot 5 for a long time. They were there even when Percy Fynn was chief but their grandson was born out of Lot 5 and as there were no coloured schools nearby when the boy turned six his mother sent him to an African school because of the

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4. N.G.G. Magistrate's Report for 1879 and 1880, vol. 8/1/13/2/1, p.51, p.112.
 5. Interview with Neville Lawrence, Principal of the School, 26 April 1987.
 6. Statutes of the Republic of South Africa, vol.7, p.241.

difficulty and great cost involved in sending him to the coloured school in Port Shepstone. When the boy came to live with his grandfather he insisted that the child go to a coloured school. I can remember the grandfather saying "look at this child, he looks definitely coloured, even white and he has to go to an African school". The grandfather who did not mind the child having to start school over again took him to be enrolled in the coloured school in Merlewood. But there was a great amount of red tape attached because the child was illegitimate and did not seem to have the necessary documents for school so the principal did not accept him. The grandfather said that he did not want the boy to lose out a year's schooling so he enrolled him in the African school where less questions are asked as any school is better than no school. Although the boy started where he had left off in the previous school he is not happy for his brothers, sisters and cousins get into the school bus to attend the coloured school at Merlewood while he has to walk some distance in the opposite direction to attend the African school and receive his education in the Zulu medium.

The majority of Fynns in Natal are bracketed in the lower and lower-middle income group. Their occupations are quite diversified. They are artisans - plumbers, painters, bricklayers, welders, boilermakers, motor mechanics, etc. A large section of the Fynns have left the locations for employment reasons as they are unable to earn a living there. For the Fynns remaining on those lots it serves merely as a place of residence because most of them work outside these lots. And to some it serves as a convenient place to retire to when on pension. The lots remain uncultivated and neglected because of the uncertainty that looms around the land and also because the Fynns lack the financial means to develop it. Having no freehold title to the land leaves the Fynns in an insecure position. They occupy plots of ground that have not been subdivided or have fixed boundaries. They

are also at the mercy of the chiefs who can throw them out at any time. Being thus restricted the Fynns are reluctant to make any improvements that might be advantageous to others. Another reason for the land being under-utilized is that the Fynns do not have proper agricultural training which is virtually non-existent in Natal, not only to the Fynns but to all coloured people. The only place in Natal where one can obtain agricultural training is at the Cedara Agricultural College. This however is closed to coloured people. Because it falls under the Department of Own Affairs it only accommodates white males and females. Since agriculture is not included in the syllabus in any of the coloured schools in Natal these non-white Fynns have to go to the Cape to acquire some education in farming. So what little these Fynns and other coloured people know about farming has been passed down to them from the previous generation unless they have studied at the Cape.

The Fynn descendants are faced with difficulties that are numerous as well as complicated. Over time the Fynns have become more scattered and estranged. To some even their lineage has become vague. A measure of dissension thus exists amongst them. One Fynn descendant unable to trace his forebears with certainty and therefore unsure of which lot he belonged to started building his house on the wrong lot, i.e. Lot 10, and only discovered this when the construction of his house was half complete. He bought the piece of ground and for two years he has been working on the house which is still far from complete as he works on the dwelling only during the weekends. His family will move in when the house is complete but he will only reside there permanently in about three years time when he is on pension. There are approximately eleven houses in Lot 10. There is no electricity and water is consumed from tanks.

The position of the Fynns has not altered much over the last three decades although the formation of the tricameral parliament in 1983 seemed to inaugurate a change. But the changes that occurred were within the framework of the apartheid system. It merely accommodated to a limited degree the aspirations of coloureds and Indians in parliament. Ultimate control was retained by the white group and apartheid legislation especially separate voters' rolls and the groups areas act remained intact. The Fynns' claims to land has always been a contentious issue. The advent of apartheid however aggravated this by rendering their status ambiguous and jeopardized their claims. The Fynn descendants are presently entangled in a struggle to retrieve Lot 7, Albersville consisting of approximately sixteen acres of land from the Indian group in the Marburg area which is about 3 km from the centre of Port Shepstone.

By the Trust Deed of 1880 Lot 7 was vested in the Natal Native Trust for James Fynn and his family. But in terms of the Native Trust and Land Act No.18 of 1936, section 5, the Natal Native Trust became absorbed into the South African Bantu Trust.⁽⁷⁾ Lot 7 thus became the property of the South African Bantu Trust. As this particular piece of land was not in effect a 'location' in the sense of it being applied to African areas with several restrictions, it was excluded from the scheduled African areas in Natal by Proclamation No.298 of 1971 (see Appendix 5). The Development and Services Board clarifies the term location as applied to Lot 7 -

It is not a location as we understand the term in relation to Bantu Affairs. This land is therefore not sacrosanct as a 'location' under the control of the Bantu Affairs Department would be. It is not inviolate since ultimate control is vested through the Department of Coloured Affairs.⁽⁸⁾

7. The Union Statutes, 1910-1947, vol.10, p.191.

8. From Records of the Development and Services Board (hereafter abbreviated as R.D.S.B.), Pietermaritzburg, File 3/3/4/39, No.6, 25 August 1977, p.2.

The land is still held in Trust for the descendants of James Fynn. And even though the people living on Lot 7 do not own the land they cannot be regarded as unlawful invaders for their lineage can be traced to James Fynn. Mary Stoker said of the residents of the area -

The nucleus of the present Coloured community of the Port Shepstone Magisterial District, who have no legal right of residence anywhere, were settled on their own land, in the area now known as Location No.7, as early as, if not prior to, the advent of Europeans to the area.(9)

To focus on the present land dispute that has developed in the District of Port Shepstone is that Lot 7, a coloured occupied area comprised mainly of the descendants of James Fynn had been declared an Indian Group Area by means of Proclamation No.197 of 1980 in terms of the government's segregation policy in this era of apartheid (see appendix 6).⁽¹⁰⁾ Apparently as early as 1964 it was envisaged that Lot 7 would eventually become part of the Indian Group Area being geographically situated within the said group area. According to the Secretary for Planning and the Environment, 'Any population group other than Indian would therefore be isolated and misplaced in the area, and if it were to become coloured there would be no room for expansion.'⁽¹¹⁾

Lot 7 as depicted in Map II is enclosed by Marburg, which is designated for Indian occupation, on three of its sides and by the Umzimkulu River on the fourth side. Initially when the boundaries for the Marburg Town Board were determined in 1976 this area was excluded from its jurisdiction because it was not zoned for Indians. Therefore when Lot 7 was proclaimed for the Indian group in 1980 the Marburg Town Board was hesitant to have

9. Mary Stoker, 'Brief Survey of the Origin and Development of the Coloured Community in Alfred County...', p.1.

10. Republic of South Africa Government Gazette, No.7259, 17 October 1980, vol.184, part 1, p.3.

11. R.D.S.B., Department of Agricultural Credit and Land Tenure to Development and Services Board (hereafter abbreviated as D.S.B.).

the area incorporated into its municipality and refrained from applying to the Administrator of Natal to this effect because this would have meant removing the coloured people. Lot 7 thus did not derive the benefits that normally accompany and fall under local authority control. The Marburg Town Board did not assume control of the area.

The formation of a multiracial local authority area might have led to certain difficulties as summarized as follows – being one unit owned by the State it contained many families legally entitled to occupy the land, on the question of franchise it would be difficult to determine who had voting rights in any municipal elections and there was a possibility of racial discord arising if one of the inhabitants decided to stand for Council, and on the subject of rates the question was who would be responsible for the payment of rates. If it was not paid how would the Council recover the rates since state-owned land cannot be sold to defray costs.⁽¹²⁾ If there was no rigid segregation legislation then a few coloured people would have been able to serve on the Marburg Town Board but there being no machinery to set such a thing in motion this would prove to have been a futile attempt and the Town Board eventually retreated from making a decision and dropped the thorny matter. Although there are no coloured landowners in the Marburg area there are approximately 1500 coloureds living semi-legally in the area in properties leased from Indians. Thus the Marburg Town Board had no intentions of moving the people out of Lot 7 so they have continued to occupy this land under ambiguous tenure.

As the entire section has become a coloured residence outside local authority control and having been excluded from the Marburg Town Board area,

12. R.D.S.B., 1988, File 3/3/4/39, No.22, 1 November 1978, p.1.

responsibility for services devolves upon the Development and Services Board. The Department of Coloured Affairs wanted Lot 7 to remain in coloured ownership although it was unable to administer a local authority control because of the shortage of officials with the necessary expertise and also at this time the proposed area of Merlewood for coloured occupation was a forthcoming reality. At a meeting convened at Marburg on 21 March 1978 Mr George the Regional Representative, Department of Coloured Affairs, stated that the Administration objected to the area being rezoned for another group but was anxious for it to become a regulated area under the control of the Development and Services Board.⁽¹³⁾ Some form of control was required over the area to improve conditions in the interest of public health and to ensure that satisfactory standards were maintained. In view of the problems and deteriorating conditions such as inadequate sanitary services, refuse disposal, etc. it was evident that there was urgent need for control. Mr Hoosen, the Marburg Town Clerk, provided some statistical information on Lot 7. He stated that

...there are approximately 31 existing dwellings and 2 holiday homes. There are a total of 85 males and 75 females. There is no refuse removal service, water is obtained from standpipes. Electricity is supplied to the holiday homes. There is a need for people to attend clinics as there are known T.B. cases. Building development should also be controlled.⁽¹⁴⁾

Upon representations from the Department of Coloured Affairs supported by reports from the Department of Health expressing concern about the imminent danger to public health in allowing further uncontrolled development to occur in Lot 7, Albersville was proclaimed a Regulated Area by Proclamation

13. Ibid., p.2.
Ibid., No.19, 21 March 1978, p.2.

14. Ibid.

No.36 of 1979 in terms of Section 21 of the Development and Services Board Ordinance No.20 of 1941 (see appendix 7)^{15} The Development and Services Board is responsible for the area but has made no improvements regarding repair of roads, ensuring refuse removal and health care and building inspections because of the costs involved in providing such services. The Development and Services Board works on rated income from the particular area as well as grants made to them for various purposes from the Administration. But as uncertainty exists as to the precise status of the area neither the House of Representatives nor the House of Delegates is prepared to make funds available for the area. Lot 7 is not a rated area but if it was then the sums received would still be insufficient to provide services because the area is very small.

Since no government body was directly responsible for these people the residents set up a vigilante committee with elected representatives on 5 May 1979 to conduct the affairs of the area.⁽¹⁶⁾ The designation of Lot 7 as an Indian Group Area appears to have been contrived without the involvement of the residents or of the Development and Services Board which has no records of attendance at meetings held at Port Shepstone. The residents were dismayed that they were not consulted. The land was set aside for the descendants of James Fynn who are now regarded as coloured and Lot 7 has always been occupied only by this community. They had been settled there long before Indians came into the district. Having a right to the land according to the Trust Deed of 1880 the Fynn descendants called for the area to be deproclaimed for the Indian group in 1985. The Group Areas

15. R.D.S.B., 1988.

16. Interview with Earnest Newman, Chairman of the Albersville Vigilante Committee (hereafter abbreviated as A.V.C.), 6 March 1988.

Board violated this right and allocated the land for Indian occupation contrary to the Trust Deed which makes the Fynn descendants the legal inhabitants of the area. As the Group Areas cannot accommodate people of different race classifications uncertainty and confusion about their future is apparent among the occupants of Lot 7.

The Fynn descendants are divided in their efforts to get the land back which was given to them by Queen Victoria in 1880. The wrangling about who should own the land resulted in two distinct factions being formed. Morris Fynn, Chairman of the Henry Francis Fynn Descendants Association, with the support of the Fynns from the Wentworth area of Durban, wants the land to be returned to the Fynn family and not proclaimed as a Coloured Group Area. Opposing Morris Fynn is the Albersville Vigilante Committee, representing the Fynn descendants living in the area, that prefers to have Lot 7 proclaimed for coloured occupation.

The Henry Francis Fynn Descendants Association is not in favour of Lot 7 being designated for the exclusive occupation of the coloured group because the Fynn descendants also have white, Indian and black classification. If the area is proclaimed solely for the coloured group then a number of Fynns that are not classified as coloured would be excluded from the area. Morris Fynn believes that all the Fynn descendants should be allowed to live on the land which was given to their ancestors, in this case James Fynn. Since the Fynns are comprised of all race classifications the Henry Francis Fynn Descendants Association wants Lot 7 to be excluded from the Group Areas restrictions and proclaimed a mixed area.⁽¹⁷⁾

Morris Fynn who is determined to get the Fynn land back but not as a coloured area made an application to the Presidents' Council requesting

17. Interview with Morris Fynn, 3 June 1987.

that Lot 7 be a mixed area for the Fynn descendants. Their situation is not unique. There is already a precedent for such mixed ethnic communities in southern Zululand. The example is the Dunn family totalling approximately one thousand which comprises members of all race groups and occupy 8200 acres of land as one community. The Fynn community is very similar in its origins to the Dunn community but the Fynns, unlike the Dunns, do not have freehold title to their land.⁽¹⁸⁾

Morris Fynn said that the land should never have been given to the Indians and he is pleased that they refused it because it is the only link that they have with their ancestors and the city of Port Shepstone. Besides the Fynns are discontented that Henry Francis Fynn was not given the recognition he deserved. Henry Francis Fynn had great influence over the Africans on the south coast and he was the foremost settler of the Port Shepstone district, yet the area was not named after him nor is there a suitable memorial to Henry Francis Fynn in Natal.

According to Morris Fynn from the correspondence he has had with the House of Delegates, they have no objections to the area being deproclaimed as an Indian area. Morris Fynn thus seems to have their support in his fight to regain the land. The South Coast Herald has quoted Morris Fynn as saying "The local MP, Mr Kisten Moodley and I have been fighting through the House of Delegates to get the land back but not as a coloured group area."⁽¹⁹⁾ Kisten Moodley, Member of Parliament for southern Natal in the House of Delegates, however does not acknowledge his support for a grey area and mentions that

18. Ballard, C., John Dunn: The White Chief of Zululand (Johannesburg, 1985), epilogue.

19. South Coast Herald, 29 May 1987.

The land should be returned to its rightful owners – the coloured community – whether they be members of the Fynn family or not.

In a memo to the Department of Constitutional Development last year, I said I had no objection to it being returned to the Coloured community, but it must be properly controlled with health and community services. The question of it being an open area is another matter.(20)

This contradiction is probably not intentional for while Kisten Moodley is in favour of Lot 7 being deproclaimed as an Indian area and in this regard supports Morris Fynn, he has to work within the confines of the legal system and therefore cannot affirm his support for an open multiracial area.

The Albersville Vigilante Committee representing approximately fifty families does not agree with Morris Fynn and wants Lot 7 to become an exclusively coloured area. Earnest Newman, Chairman of the Committee and the great grandson of James Fynn, claims that the land belongs not only to the Fynns but also to the other occupants who have resided there for many decades. He said that this sixteen acres of land was originally occupied by the Fynns, the Smithwicks, the Newmans and the Sayers. They grew some vegetables and kept animals such as donkeys, goats, etc. The Indian people who then lived in the barracks across the Umzimkulu River seemed to drift closer to the area. In the face of this threat Chief Percy Fynn came onto the scene and assumed control from 1925. He gave the Fynn descendants and non-Fynns permission to live in Lot 7. He placed the non-Fynns however on the boundary to prevent the Indians from encroaching into the area. Thus the number of families in Lot 7 increased. When Chief Percy Fynn died in 1960 Noah Newman, Earnest's father, assisted by Robert Sayers, took over the management of the area and the allocation of land. Robert

20. Ibid., 19 June 1987.

Sayers took sole responsibility when Noah Newman died in 1974. Although currently there are only three Fynn families in Lot 7, according to Earnest Newman all the occupants are coloured and with the exception of the Jeromes all are descendants of James Fynn. In view of this the Committee does not want Lot 7 to be a mixed area.⁽²¹⁾

The land in Lot 7 varying from sand to clay soil, slopes sharply down to the Umzimkulu River.⁽²²⁾ Almost all the area is taken up by housing. There is little room for any agricultural effort and the only animals the residents keep are dogs and cats and some fowls. There is no room to accommodate any newcomers either. The families living there are expanding as well. Each family however has land allocated to them. This land was given to them and as the family grows the male descendants just build within their own lots. Mr Newman said "We are full already. Where are we going to put the black, white and Indian Fynns?"

In observing the area it appeared reasonably maintained. Besides Pelican Road which continues from Marburg to Lot 7 there are no proclaimed roads. Access to the houses is by means of tracks and problems are experienced during wet weather conditions. The residents are keen to improve the area and do not mind paying rates if they will be assisted with the basic services such as repair of roads and refuse removal. Each family built their own home and presently there are about forty-five completed houses in the area. Two houses are in the course of being built. Although there

21. Interview with Earnest Newman, 6 March 1988.
Noah Newman and Robert Sayers are grandsons of James Fynn. It is said that James Fynn's daughters, viz. Alice married Henry/Calib Newman, Margaret married Bill Sayers and Janet married John Smithwick.

22. R.D.S.B., 1988.

is no orderly development of the houses and except for the few wood and iron ones the others seem substantial. They are built of bricks or blocks with asbestos roofs. All the homes have water which is treated and supplied by the Lower South Coast Regional Water Services. Several homes have electricity. Residents have to dispose of their own refuse. They generally store the refuse in pits which they occasionally burn or cover the pit. As no postal services are rendered they have boxes at the post office in Port Shepstone. There are no recreational facilities.

Many of the men are artisans employed mostly in the building trade in Alfred County and the women work in supermarkets such as Pick 'n Pay and O.K. Bazaar. Their daily supplies of bread, milk, etc. are obtained from shops within walking distance just outside the area. Children from Lot 7 attend the Primary school at Merlewood and their secondary educational needs are met by the Coloured High School in Harding and the Indian High School in Marburg.

A national route is planned to cut across Lot 7 which will involve the removal of a few homes. The appended diagram shows the encroachment of the new road (see Map II). Approximately one hectare has been expropriated for this purpose. Compensation will be made for the homes affected but once again compensation for the land is a complex issue because the residents do not have title to their plots of ground.

The residents are perturbed that they have been totally disregarded when schemes were devised for the area. The following extract from a letter to the Development and Services Board expresses their sentiment when Lot 7 was proclaimed a regulated area.

Staff from your Board's local office distributed notices among the residents of Lot 7 situated in Albersville advising them of a Proclamation that they are now living in a regulated area.

On receipt of these notices the residents were cruelly shocked and dismayed that in a country like South Africa who professes to having a Democratic government can foster proclamations and ordinances without any consultation with the people concerned.(23)

The community expressed great dissatisfaction at the fact that verbal rather than written prohibitions were served on them. They claim that only once were they given a circular letter and that was to inform them that Lot 7 was a regulated area. Apparently difficulties stemmed from some restrictions imposed especially relating to building construction. Being a regulated area it stated that "No buildings may be erected, altered, added to, or put to a changed use without the consent of the Board, in writing, having been first obtained."⁽²⁴⁾ The residents who were in the process of constructing new homes or completing new ones already started were told by the officials that all building works had to cease. They were required to submit plans to the Board for approval. The residents were indignant. Having invested in building materials and cement, for example, that damages easily they felt that they had a right to continue as their building operations commenced prior to the Board assuming control. In a letter from the Albersville Vigilante Committee it was stated that "These prohibitions have destroyed the thought of the joy of living in a decent dwelling once completed."⁽²⁵⁾ The Development and Services Board maintains that it encourages improvement of living standards like allowing residents to increase the window areas for better light and ventilation for example. It was probably a lack of communication between the officials and the residents that led them to believe that they were unable to make any alterations to their homes. Repairs and minor alterations could

23. R.D.S.B., 1988, A.V.C. to D.S.B., 21 May 1979, p.1.

24. R.D.S.B., 1988, circular to A.V.C., p.2.

25. Ibid., A.V.C. to D.S.B., 21 May 1979, p.1.

have been undertaken provided that two copies of a sketch plan was submitted to the Regional Secretary. Had the residents not been alienated but previously informed that Lot 7 was to become a regulated area and of the implications of living in such an area then they would not have been at a disadvantage.

In order to comply with the government's plans for Lot 7 the Regulated Area of Merlewood became available for the coloured community at the time the area was proclaimed for Indian occupation. The residents were not served with notices of eviction but it was anticipated that some of them will be compelled to shift to Merlewood.⁽²⁶⁾ They say that they were verbally informed that it was compulsory to move although the forms that each family was given to fill in did not stipulate this. They were merely required to choose the sites they wanted in order of preference at Merlewood for which they would have to make a deposit or pay cash for the homes. It becomes evident that allowing the coloureds to remain in Lot 7 would run counter to the policy of residential segregation. The community nevertheless persisted in its occupation as resettlement would be costly. It would mean purchasing land and homes. On account of the historic link they have with the area it is clear that their resettlement would cause discontent. They were not going to be compensated for the sixteen acres of land that was placed in trust for them and which they have occupied for years. They had spent money in constructing their homes and were established there.

Since the status of the area was not clearly defined no government body wanted to assume responsibility so those affected asked who would compensate them for their homes? Improvements to the area had come about from their own efforts. Because there are not many proclaimed coloured areas on

26. Interview with Earnest Newman, 6 March 1988.

the south coast of Natal it is difficult to find alternative accommodation if evicted. So fearing the consequences of eviction and of rejecting the accommodation at Merlewood some of the older people reluctantly moved to Merlewood. But not wanting to lose their homes in Lot 7 either they got others to temporarily occupy them. It is believed that they want to return to the area. The coloured community of Lot 7 attributes their plight to the Marburg Town Board and to the Municipality of Port Shepstone who being aware of their historical background and occupation of the land failed to put forward their claim to the Group Areas Board in the early sixties when the Board was determining areas for Indian and white occupation.

At the moment the Group Areas Board is investigating whether Lot 7 should be left controlled as an Indian area or be rezoned for the coloured group.⁽²⁷⁾

The Albersville Vigilante Committee is supporting the proclamation of the land for coloureds. On the afternoon of 10 February 1988 a three-man sub-committee of the Group Areas Board under the chairmanship of Nellis Terblanche heard evidence from interested groups - The Henry Francis Fynn Descendants Association, The Albersville Vigilante Committee, The Marburg Town Board, etc. on the proposed deproclamation of Lot 7.

Morris Fynn said at the hearing that he had been given a mandate by the Fynn clan to ask for the land to be declared a mixed area. On the morning prior to this hearing the members of the Henry Francis Fynn Descendants Association held a meeting at Christ The King Catholic Church in Port Shepstone to decide whether Lot 7 should be given to the coloureds or remain within the Fynn community and to clear any opposition that might arise before the

27. Hearing before a sub-committee of the Group Areas Board, 10 February 1988, Port Shepstone Town Hall.

Group Areas Board hearing. Morris Fynn said that "if there is any opposition it would come from the residents of Lot 7 because they will feel threatened." Earnest Newman said that the descendants of James Fynn had not been informed of this meeting at the church. The Fynn clan unanimously decided that the land should be returned to them. Morris Fynn added because of the multi-colour situation of the Fynns, the land must be exempted from the trappings of the Group Areas Act and an appointed committee will then decide who should live on the land. But if the land is given specifically for the coloured people then those descendants of James Fynn or any of the other Fynns that are not classified as coloured will require a permit to live on the land.

Morris Fynn is under the impression that the Albersville Vigilante Committee is not concerned about the predicament of the Fynns because if the area is proclaimed coloured then many Fynns would be unable to reside there. Father Paul Schroeder of Christ The King Church who allowed the Fynn clan to use this venue agreed with the decision taken for a "grey" area which he said was in accordance with the views of the Catholic Church so long as the occupants of Lot 7 were not uprooted. The Henry Francis Fynn Descendants Association is bent on acquiring the land because they believe that a small piece of land of sixteen acres will not be declared as a Coloured Group Area. Morris Fynn said that they had no intention of "throwing out" the residents of Lot 7. He added that their position will be secured if the land went back to the Fynns but if it remained as an Indian Group Area then they would have to face the possibility of being moved out. (28)

28. Meeting convened by The Henry Francis Fynn Descendants Association at Christ The King Catholic Church, Port Shepstone, 10 February 1988.

From a discussion with Morris Fynn it became clear that he objects to the Fynn descendants especially the females from laying claim to the land. He feels that once a daughter is married she is no longer a Fynn for she assumes the surname of her husband who is then responsible for her.⁽²⁹⁾ This chauvinist attitude attaches greater legitimacy to a male Fynn's claim to land than that of a female descendant.

Morris Fynn proposed forming a Fynn Trust with an elected body of trustees consisting of two representatives from each lot to administer the Fynn land, i.e. Lot Nos. 7, 8, 9 and 10. He realizes the need for proper services and amenities but as the Fynn Trust would initially be unable to finance this he hopes that the government's Department of Constitutional Development and Planning will assist them even if it means loaning them funds. He said that in order to develop the land which is valuable it would be subdivided and rated. The Fynns will then be able to finance services from the Trust. He also mentioned that it would be of advantage if commercial and light industries such as workshops, garages, etc. could be established especially on the land near the Umzimkulu River which is suitable for such development.⁽³⁰⁾

Earnest Newman told the committee that the residents were in favour of Lot 7 being rezoned as a coloured area as it is occupied only by members of the coloured group and so that it could be subdivided. They had taken this decision because the area is badly in need of services and the House of Representatives will only designate funds to an area that fell under their jurisdiction. On the other hand if the land is zoned a grey area then no government body would provide funds to upgrade the area. Iris Smithwick,

29. Interview with Morris Fynn, 29 April 1987.

30. Ibid., 26 April 1987.

Secretary of the Albersville Vigilante Committee, said that she had lived in Lot 7 all her life and the area was not big enough to become an open area. Mr Ogle told the hearing that "we, the people living there, have developed the area and not the Fynns living in Durban." Mr Chain of the Marburg Town Board said that he wanted it to be noted that the Town Board did not object to the deproclamation of Lot 7 from the Indian Group Area.⁽³¹⁾

Speaking in support of the proposals for Lot 7 to be re-proclaimed coloured Albie Stowman, Member of Parliament for Natal in the House of Representatives, condemned the Group Areas Act for the tremendous hardships it has caused to the people of colour – "It has done nothing but destroy the souls of many people." He went on to say that the whites have been the sole benefactors of the Group Areas Act and most of the land in South Africa belongs to them. It was not fair that the coloured people who were already land-starved had been called upon to cede their land. He said "If it was anybody who should now be called upon to part with their land it should be the white community and certainly not the Indian or coloured communities."⁽³²⁾

The Group Areas Board however has the final say in the proclamation of areas and the matter is still under consideration. The intricate nature of the issue and the complex relation of the descendants makes the solution difficult. But an urgent decision is necessary following years of controversy and insecurity so that the area can be properly developed. The Fynn descendants have an historical right to the area and perhaps consideration will be given to the continuous occupation rather than on the legal interpretation of land tenure based on apartheid strictures.

31. Group Areas Board hearing, 10 February 1988.

32. Ibid.

CONCLUSION

The most striking indication of Henry Francis Fynn's involvement in Natal is the mixed ethnic community that he founded. In order to look at the Fynn community, it was essential to scrutinise and elaborate on the career and life of Henry Francis Fynn because of the non-academic and antiquarian treatment this has previously received. One should not overlook the fact that Fynn was a biased European observer of Zulu society and that his descriptions and interpretations of African life in Natal must be analysed carefully.

The infiltration of Natal by Fynn and the early traders had significant consequences for both the indigenous population in the region and for the British government. They were instrumental in transmitting European material culture to the northern Nguni and in contributing to the deterioration of power in the Zulu Kingdom. Another of Fynn's enduring achievements was the promotion of Port Natal as a British domain and for paving the way for the permanent white settlement of south-eastern Africa. A notable conclusion to emerge from the evidence examined however is that Fynn was motivated by the desire for material gain. He adapted to the Zulu mode of life on the frontier to advance his own interests in order to increase his wealth and status.

Having reassessed the various aspects of Fynn's life, it was found that during the frontier phase he attempted to establish various claims to land particularly to the south of Natal as his Nsimbini tribe was settled in this region and to the Isipingo farm he had occupied. But due to the temporary and wandering nature of his trading activities and conduct

with the Zulus and Pondos, there were great reservations about his claims to land that emerged when he returned to Natal. When the British government took control of Natal it granted six thousand acres to those settlers who had been in occupation of their farms and as Fynn was away in the Cape Colony, he lost his Isipingo farm to Dick King who had settled on it. Due to Fynn's temporary occupancy, the British government found it difficult to justify his claim to land in Natal. Fynn was an adventurer and a romantic to a certain extent. It was his personality and mercurial temperament, the fact that he was constantly on the move, that often thwarted him from achieving greater wealth and material well being. Fynn hoped that his accomplishments in Natal would guarantee him security in his later years. Fynn asserted that he remained in Natal in spite of the slippery circumstances in the hope of eventually procuring some benefit.⁽¹⁾ He was exasperated by the government's refusal to grant him a piece of land in Natal. In her poetry Ethell Campbell, who is praiseworthy of Fynn, alludes to his struggle for land -

Fynn never got an inch of our land's soil
Although he wore his life out in her toil
He was the first White man to give the glow
Of Briton to the Zulus long ago.
He was the White without a coin or pen
Who gave the "zenith" to "King George's men!"
There never was a mortal such as he -
Who, through his greatness, died in poverty.⁽²⁾

Fynn was not rewarded for his service as a colonial official either. His hope of attaining a higher position than that of magistrate eluded him although he

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1. C.S.O., No.65, part 2, p.55, Fynn to Napier, August 1843.
 2. Ethell Campbell, 'On the side of the Biggars - Light on the eighteen-thirties in Natal. Our bravest decade', p.44, K.C.L.

was familiar with the territory and the various tribes as well as being fluent in Zulu. Fynn was sometimes compassionate towards the Africans and this he claims was manifested by the respect they displayed towards him. Fynn's popularity amongst the Africans, especially on the south coast, influenced his subsequent relations with Shepstone. He disagreed on occasion either on principle or experience with the prevailing policy on African affairs which ran counter to Shepstone's policy.

Fynn was out of favour with the colonists in Natal although he rejected the Zulu lifestyle and readapted to European norms in accordance with the Victorian value system imposed by the British settlers and officials on Natal society. But Fynn could not escape his past. He was considered by the colonists who did not lose sight of his liaisons with African women during his first phase in Natal as having an unsavoury 'moral' reputation. It could be conclusively postulated that Fynn's alternate opinion on African affairs accentuated by his social liabilities, viz. his African wives and coloured offspring, handicapped his career and material fortunes. This was reflected in his disappointment of not reaching a higher office in government service or wealth through land.

Consideration has been focussed in this study to the evolution of Fynn's descendants from his African wives and to the course this coloured community took as it has been a wholly neglected topic. It was found that there were continuities handed down from Fynn to his descendants which run more or less like an unbroken thread of consciousness through the Fynn community up to the present time. The persistent strands were and still are the uncertainty with regard to their social and economic status within the white dominated societies of British colonial Natal in the nineteenth century and the segregationist and apartheid structures that evolved under various Union and republican governments in the twentieth century.

It was observed that the Fynn's claim to land which has been a disputatious issue from the time of Henry Francis Fynn, is still an ongoing issue confronting his descendants today. Apartheid legislation however, particularly the race classification and the Group Areas Acts, has served to cause division amongst the descendants of Fynn. They are classified as whites, coloureds, Africans and even Indians. Most of the Fynn descendants are classified coloured and numerous problems seemed to have emerged especially for those who fall into this category. Their social intercourse, residence and land tenure is marked out for them and the change in their racial status has further exacerbated their claims to land.

Further to this examination into these mixed ethnic descendants of Fynn, it was discovered that the majority of his descendants were more inclined by the social and political circumstances in Natal to gravitate towards an African lifestyle. They lived in amity with the Africans for the most part and even took African wives. But they were socially rejected by the colonists. Some of the Fynns ruled as chiefs, a status inherited from Henry Francis Fynn who was made a paramount chief by King Shaka. By being part of the chiefly structure, the Fynns held a higher status among the Africans on the south coast and were even held in high esteem by them. Their occupations mostly as peasant farmers is also indicative of an African way of life. The Fynns seemed to have grasped the workings of a capitalist market system and as part of the African peasantry in Alfred County, they practised subsistence farming and sold the surplus. Imported agricultural implements such as ploughs came to be widely used by them. The Fynn community was not static for when they experienced poor harvests they left the locations to raise money by labouring in the mines and industries.

Since the government appointed chiefs as part of the colonial system to administer the Africans and paid them a salary, even the Fynn chiefs became submissive

agents of the colonial state. The salaries of the chiefs were determined by the number of huts taxed in their divisions. The chiefs did not have much independence as such for most of the time they were governed by "native" law. Their authority was also undermined by the magistrates. They were nevertheless compelled to collaborate with them in their duties by assisting in the collection of taxes, the maintenance of order and ensuring that free labour was supplied from their divisions for government works. The chieftainship became untenable when apartheid structures were more firmly entrenched to decide more precisely on the racial groupings. As coloureds the Nationalist government felt that it was racially inconsistent that the Fynns rule as chiefs over the Africans.

The Fynns did not want to be classified as Africans because of the rigid legislation pertaining to this racial group and they voluntarily accepted the coloured classification so that they would not have to relinquish certain privileges such as owning firearms and buying liquor, etc. The transition in the status of the Fynns however seemed to have given rise to greater conflict. Tension arose between the Fynns and the Africans settled on Fynn lands. With the Fynns no longer being chiefs they lost their security to land. The Africans disregarded the authority of the Fynns and claimed a right to the land. The Fynns were thus pressured on both sides by being neither white nor black. Having given up the chieftainship created new problems after 1961 particularly in the Fynn community on the south coast in obtaining clear cut freehold tenure of land in this area which they felt belonged to them and the grave uncertainties attached to the development of their community because of the lack of public service amenities, education and housing that was available to the white and Indian groups. These insecurities caused many Fynns to leave the locations and to merge into the wider coloured society.

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(b) Unofficial

- (i) In the Pietermaritzburg Depot of the South African Archives
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Garden Papers
Deceased Estates
- (ii) In the Killie Campbell Africana Library, Durban
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Fynn Letters, 4 volumes
Shepstone Papers
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C.O.879/1/xv	Apprehended confederacy of native tribes on the frontier of the Cape; Memoranda on Lieutenant-Governor Darling's and Governor Sir George Grey's despatches.

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- C.O.879/1/xx Summary of the correspondence relative to the policy pursued towards the native tribes on the eastern frontier of the Colony of the Cape of Good Hope including the wars of 1835 and 1846.
- C.O.879/1/xxii Memoranda on the colonies in Southern Africa; by Sir George Barrow.
- C.O.879/1/xxiii Despatches, reports, relative to the management of the natives.
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18 May 1987, Ndududu, Ixopo
1 June 1987, City Hall, Durban
3 June 1987, Port Shepstone
2. Betheel Fynn, 3 June 1987, Port Shepstone.
3. Adelaine and Kate Fynn (wives of Chief Percy Fynn), 3 June 1987, Port Shepstone.
4. David Fynn, 7 May 1987, Wentworth.
5. George Fynn, 26 April 1987, Lot 10, Port Shepstone.
6. Johnson Fynn, 26 April 1987, Port Shepstone.

7. Lili Mazi Fynn, 26 April 1987, Port Shepstone.
8. Wilmot Fynn, 3 June 1987, Port Shepstone.
9. Flora Yealvina Lupka, 13 May 1987, Pietermaritzburg.
10. Mrs Manning, 26 April 1987, Lot 8, Port Shepstone.
11. Neville Lawrence, 26 April 1987, Nquabeni.
12. Earnest Newman, 6 March 1988, Lot 7, Port Shepstone.

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Henry Francis Fynn Descendants Association Meeting, 10 February 1988, Port Shepstone.

APPENDIX 1
GENEALOGICAL TABLE OF THE DESCENDANTS OF HENRY FRANCIS FYNN

Henry Francis Fynn (Mbuyazi)
1803 - 1861

|

By wife of:

Xhosa Tribe	Ngome District	Kumalo Clan	Cele Clan	Qwabe Tribe	Isokanqangi
Mpahlwam (Frank) killed at Bilanhlole by Zulu impi	Duka (Chief) (see Table 1)	Benise bore	James (Chief) m Lochenberg bore	Ndakambana bore	no issue
		1. Bungu 2. Tom 3. Nhlaka 4. Sikoti	1. George 2. Nkotana 3. Madonela 4. Kutshedi	1. Maxanti 2. Ntobende	

By European wife:

1. Ann Brown
1817 - 1939
no issue

2. Christiana, daughter of John Brown
1821 - 1870

|

Henry Francis (Gwalagwala)
m Miss Payne

|

6 daughters:

Kathleen, Hilda, Sheila, Eileen,
Mary (drowned), Nora

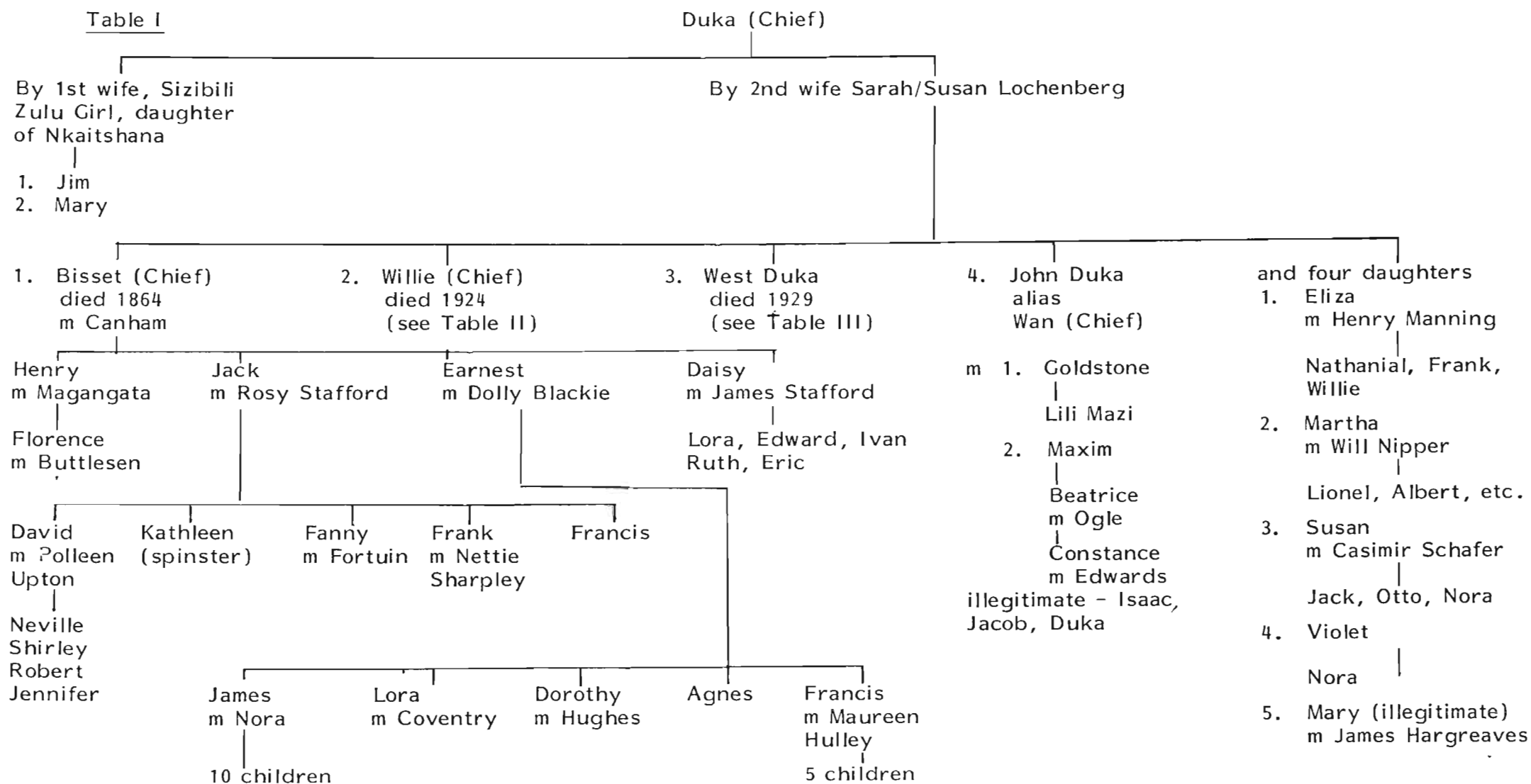
3 sons (one drowned at Umsinga):
Henry Francis, Farewell

Source: G.V. Essery, 1953 - K.C.L.
Interviews with Fynn descendants,
Deceased Estates, Pietermaritzburg.

Note: These genealogical tables are incomplete
because of a lack of information.

APPENDIX 1 (continued)

Table I



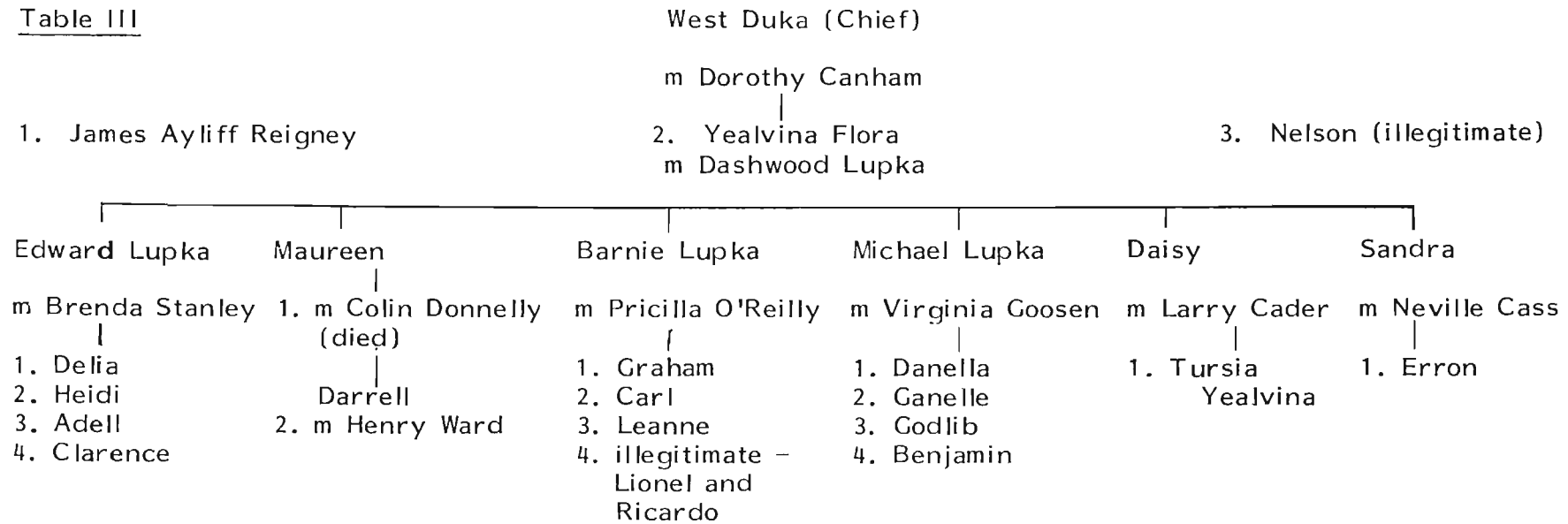
APPENDIX 1 (continued)

Table II

Willie (Chief) m Ogle Lily, Nancy, Agnes, Percy (Chief) 1885-1960 				
m Dora 1. Beatrice 2. Hansel Percival 1918-1954 (fireman) m Gladys Steve, Dora, Earl, Henry	m Stella 1. Lynette 2. Dorothy 3. Iris 4. Rosemary 5. Patrick	m Kate 1. Wilton 2. Claud 3. Betheel 4. Vincent 5. Elaine 6. Yvonne	m Adelaine 1. Bridget 2. Mary 3. Maureen	m Violet 1. Norman

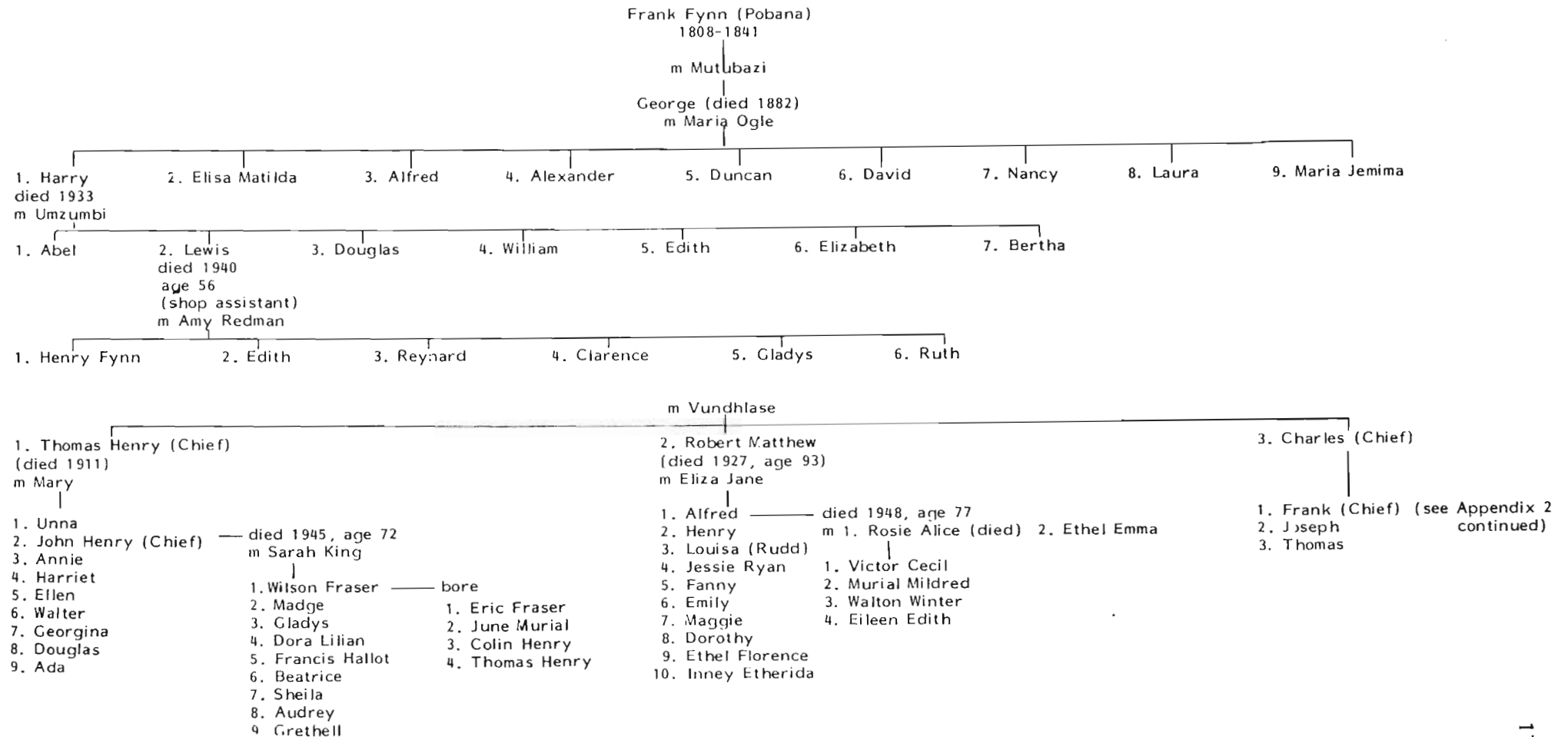
APPENDIX 1 (continued)

Table III



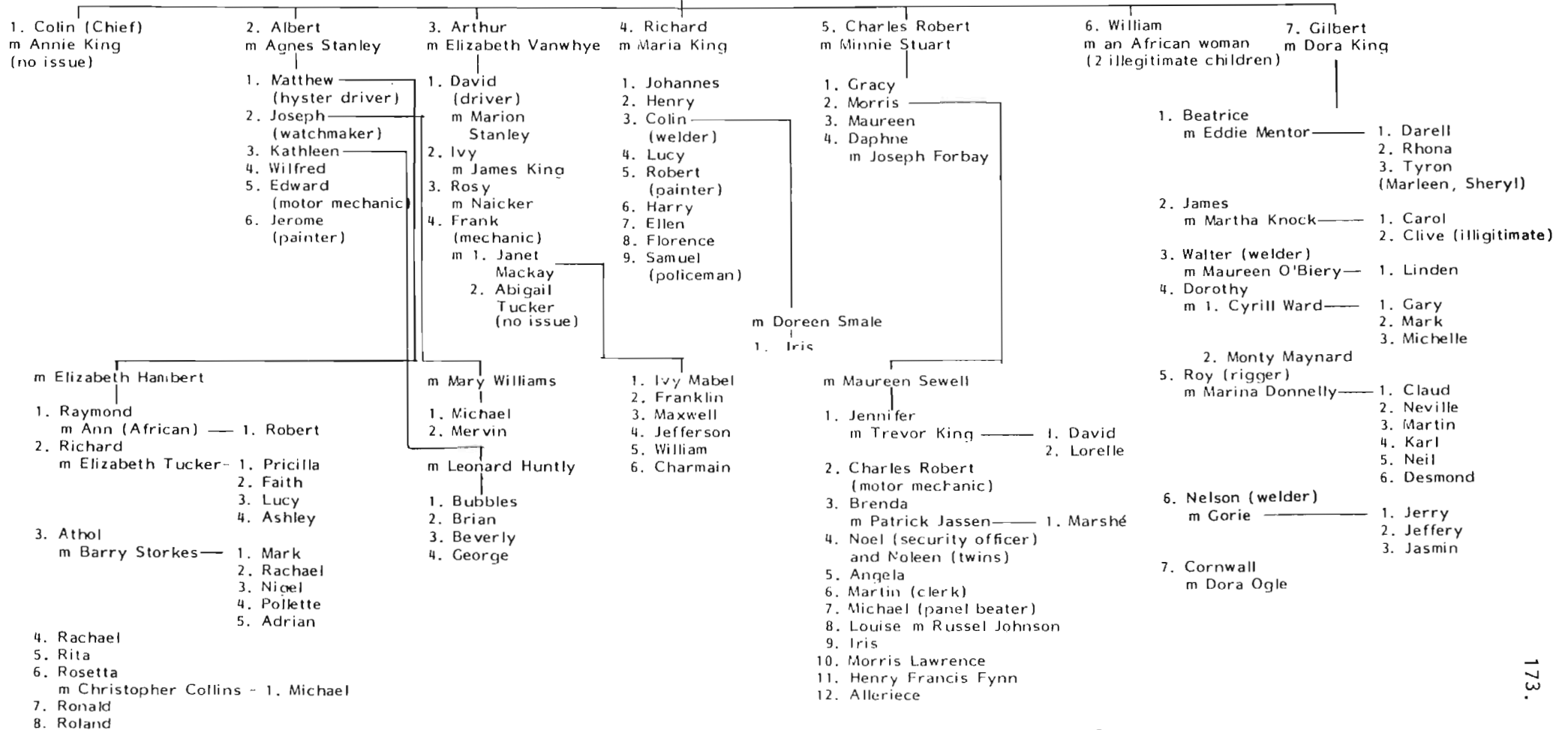
APPENDIX 2

GENEALOGICAL TABLE OF THE DESCENDANTS OF FRANK FYNN



APPENDIX 2 (continued)

Frank (Chief)



APPENDIX 3

From Mary Stoker, 'Brief Survey of the Origins and
Development of the Coloured Community in Alfred County:
Natal 1824-1871'

COPY

VICTORIA, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith.

By his Excellency, Major General Sir Garnet Joseph Wolseley, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Knight Commander of the Most Honourable order of the Bath, Administrator of the Government of the Colony of Natal, Vice-Admiral of the same and Supreme Chief over the Native Population.

TO ALL TO WHOM THESE PRESENTS SHALL COME,

GREETING

WHEREAS Her Majesty hath been pleased to cause to be issued certain Letters Patent, bearing date at Westminster, the Twenty-seventh day of April, in the Twenty-seventh Year of Her Majesty's Reign, and by the said Letters Patent, after reciting that it was expedient to provide for the disposal and management of certain lands in Her Majesty's Colony in Natal, which were then, or might thereafter be applicable to purposes connected with the support, advantage, or well-being of the inhabitants of the said Colony, of African descent, thereafter called "Natives", and that it might be convenient that such lands, or some portion thereof, or some interest therein, should be vested in an incorporated Board of Trustees in order to such disposal and management as aforesaid, Her Majesty did give, grant and ordain that certain persons in the said Letters Patent mentioned or referred to, should be one body, politic, and corporate in deed and in name by the name of the "Natal Native Trust" and by the said Letters Patent Her Majesty did further ordain and declare that the said Corporation might take and hold lands within this Colony, or any interest in such lands and might grant, sell, lease or otherwise dispose of the same lands in such wise as they should deem fit for the support, advantage, or well-being of the said natives or for purposes connected therewith. And the said Letters Patent did contain provisions not necessary to be more particularly referred to herein.

AND WHEREAS the Lands hereinafter described and expressed to be hereby granted were, many years heretofore, set apart by the then governing authorities of this Colony, with the allowance of Her Majesty's Secretary of state for the Colonies for certain Tribes of the said Natives so referred to in the said letters Patent, and have been since occupied by such Tribes.

AND WHEREAS it is expedient to vest in Law, the said last-mentioned lands in the said Corporation, upon and for the trusts, interest, and purposes of the said Letters Patent.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that I, the said Garnet Joseph Wolseley in the name and on behalf of Her Majesty as aforesaid, do hereby grant unto the said Corporation, the Natal Native Trust, all those the Lands ordinarily known by the name of Alfred Native Location No. 1, comprising Thirty two thousand acres English measure or thereabouts, be the same more or less, bounded South by the Umtamvuna River. East by Lots 1, 2, 3 and Crown Lands, and otherwise by Crown Lands; also those the lands ordinarily known by the name of Alfred Native Location No. 2, comprising Thirty-five thousand acres, English measure, or thereabouts, be the same more or less, bounded South by the Umtamvuna River, East, North and West by Crown Lands; also those lands ordinarily known by the name of the Alfred Native Location No. 3, comprising Thirty-five thousand acres English measure, or thereabouts, be the same more or less, bounded South by the Umtamvuna River and Crown Lands, East, North and West, by Crown Lands; also those, the lands ordinarily known by the name of the Alfred Native Location No. 4, comprising Thirty-five thousand acres, English measure, or thereabout, be the same more or less, bounded South by Crown Lands, South-East and North-East by Crown Lands, North-West by Marburg and Crown Lands and South-West by Crown Lands : also those, the Lands ordinarily known by the name of the Alfred Native Location No. 5, comprising Sixteen thousand acres, English measure, or thereabouts, be the same more or less, bounded South, South-East and North-West by Crown Lands : also those, the Lands ordinarily known by the name of the Alfred Native Location No. 6, comprising Fourteen thousand acres, English measure, or thereabouts, be the same more or less bounded North by the Umzimkulu River, and on all other sides by Crown Lands; also those, the Lands ordinarily known by the name of Alfred Native Location No. 7, comprising Sixteen acres, English

measure, or thereabouts, be the same more or less, bounded North by the Reserve on the Umzimkulu River, West and South by Crown Lands, and East by a Reserve; also those the Lands ordinarily known by the name of the Alfred Native Location No. 8, comprising Seven hundred and sixty acres, English measure, or thereabouts, be the same more or less, bounded East by Mr. Wilson's farm, North by the Umzimkulwana River, and otherwise by Crown Lands; also those, the Lands ordinarily known by the name of the Alfred Native Crown Lands; also those, the Lands ordinarily known by the name of the Alfred Native Location No. 9, comprising Two Hundred and Ninety acres, English measure, or thereabouts, be the same more or less, bounded on all sides by Crown Land; Also those, the Lands ordinarily known by the name of the Alfred Native Location No. 10, comprising One Hundred and Eighty-Nine acres, English measure, or thereabouts, be the same more or less, bounded East by Thomas Clothier's farm and on all other sides by Crown Lands, all of which said hereby granted Lands are situated in the County of Alfred and are delineated in the diagram hereto annexed together with all rights, casements, servitudes, and appurtenances to the said hereby granted lands, belonging to or in any way appertaining.

TO HAVE AND TO HOLD the said hereby granted Lands, hereditaments and premises unto, and to the use of the said Corporation, the Natal Native Trust, upon and for the trusts, intents and purposes, expressed and directed in and by the said Letters Patent, reserving, nevertheless, to Her Majesty, Her Heirs and Successors, in and out of the said hereby granted Lands, hereditaments and premises and every part thereof respectively all, every, and any rights, privileges, royalties and the like belonging by Law to the Crown, in or in reference to Lands owned by the subject, and also reserving to the Lieutenant Governor or other Officer for the time being administering the Government of this Colony, the right, from time to time, and at all times, to order and require to be given up and to resume any part of the said hereby granted Lands, hereditaments and premises for the purpose of any road, Railroad, Pathway, Water-course, Canal, Places of Outspan, or the like, then appearing to such Lieutenant Governor or other Officer to be desirable for the Public.

AND THE GRANT hereby made is also subject to all mines and minerals in or under the said hereby granted Lands hereditaments and premises or any of them to any right therein or thereto of any Company, persons, or body

politic under any Law passed or to be passed before or after the date hereof.

GIVEN under my Hand and the Public Seal of the Colony at Pietermaritzburg this Third day of August in the Year of Our Lord One Thousand Eight Hundred and Seventy-five.

(Signed) G.J. Wolseley

Major-General,

Administrator.

By His Excellency's Command

(Signed) P.C. Sutherland,

Surveyor General.

From Stoker, Fynn Report

DECLARATION OF TRUST

The Natal Native Trust, with the consent of the Lieutenant Governor of Natal, hereby declare and make known that certain Lands, as hereinafter described, and included in the grant of land called the "Alfred Native Location" issued by His Excellency Major General Sir Garnet Wolseley, Administrator of the Government of Natal by a deed dated the third day of August, in the Year of our Lord One Thousand Eight Hundred and Seventy-five; are held by the said Natal Native Trust in trust for the following persons:

The Lot of Land marked No. 7 (Seven) on the diagram annexed to the said Deed of Grant, containing Sixteen acres or thereabouts, in Trust for JAMES FYNN and his family.

The Lot of Land marked No. 8 (Eight) on the said diagram, and containing Seven Hundred and Sixty acres, or thereabouts, in Trust for DUKA FYNN and his family.

The Lot of Land marked No. 9 (Nine) on the said diagram, and containing Two Hundred and Ninety acres, or thereabouts, in Trust for Charles Fynn and his family.

The Lot marked 10 (Ten) on said diagram, and containing One Hundred and Eighty-nine acres, or thereabouts, in Trust for Thomas Fynn and his family.

DATED and Sealed with the Seal of the Natal Native Trust, and signed by three of the members thereof, this Fifteenth day of April, in the Year of Our Lord One Thousand Eight Hundred and Eighty, at Pietermaritzburg in the Colony of Natal.

Witness

(Signed) F.S. Haden

(Signed) C.B.H. Mitchell

Witness to the signature
of Jno T. Polkinghorne
and J.W. Shepstone

(Signed) Jno. T. Polkinghorne

(Signed) J.W. Shepstone.

(Signed) John Joseph Sewell

I Consent.

A true Copy

(Signed) Henry Bulwer.

(Signed) S.O. Samuelson

Lieutenant Governor.

S.N.S

30.4.96.

APPENDIX 5

From R.D.S.B.

No. 298, 1971

EXCISION OF ALFRED NATIVE LOCATION 7, COUNTY OF ALFRED,
PROVINCE OF NATAL, FROM SCHEDULED BANTU AREA AND THE
SUBSTITUTION THEREFOR OF CERTAIN OTHER LAND

Whereas Parliament has, by resolution of both Houses, approved the amendment of the Schedule to the Bantu Land Act, 1913 (Act 27 of 1913), by the excision therefrom, in terms of section 3 (b) of the Bantu Trust and Land Act, 1936 (Act 18 of 1936), as substituted by section 2 of Act 17 of 1939, of the land described in the accompanying Schedule A; provided that land of at least an equivalent pastoral or agricultural value, being land referred to in section 10 (2) (b), (c) or (d) of the Bantu Trust and Land Act, 1936 (Act 18 of 1936), shall be included in a scheduled Bantu area in the Province of Natal;

And whereas I am satisfied that the land described in the accompanying Schedule B is of a pastoral or agricultural value at least equivalent to the land described in the said Schedule A;

Now, therefore, under and by virtue of the powers vested in me by section 3 (b) of the Bantu Trust and Land Act, 1936 (Act 18 of 1936), as substituted by section 2 of Act 17 of 1939, I do hereby declare that Schedule I (A) to the Bantu Land Act, 1913 (Act 27 of 1913), as amended, is hereby farther amended by the excision of the land described in the said Schedule A and the inclusion of the land described in the said Schedule B.

Given under my Hand and the Seal of the Republic of South Africa at Rouxville this Thirteenth day of December, One thousand Nine hundred and Seventy-one.

J.J. FOUCHE, State President.

By Order of the State President-in-Council:

M.C. BOTHA.

SCHEDULE A

COUNTY OF ALFRED

Alfred Native Location 7, in extent 6,475 0 hectares.

SCHEDULE B

COUNTY OF ALFRED

Subdivisions 10 and 11 of the farm B of Oatlands 7199,
in extent 8,239 2 hectares.

APPENDIX 6

From Republic of South Africa Government Gazette

No. 197, 1980

DECLARATION OF GROUP AREAS IN TERMS OF THE GROUP AREAS
ACT, 1966, AND APPLICATION OF CERTAIN PROVISIONS OF THE
COMMUNITY DEVELOPMENT ACT, 1966, IN AREAS AT PORT SHEPSTONE
AND MARBURG, DISTRICT OF PORT SHEPSTONE, PROVINCE OF NATAL

Under -

A. section 23 of the Group Areas Act, 1966 (Act 36 of 1966), I hereby
declare that -

(i) the area defined in paragraph (a) of the Schedule hereto shall,
as from the date of publication hereof, be an area for occupation and
ownership by members of the White group; and

(ii) the areas defined in paragraphs (b) and (c) of the Schedule hereto
shall, as from the date of publication hereof, be areas for occupation
and ownership by members of the Indian group; and

B. section 51 of the Community Development Act, 1966 (Act 3 of 1966),
I hereby declare that the provisions of sections 16 to 23 inclusive, 29,
30 and 32 to 37 inclusive, of the said Act, shall as from the date of
publication hereof, apply in the areas defined in paragraphs (b) and
(c) of the Schedule hereto.

Given under my Hand and the Seal of the Republic of South Africa at
Pretoria this Twenty-sixth day of August, One Thousand Nine hundred
and Eighty.

M. VILJOEN, State President

By Order of the State President-in-Council.

SCHEDULE
WHITE GROUP

(a) From the southernmost corner of Subdivision B of Lot 23, Marburg Settlement 6598, northwards along the western boundary of the said Subdivision B, to the point where the south-eastern boundary of the National Road (Proclamation 84/1974) intersects the said western boundary of Subdivision B; thence generally northeastwards along the south-eastern boundary of the National Road to Beacon C on Diagram SG 2170/1963 of Subdivision 42, Marburg Commonage 1 No. 12223; thence generally northwards along the boundaries of Subdivision 42, so as to exclude it from this area, to the northernmost beacon thereof; thence northwards in a straight line to Beacon B on Diagram SG 4572/1965 of Subdivision 58, Marburg Commonage 1 No. 12223; thence generally south-eastwards along the boundaries of the following properties, so as to exclude them from this area: Lot 39 Marburg Settlement 5489, Lot 40 Marburg Settlement 5119 and Oslo Beach Township (Extension 1) (General Plan 26 x 17), to Beacon C on the said General Plan 26 x 17 of Oslo Beach Township (Extension 1); thence south-westwards in a straight line to the easternmost beacon of Subdivision 1 of Lot 27, Marburg Settlement 8156; thence south-westwards along the south-eastern boundary of Subdivision 1 and Lot 27, Marburg Settlement 8156, to the southernmost beacon of the last-named property; thence south-eastwards in a straight line to the north-western corner of Lot 94, Oslo Beach Township (General Plan 61 x 15); thence generally south-westwards along the boundaries of the said Oslo Beach Township (General Plan 61 x 15), so as to exclude it from this area, to the north-western beacon of Lot 365, Oslo Beach Township; thence south-westwards along the south-western prolongation of the north-western boundary of the said Lot 365, Oslo Beach Township, to the point where the said prolongation intersects the left bank of the Izotsha River; thence generally north-westwards along the left bank of the Izotsha River, to the corner first mentioned.

INDIAN GROUP

- (b) Alfred Native Location 7, No. 4666, in its entirety.
- (c) Subdivision 60 of Marburg Commonage 1, No. 12223 (SG 2261/1968), in its entirety.

APPENDIX 7

From R.D.S.B.

No. 36, 1979

PROCLAMATION

by the Administrator of the Province of Natal

In terms of section 21 of the Development and Services Board Ordinance, No. 20 of 1941, I do hereby proclaim, declare and make known that the area described as Location No. 7, Port Shepstone shall with effect from the date of promulgation hereof be a regulated area within the operation of the said Ordinance and shall be known as the Regulated Area of Albersville, the boundaries whereof are defined in the Schedule hereto.

Given under my hand at Pietermaritzburg, Natal, this 2nd day of March, One Thousand Nine Hundred and Seventy-nine.

W.W.B. HAVEMANN,
Administrator.

SCHEDULE

REGULATED AREA OF ALBERSVILLE

The whole of Location No. 7 No. 4666.

13/2/3/236/1.