

EDICT.—De naaste Bloedverwanten en Creditoren van Wynand Fredrik Besudenhou, en zyne...

EDICT.—De naaste Bloedverwanten en Creditoren van de Grootmeester Johannes Visagie, van het District Coleridge...

KAAP DE GOEDE HOOP BRAND ASSURANTIE COMPAGNIE.

BERIGT AAN DEELHEBBERS. De Deelhebbers worden verzocht kennis te nemen...

WILKINSON'S GEWEREN.

ONTVANGEN, eenige weinige van WILKINSON'S fraai bewerkte enkele en dubbele loop Geweren...

WRAK VAN DE "PROTEGE" MUIZENBERG. Ter Publieke Verkoop te worden verkocht door DEN HEER BENINGFIELD.

WYNBERG. VASTE GOEDEREN.

LUIT. Kolonel ROGERS, voornemens zynde de Kolonie binnen zeer kort te verlaten, wenscht zijn Landgoed aan Wynberg, te de hand te verkoopen...

HUISMEUBELN, KAGCHEL, RONDE-EN TOILET SPIEGELN, ENZ.

MEDURIG te koop aan het Pakhuis van den Ondergeteekende, een groot assortiment van nieuwe en halfnieuwe Meubelen van alle soorten...

PUBLIEKE VERKOOPING.

DE Heeren NICOLAAS D. LOMBARD en J. S. RAFFENHEIMER zyn voornemens, op den 10den April eerstkomende, publiek te doen verkoopen...

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SLAVERS COMPENSATIE VERDERINGEN.

DE Heeren NICOLAAS D. LOMBARD en J. S. RAFFENHEIMER zyn voornemens, op den 10den April eerstkomende, publiek te doen verkoopen...

Deze Courant wordt elke Vrijdag Ochtend uitgegeven aan het Publicatie-Kantoor, No. 62, Waterstraat, en des Vrijdags met de Post naar alle de Buiten-Districten verzonden.



Publick at No. 62, Water-street, Cape Town, every Friday Morning and dispatched to the Country Districts by the Post on the same Day.

De Zuid-Afrikaan.

Tros Tyriusque mihi nullo discrimini agetur.—VIRGIL.

DEEL IX. VRYDAG DEN 1 MAART 1839. No. 475.

H. M. VICTUALIE BUREAU.

WORDT bij deze narigt gegeven, dat Tenders met monsters op dit Bureau zullen worden aangenomen, tot op ZATURDAG den 16 Maart aanstaande...

VAST GOED TE RONDEBOSCH.

DE Heer JONES, zal Maandag den 4 Maart aanstaande, publiek op de plaats zelve verkoopen, het Landgoed van den Heer DICKSON...

OP EEN PUBLIEKE VERKOOPING.

OP EEN PUBLIEKE VERKOOPING te worden gehouden te Worcester, door den Heer W. HARRIS, op MAANDAG, den 4 Maart aanst., zullen zoodanig Reserve voor rekening van den Ondergeteekenden worden verkocht...

PUBLIEKE VERKOOPING VAN VASTGOED.

DE Ondergeteekende behoorlyk daartoe gekwalificeerd, zal op DINGSdag, den 5den Maart aanst., per publieke Vendutie, ten 11 uren, des Voormiddags, doen verkoopen...

HUIS TE KOOP.

DE Ondergeteekende voornemens zynde haar Affaire te verkleinen, biedt uit de hand te koop aan, haar welbekend zeer gerieflyk Woonhuis in de Broestraat...

PUBLIEKE VERKOOPING.

DE Heeren NICOLAAS D. LOMBARD en J. S. RAFFENHEIMER zyn voornemens, op den 10den April eerstkomende, publiek te doen verkoopen...

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PUBLIEKE VERKOOPING.

DE Heeren NICOLAAS D. LOMBARD en J. S. RAFFENHEIMER zyn voornemens, op den 10den April eerstkomende, publiek te doen verkoopen...

ADVERTENTIE.

GEKOMMITEERDEN des Kerkenraads te D'Urban, zullen op den 9 MAART aanstaande, waerom, in het Consistoriekerk der Kerk, van 9 tot 11 uren des Morgens...

PUBLIEKE VERKOOPING VAN HUIZEN TE MALMESBURY.

DE Ondergeteekende gekwalificeerd door Kerkenraden alhier, zal op MAANDAG den 4 Maart aanstaande, des Morgens te 10 uren, doen openen en verkoopen...

PUBLIEKE VERKOOPING VAN HUISMEUBELN, ENZ.

DE Ondergeteekende daartoe gekwalificeerd, zal op Heden Morgen, ten 10 uren aan zynen voornemenlyk Woonhuis, No. 27, Strandstraat, naast dat van den Wel-Ed. Hr. POOLMAN...

BERIGT AAN CREDITEUREN EN DEBITEUREN.

ALLE Personen die eenige vorderingen hebben tegen den Boedel van wylen den Heer RYAN JOHANNES GOUDER, worden verzocht dezelven te openen...

PUBLIEKE VERKOOPING.

DE Ondergeteekende Testamentaire Executor van opgemelden Boedel, zal op MAANDAG den 11 Maart aanstaande, 's Morgens te 10 uren, publiek doen verkoopen...

OPROEPING VAN CREDITEUREN EN DEBITEUREN.

ALLE degenen, die eenige Vordering of Vordering, van welken aard ook, vermenen te hebben tegen den Boedel van wylen den Heer LAMBERTUS VAN SITTERT, Senior, van de Kaapstad, worden verzocht...

BERIGT AAN CREDITEUREN EN DEBITEUREN.

ALLE degenen die eenige Vordering hebben tegen den Boedel van wylen den Heer CORNELIS ERNESTUS MARAIS, Cz., worden verzocht hunne Vordering met de behoorlyke bewyzen in te zenden...

PUBLIEKE VERKOOPING.

DE Ondergeteekende daartoe behoorlyk gekwalificeerd door de Weduwe en Executrice des Boedels van wylen den Heer JONAS JOHANNES PAS, zal op MAANDAG den 11 Maart aanst., aan den hoogstbiedenden publiek laten verkoopen...

PUBLIEKE VERKOOPING.

DE Ondergeteekende daartoe behoorlyk gekwalificeerd door de Weduwe en Executrice des Boedels van wylen den Heer JONAS JOHANNES PAS, zal op MAANDAG den 11 Maart aanst., aan den hoogstbiedenden publiek laten verkoopen...

PUBLIEKE VERKOOPING.

DE Heer JAN FISCHER, van de Plaats "Gouhen", voornemens zynde zich te woen te begeben naar de Botsburg, District Stellenbosch, zal uit dien hoofde op WOENSDAG den 6 Maart, publiek onder Administratie van den Ondergeteekenden laten verkoopen...

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DE Heer JAN FISCHER, van de Plaats "Gouhen", voornemens zynde zich te woen te begeben naar de Botsburg, District Stellenbosch, zal uit dien hoofde op WOENSDAG den 6 Maart, publiek onder Administratie van den Ondergeteekenden laten verkoopen...

OP MORGEN, (ZATURDAG).

ZAL de Ondergeteekende aan zyn Pakhuis hielden, van een uitgezocht assortiment nieuwe Goederen, geland wordende uit de Elephanta.

VERPLAATST DE HANDELS VOORRAAD VAN GEORGE GREIG.

Over die van de Heeren HEIDEMAN HODGSKIN, & Co EN NAAST HET Zuid-Afrikaansch Brand en Levens Assurantie Kantoor.

WRAK VAN DE "TRAFALGAR."

HEDEN MORGEN zal aan H. M. Custom-huis, voor rekening der belanghebbenden worden verkocht, eenes verschiedene lading en proviand, geland uit het gestrande Schip Trafalgar.

AMERIKAANSCH HOUT.

DE eerste publieke Verkoop der lading Bouwhout van de Harold, bestaande uit Planken, Balken enz. zal heden Namiddag aan het Strand naby het Havenkantoor plaats vinden.

OP MORGEN, (ZATURDAG).

OP MORGEN, (Zaturdag), zal op de Vendutie van de GEBOEDERS ELLIOTT worden verkocht, eenes hooveelheid verachte Amerikaanse Cigarettes, ontvangen per Harold.

KNOESTABAK.

DE Ondergeteekende heeft per Harold, ontvangen, eenes overvloedig uitmuntende Knoestabak, welke ter geryf van koopers in hooveelheid zal worden verkocht.

VERSCHE GOEDEREN.

ONTVANGEN per Elefanta en anderen late aankomten, Duffel, Baai, Kombarsen, Leken, Cassimier, Petersham en andere Winters Goederen.

ZUID-AFRIKAANSCH MAATSCHAPPY.

Tot Nut van het Algemeen. DE Leden en Deelhebbers der Maatschappij, worden herinnerd, dat de Algemeene Vergadering zal gehouden worden, op MORGEN, Zaturdag den 2 Maart, des namiddags te 5 uren, in het Schoolgebouw.

DE HR. H. P. H. DE WIT, met het verlof van Zyne Excellentie den Gouverneur...

DE Hr. H. P. H. DE WIT, met het verlof van Zyne Excellentie den Gouverneur, verzoekt zynde heeft een Etablissement te Stellenbosch geopend als Chemist, Droogist, en Apotheker, alwaar hij by voortdurend op hande hebben zal de meest uitgezochte Hallische en andere Medicamenten; en daar alle Recepten door hemzelf persoonlijk zullen worden toebereid, loopt hij door striete oplettendheid zich de gunst des Publicks te verkerken.

1,300 Extra vette Schapen en Kapaterbokken.

DE Ondergeteekende zullen op Woensdag den 13 Maart aanstaande, ter Plaats van den Hr. H. J. ROUX, gelegen aan de Wagenmakers Vallei, publiek laten verkoopen, bovengem. getal extra vette Schapen en Kapaterbokken.

OP ZATURDAG den 16 Maart aanstaande.

Zullen per publieke Vendutie worden verkocht, borengem. getal extra vette Schapen en Kapaterbokken, ter Plaats van den Heer JACOB DE VILLIERS A. B. z. gelegen in dit Dorp, Vrederiksdorp, Paarl, den 22 Feb. 1839.

TE HUUR.

TWEE Bovenpakhuizen, beide in eenen goeden stand gelegen.—Adres by J. G. BAM, Hoek van de Strand en Breedestraat.

PUBLIEKE VERKOOPING.

OP Maandag, ter Plaats "Harde Vallei", gelogen aan Piquetbergen, voor rekening van de Wed. JAN FREDRIK LAMBERGTS, publiek worden verkocht, Trek en Aantelbeesten, waaronder melkgevende Koeyen, Schapen en Bokken, Wagens, Ploegen, Egenen, Tuigen, en al hetgeen tot een complete boerderij behoort; voorts een party Garst en Havet, en eendelyk alle in soorten van Huistrand.

BERIGT.

DE Ondergeteekende biedt te huur aan, haar halve Aandeel in de Plaats Hardevallei, gelegen aan Piquetbergen, in het Kaapst. District, voorzien van overvloedig Vlaand en een goet uitgezochtheid Veld ten uiterste geschikt tot Weiland voor allerlei soort van Vee.

DE Weduwe J. F. LAMBRECHT.

SOUTH AFRICAN BANK.

Directeuren: De Wel-Ed. Hr. F. S. WATERMEYER, Voorzitter, J. H. VAN RENEN, J. H. WITTE, R. M. DE WIT, R. C. HORTS, ISAAC CHASE, J. A. BAM, W. J. HERMAN, W. G. ANDERSON.

DE volgende zyn de grondregels, van dit Etablissement. Geen Bank van "Issue" zynde, (zoo als thans geconstitueerd) en getydelyk geen ingespreide geld uitgevende, onthoudt dezelve zich van allen uitloof, met de in omloop zynde gelden, des lands.

DE Bank, geeft den Deelhebber, die met dezelve eenen rekening houdt, het voordeel om profyt uit zyne eigene transacties te trekken.

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ZUID-AFRIKAANSCH MAATSCHAPPY VAN ADMINISTRATIE EN BOEDELBEREDDING.

Directeuren: De Hr. Mr. D. DENYSEN, President, C. L. HERMAN, J. T. JURGENS, J. A. SMUTS, J. F. SERRUWIER, W. HAWKINS, Auditeur, Mr. J. de WIT, Secretaris, J. W. J. HERMAN, Kasser, J. P. E. FAURIE, Boekhouder.

DE Maatschappij berekend voor derzelver werkzaamheden, in Boedels van Afgestorvenen Personen.

5 pCt. op het provouen van losse Goederen, van Boekschulden in de Boedel gebovden, en van inkomende Renten, Huishuizen, en andere verrenten.

2 1/2 pCt. op renten doende Kapitalen.

2 1/2 pCt. op het provouen of de gelegaterde waarde van verkochte of gelegaterde vaste Goederen.

1 1/2 pCt. op de getaxeerde waarde van vaste en losse Goederen, En in Boedels van levendige Personen, of waar de Maatschappij in kwaliteit, als Gemagtigde ageert.

2 1/2 pCt. voor alle ontvangsten van Penningen niet zynde Huurpenningen of Boekschulden.

5 pCt. voor den ontroung van alle Huurpenningen of Boekschulden.

Wordende voor gedane uitbetalingen in laatsigen Boedels, niets berekend.

1 pCt. van de waarde en Kapitaal van alle Obligatien of Schuldbrieven, welke onder de Administratie van de Maatschappij zyn gesteld, zoo die binnen 's jaars na het aanvaarden van de Administratie, worden teruggenomen en anders niet.

Voor het houden van eenes Generale Procuratie, brengt de Maatschappij aan den Constituent, jaarlyks eenes sou van 2 1/2 Rds. in rekening, volgens koloniale costume.

EXECUTEURS KAMER.

BEKENDMAKING. DE Ondergeteekenden hebben de eer, by dezen, het Publiek bekend te maken, dat onder de Voorzittingen eener Acte van Overeenkomst, op den 22sten Dec. 1838, tot stand gekomen, de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding...

1. De Maatschappij of "Executeurs Kamer" bestaat uit vyf lidde, die allen alhier geboerd en geerd zyn, en die de Kamer, onder de naam van "Executeurs Kamer", in de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding...

2. De Kamer, onder de naam van "Executeurs Kamer", in de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding...

3. De Kamer, onder de naam van "Executeurs Kamer", in de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding...

4. De Kamer, onder de naam van "Executeurs Kamer", in de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding...

5. De Kamer, onder de naam van "Executeurs Kamer", in de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding...

6. De Kamer, onder de naam van "Executeurs Kamer", in de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding...

7. De Kamer, onder de naam van "Executeurs Kamer", in de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding...

8. De Kamer, onder de naam van "Executeurs Kamer", in de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding...

9. De Kamer, onder de naam van "Executeurs Kamer", in de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding...

10. De Kamer, onder de naam van "Executeurs Kamer", in de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding...

11. De Kamer, onder de naam van "Executeurs Kamer", in de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding...

12. De Kamer, onder de naam van "Executeurs Kamer", in de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding...

13. De Kamer, onder de naam van "Executeurs Kamer", in de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding...

14. De Kamer, onder de naam van "Executeurs Kamer", in de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding...

15. De Kamer, onder de naam van "Executeurs Kamer", in de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding...

16. De Kamer, onder de naam van "Executeurs Kamer", in de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding...

17. De Kamer, onder de naam van "Executeurs Kamer", in de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding, door de Maatschappij van Administratie en Boedelberedding...

ZOOLEDER. ONTVANGEN met de Stoomer, eenige welrijke halfduizend Zooleder, van een zware hoedigheid, W. ANDERSON, Senr. & Co.

BESCHADIGDE GOEDEREN. HEDEN MORGEN, 1 Maart, zal eenige Publieke Verkoop gehouden worden van de Pakhuizen van den Ondergeteekende, wanneer eenige verscheidene Goederen en Manufacturen zullen worden verkocht.

ALSMEDE 50 Stukken 30 deins gebrekte Zooloek, 50 dito superieure Duck, 120 sterke Wolzakken, 200 Koornzakken, voor rekening van de betrokkene partijen, zynde meer of minder beschadigd. JAMES SEARIGHT & Co.

PUBLIEKE VERKOOPING Van Theeën, Suiker, enz. enz. DE Ondergeteekende, al zyne Knopjes Thee verkocht, zal ook de Theeën in zyn Pakhuis, bestaande uit eenige kisten Souchong, Hyson en Flowery Pekoe, aan den Hoogen Bied-er verkoop, op aanstaande DINGSDAG MORGEN, Waarna zal worden aangeboden 600 kasten Zeep, 200 zakken witte Benares Suiker, 20 vaten Rio dito, een hoeveelheid gepaarde en Schotse Gort, gespleten Erwten in vaten, witte en bruine Ryst, Peper, enz.

I. MANUEL. WRAK VAN DE "TRAFALGAR." OP aanstaande MAANDAG MORGEN den 4 Maart, ten 11 uren precies, zal aan het Strand nabij Drie Anker-Beeld, worden verkocht, een gedeelte van de lading en het wrak als opgevoerd en geborgen is, bestaande uit Kombarren, Chits, Laken, Wijn, Bier, Planken, Balken, Masten, Zeilen, Touwwerk, Brandhout, enz. zonder Reserve. JOHN BLORE, Afslager.

PUBLIEKE VERKOOPING. DE Ondergeteekende zal op aanstaande Maandag, aan zyn Pakhuis in de Loopstraat, hoek van de Kerkstraat, een publieke Verkoop houden van Merinos, Tibets, Alpines, kanten Modekransen, Lyf- en andere Banden, en vele andere fyne Goederen, te talryk om te tellen. Elk artikel opveeld, zal aan den hoogsten Bieder worden verkocht, en de Verkoop tederen Maandag worden voortgezet, tot dat de geheele voorraad voorhanden, zal zyn verkocht. Enige fraaje Meubelen en Pianos, zullen mede worden verkocht. M. THALWITZER. Kaapstad, 1 Maart 1839.

Theeën, Ryst, Suiker, enz. Op MORGEN (Zaterdag), den 2 MAART, zal de Ondergeteekende een Verkoop houden, van versch. Knopjes, Souchong, Orange Pekoe, Gunpowder en Hyson Thee, in kleine kisten, Kandy-Suiker, Ryst, Suiker, Naazyde, enz. enz. WILLIAM BILLINGSLEY.

ONTVANGEN per het Schip Elizabeth, beste witte Java Soep- en Tafelryst, Rotting, Suiker in Kanisters, Foele, Notenmuskat, Peper, Theesuiker, Tamarinde, enz. En per Catherine, 3900 zakken beste witte Patna Ryst, enz. De koop aan de Magazynen van de Handel-Maatschappij. Dagelijks verwacht de Schoener Conck, met een uitgezochte lading Vellingen, Spoken, Leeboomen en ander Waterhout. Stinkhouten Blokken te koop, a 2 Rits. 2 Schel. per cubic voet.

BOUWERVEN AAN DEN WYNBERG. EENIGE Houwervan, gelegen midden in het Dorp Wynberg, zynde gedeeltes van den Kerkgrond der Nederlandsche Hervormde Gemeente aldaar, zullen by publieke Veiling, op de plaats zelve worden verkocht, op MAANDAG den 18 Maart 1839. En 500 Liberaal-Strykked worden gegeven. Wynberg den 25 Febr. 1839. J. J. CRUYWAGEN, Fung. Scriba.

LIEFHEBBERY TOONEEL. IN den loop dezer maand, (den dag nader te bepalen) zal aan den Schouwburg per publieke Venditie worden verkocht, al de uitmuntende en door de beste kunstenaars in dat vak alhier, vervaardigde Meubelen en Decoraties, bestaande in Achterdoeken, Coliezen, Friezen met derzelve Lyven, Rollen, enz.; alsmede de prachtige en kostbare Costumes en uitgezochte collectie Komedie boeken, toebehoorende aan het Tooneel Gezelschap.

"Tot Nut en Vermaak." Om deze gelegenheid voor de jonge Liefhebbers van het Tooneel zoo gunstig mogelijk te maken, zal inmiddeis het bovenstaande op gunstige voorwaarden tegen een biljken prijs uit de hand te koop zyn. — Wegens byzonderheden gelieve men zich te verzoegen by J. STIGLING, Opzigtzer van den Schouwburg.

AAN METSELAARS. DEGENEN die genegen zyn, om de Platten te voorzien van, en de noodige reparatie te doen, aan het buitenste gedeelte des Tooneels, Societets Localen, Buisenverzekten, bussers van de Grote Poort, gelieve zich binnen veertien dagen na den Alvertoelste te adresseren aan den Commissaris, die dagelijks tusschen 9 en 10 uren in voorz. de Loge present zal zyn, om de noodige aanwyzingen te doen.

LOGE DE GOEDE HOOP. BENOODIGD een bedarde en uichtere Oppasser of Kuchth, tegen een goede beloning, en erve woning — Altes by den Heer M. A. VAN SCHOOR, of in de Societ. de Goede Hoop.

PROEPIERING VAN CREDITEUREN. ALLEN die eenige pretentien hebben op den Boedel van wylen den Heer JACOBUS HENDRICKS SUTHERLAND, van Kaapst. Distrikt, worden verzocht te deelen aan den Ondergeteekenden in te zenden, en aan zyn Boedel te overhandigen zyn, gelieve hunne debita binnen een tyd van twee maanden te komen voldoen. Kaapstad den 27 Febr. 1839. F. J. SCHEURLE, qf.

DE Likwidante en Distributie Rekening van de zynen Boedel, zal ter inzage der belanghebbenden by den Heeren Ondergeteekenden openleggen, voor ten tyd van zes weken aan heden gerekend. Kaapstad, den 1 Maart 1839. J. A. VERMAAK, H. VAN DER POLL, Test. Executores.

PUBLIEKE VERKOOPING, Door den Afslager J. DE VREY. DE Ondergeteekende zyn Woohnuis, in de Pleinstraat uit de hand verkocht hebbende, zal op MAANDAG den 4 Maart, en zoo het noodig is den volgende dag zooder de minste Reserve laten verkoopen, zynen geheelen voorraad van Negotie, bestaande in Laken, Duffel, Moleksin, Chits, Voetschus, Linnen, Flennel, Baai, Gros de Napels, enz. alsmede Koffy, Suiker, Ryst, Verw, etc. Ruiten, en hetgeen verder ter verkoop zal worden aangeboden. Stellenbosch, den 27 Feb. 1839. C. M. PIETERSEN.

N.B. Op bovengem. verkoop zullen mede in commissie worden verkocht, allerlei soorten van Huisraad, bestaande in Tafels, Stoelen, Ledekanten, Bedlens, 2 Tapyten, en verscheidene andere Goederen, te veel om te tellen. De Heer J. WEGE, Venu-Adm.

ONTVANGEN PER ELEPHANTA. DONBAR'S Ale en Porter-Bier in Bottels, D.D. en S. Cogniac Brandwyn, en 50 dozen kostelyke tigte Sherry, in 5 klouen kastjes, te veremen ten Pakhuizen van den Heer SAMPFORD, op DICKSONS, BURNIES & Co.

RYDTUIG. TE KOOP, een in London gebouwde Phaeton, van de laatste smaak, — konde open dan wel toegelagen gebruikt worden. DUNELL & STANBRIDGE.

PER MARY JANE. MET bovenstaand Vaartuig wordt ontvange- gen, een groote overvloedige Yzerwaren, Messenwerk, Pletty en Tinnenwaren; alsmede Witsel, Kryt, Stoekholmsche Thee, Zout, goele Zeep, Havermel, gebotelde Porter, Gapevyn in kloues, Etanmer, en Zoetmeltsche Kasten, Waryklozen, enz. DUNELL & STANBRIDGE.

NEUWE GOEDEREN PER ELEPHANTA EN VECTIS. Wellington Luizen, Geleide en Wandelschoenen, Geleide Pump, Goud- en Hembdenlinnen, Witte en bruine Baftas, Beddelyk, Meubel Diemel, Zwart kattenen Flanel, Zwaarte en rale Moleksin, Do. do. do. Sokken, Do. do. en gekleurde Danes Kousen, Gometstiekie Kruisbanden, Brook's Klooskaten, Wit en gekleurde Naai dito, Donkergrond Cambrie Prints, Kleedmakers Belegels, Kleine Goederen, enz. Belanghel Papier met Rand- lains, Eau de Cologne.

TE KOOP, Blad- en Staafhout, Looden Pypen, Hagel, Staaf en Rondzyer, Yzerwaren, Theesuiker, Broodsuiker, gespleten Erwten, gepaarde Gort, Atjars en Saucen, Slaolie, Mostert, Azyn, Bergblauw, Londonsche Zeep, Zwaelt, Wit, gekookte en ongekookte Lyonolie, drooge en aangemaakte Verwen, roode Mennig, enz. DUNELL & STANBRIDGE, Kortemarkstraat.

BENOODIGD. TWEE Bedlenden die zich algemeen nuttig kunnen maken; Man en Vrouw zullen de voorkeur hebben. — Adres tap Kaatoere van J. G. STEYTLER, Ga. Kerkepl. No. 1.

BERIGT. ALLEN die eenige vorderingen hebben tegen den Heer THOMAS DAVID RICHARDS, tot het einde des afgehoorden jaars, worden verzocht hunne rekeningen binnen zes weken van heden intendend, aan hem te presenteren, ten huise van M. J. M. J. van der Woude, de Weduwe J. H. BRAND Pleinstraat, Kaapstad. — Terwyl allen die aan hem verschuldigd zyn, verzocht worden, derzelve respectie rekoning te betalen aan den Heer E. BYSSKES, die kwitantien voor deszelve verlenen zal. Caletown Bad, 18 Feb. 1839.

WETGEVENDEN RAAD. DINGSDAG, DEN 20 FEBRUARY 1839. Present Zyne Excellentie de Gouverneur en al de Leden. De Raad was by-eengekomen niet by Advertentie in de publieke Gazette, maar per Circulaire, d. 18 Febr. 1839. De Secretaris des Gouvernements stelde voor, de derde ledig, betaald aan personen die nog in staat en bekwaam waren diensten te doen, en door wier aanstelling tot 1839 — dus staan zouden: —

INKOMST. De algemeene Inkomsten van de Kolonie voor 1839 worden geschat op: —

Bepaalde Uitgaven, .....	£ 140,800
En de plaatselyke, .....	14,850
Uitmakende totale Inkomst £	155,650

UITGAAF. Westelyke Afdg. — Ordinaire, ..... £ 66,566 5 1 || Bepaalde Uitgaven, ..... | £ 15,790 7 6 |
Onbepaalde dito, .....	£ 22,500 17 6
Totaal £	104,857 10 1
Oostelyke Afd. £	13,154 13 0
Bepaalde Uitgaven, .....	£ 8,906 7 8
Onbepaalde do. £	11,705 2 9
Totaal £	23,766 2 9
Plaatselyke Uitgaf, .....	£ 12,781 13 3
Geheele Uitgaf £	151,405 6 1

Latende een saldo ten voordeele van Inkomsten, ..... £ 4,244 13 11 || De Klerk van den Raad las de Ordonnantie voor, tot het aanstellen van eenen zekeren getal van 63 1, ten dienste van het jaar 1839, welke werd goedgekeurd. |

SOMERSET WEG. De Edele Ross zeide dat hy van verscheidene Inwoners van het Dorp Somerset, in de buurt van de ontrouwen, klagede over den slechten staat des Wegs, door het Dorp, naar Sir Lowry's Pass leidende, by veronderstelde dat de zelve kon worden gerepareerd uit de toelagen in de begrooting toegestaan aan het Distrikt van Stellenbosch. De Secretaris des Gouvernements wist dat de zelve in eenen zeer slechten staat was, en welke met zeer weinige kosten kon worden gerepareerd; — aanroek daartoe mocht worden gedaan by den Civil-Commissaris van de reparatie, die reparatie, indien verzoekt, zouden uit de toelagen gemaakt worden. De Edele Cioete, zoudt wenschen de zelve in dien staat te zien, waarin het 7 of 8 jaren geleden, geweest is.

MUNICIPALITEIT'S ORDONNANTIE. De Edele Edden, referende naar de municipale ordonnan- tie, onlangs gepubliceerd, als door den Raad goedgekeurd, en merkte aan, dat het leen tusschen, dat enige leden van den Raad onbevoegd waren om te stemmen in de municipale it's byeenkomsten, omdat zy aan Rondeboesche woonachtig waren, hoewel zy huize pakhuizen en kantoren in de stad hadden; hetgeen by dacht dat de beoedeling van den Raad niet kon zyn geweest, ten zy de Bill paszieren. De Edele Cioete, vermernde, dat wanneer daaromtrent enig twyfel bestond, het te bepalen kon zyn, of de beoedeling der Ordonnantie van middelen daartoe had voorgeschreven. In voor my, twyfel niet, of eenig koopman, die hoewel aan Rondeboesche woonachtig, al zyne bezigheden in een kantoer binnen zyn eigen woohnuis in de stad verrigt, is in alle opzichten een Reederende Huishouder. De Edele Edden, de zaak van den Heer Ross is verschildend van die van den Heer Edden en Pillans. De Edele Edden, merkte aan, dat de municipale it's byeenkomst op morgen zoude plaats hebben. De Edele Cioete, — Dan kunt gy verschynen en den Magistragt voorstellen om toegestaan te worden te stemmen; dit zal den Magistragt een gelegenheid geven de zaak te beslissen. De Edele Edden las de 60ste Clauseule der Ordonnantie, en zeide, dat een stengere, die tot het stemmen gerechtigd was, op zyne lyst van Candidaten voor het Comité te worden benoemen, onder anderen, vier anderen had geplaatst, die hy sien by voornemens was te stemmen, ook welke door deze Clauseule onbevoegd zyn, om als zoodanig te worden benoemd. De Gouverneur vermernde, dat een Ordonnantie kon worden gemaakt, om deze Clauseule te verbeteren. De Edele Cioete, — Zee zeker de kwestie kan slechts geregeld worden door den Raad door een Ordonnantie worden gebragt. De Edele Edden, merkte aan, dat de Clauseule niet van "Eigenaars" was. De Edele Edden, — De zelve zegt, — "de bewoner van een woohnuis, by zyn eigenaar of huurder." Ik denk, dat achter "woohnuis" had moeten volgen, "of kantoren of pakhuizen," dit moet zeker de beoedeling zyn geweest. De Edele Cioete, — Als de Clauseule bylt als het is, zoude het zeker een groot getal van de Leden des Raads uitsluiten, door wien het nouit op deze wyze was gemeend. PROTST TEGEN DE BEGROOTINGEN. De Edele Ross stond op en zeide, dat daar de begrootingen zo goedgekeurd waren, by thans op eenen formeele wyze zyne tegenwoordig zoudt herzien tegen zekere sommen welke in de Uitgaf van voorgaande jaren was geplaatst, dat hy aan het Gouvernement te huis zullen worden voorgedragen, en verholpen. Zyne eerste objectie was tegen het onderhoud der Chinesen; by wist niet waarom het volk van deze Kolonie hen moest onderhouden, en hoe meer by daarvoor nagedacht, hoe meer by vermernde, dat dit niet zyn moest. Welk regt hadden zy in het Moederland om hun herwaarts te zenden, om in China geandend te worden, in plaats van hen naar St. Helena te zenden, alwaar de dikwyls gelegenheden waren. De Secretaris des Gouvernements zeide, dat zy hen te Bombai niet ontrangen wilden. De Secretaris des Gouvernements (hem stuitende). Ik heb niet gezegd, dat zy hen te Bombai niet wilden ontrangen, maar dat het Gouvernement te St. Helena hen herwaarts had gezonden, om direct naar China verzonden te worden, maar dat hy als nog geen gelegenheid daartoe gevonden had, en ik heb duidelyk gezegd, dat indien wy hen naar Bombai zenden, wy de kosten te betalen zullen hebben, zonder te weten tot welk een bedrag. De Edele Ross, — Myne redenen dit te zeggen, is, om te bewyzen dat wy met hun onderhoud niet behoorden te zyn belast geworden. Ik hoop dat deze post niet in de uitgaf van het volgende jaar zal worden opgebracht; en ik zeg dit ter gepaster tyd, opdat het Gouvernement te huis ruime gelegenheid hebbe, om de kosten te bevyden. In geval het weder in de begrooting voorkomt zal ik er zekerlyk

STADS MUNICIPALITEIT. WOENSDAG, 27 FEBRUARY 1839. Dezen morgen om 11 uren, vergaderde het Comité door de publieke byeenkomst van Huishouders op den 21 dezer benoemd, tot het openken der Regulatie, voor de roegvoenenen Stads Administratie, om zickelven te constitueren. De Heer van Freds, als Voorzitter, en de Heeren

Advokaat Brand en Procureur J. Redd, als gezamenlyke Secretarissen gekozen zynde, werden de volgende Regels aangenomen. 1. Dat ieder Lid, over eenig onderwerp wenscheidende te spreken, zich staande, tot den Voorzitter zal adresseren, om niemant de ryde hebben, twee malen over een onderwerp te spreken, tenzij, in geval van onbepaling; — en dat het een ieder zal trystaan, in het Engelsch of Hollandsch te spreken. 2. Dat eenig Lid een voordragt of voorstel wenscheidende te doen, het aan den Voorzitter in geschrifte zal submitteren, door hem getekend, en behoortlyk door een ander Lid ondersteld. Brieven van de Heeren W. A. Wentzel S. B. Vinning, en J. F. Serrurier, werden gelezen, hunne aanstellingen als Leden van het Comité, afdelend.

Eene groote discussie volgde hierop, met betrekking tot de magt van het Comité om degenen wier namen op de reserve lyst staan, de plaatsen welke door de bovengem. Resignatie waren opengevallen te doen vullen, hetgeen door een meerderheid van 14 tegen 8 beslist zyde, werd gevolglyk aan den Secretaris last gegeven, de Heeren wier namen aan het hoofd der reserve lyst waren, daarvan kennis te geven, en hen te verzoeken om op de volgende Vergadering tegenwoordig te willeen zyn. Een voorstel hierna gedaan zyde, met de bezigheid te beginnen, en door een meerderheid van 13 tegen 8 aange- nomen.

Werd toen voorgesteld en besloten, "dat het getal van Leden van het Comité een quorum zullen uitmaken, tot het doen van de voorgestelde besluiten." Verder werd voorgesteld en besloten, dat het Comité zich zal verdelen in drie onderscheidene Sub-Comités, en dat 1. Er een Sub-Comité zal zyn te bestaan uit 15 Leden, 5 waarvan een quorum zullen uitmaken, om de onderscheidene lysten van kwalificatie uit te maken, de Stad in Wyken en Districten te verdeelen, en de Taxatie en Classificatie volgens de Ordonnantie te bepalen. 2. Zal er een ander Sub-Comité zyn, uit 8 Leden bestaande, 3 waarvan een quorum zullen uitmaken, om de Regule- menten en Instructie voor Commissarissen, Wykmeesters, Secretarissen, Treasurers, en andere beamten der Municipaliteit op te maken. 3. Zal er ook een Comité zyn, uit 8 Leden bestaande, 3 waarvan een quorum zullen uitmaken, om de andere Regule- tatie, welke niet in de voorgaande Sub-divisie zyn vermeld, optekenen, — als, ontrent het schoonhouden en verlichten der Straten, enz.

Vervolgens werd besloten, de Vergadering tot Vrydag den 1 Maart, te 10 uren, opteschoren, om deze onderscheidene Comités te benoemen. — Opgeschoort.

DE Edele Cioete gevelde zickelven verpligt met zynen Ed. vriend (den Ed. Ross) te protesteren tegen de lyst der Pensioenen, te meer daar dezelve vreeslyk toegenomen was van om trent £5,000 tot £10,000. Hy kon alleen zeggen, dat daar de vermeerdering gedeelyk veroorzaakt is geworden door den Kaffer-oorlog, het hem speet, dat er nog enige zeer vreedghelyken waren zonder het minst onderhoud. De Gouverneur, — De vermeerdering der Pensioen-lyst is niet voor Pensioenen, maar voor afgaende toelagen. De Secretaris des Gouvernements, — Vele bekwaame personen waren toegestaan hunne posten neerteleggen, door de veranderingen welke in 1828, teweeg ronden. De Gouverneur, — En gy zult het opgebracht zien, niet als Pensioenen, maar als afgaende toelagen. De Edele Cioete, — Maar zy zyn niet alleen van het jaar 1828; het speet hem die lyst met zulk een groote som te zien opzichten, maar als personen die nog in staat en bekwaam waren diensten te doen, en door wier aanstelling tot 1839 — dus staan zouden: —

De Secretaris des Gouvernements, — Hy kon alleen zeggen dat het Gouvernement volgaarne die lyst vermindert zoude hebben door aanstellingen, — maar dat partijen, de posten welke hen aangeboden zyn, niet wilden aannemen. De Edele Ross, lacht niet dat zy allen zouden weigeren, maar zy dit doen, dacht dat de toelagen ingetrokken. De Edele Cioete was klaarblyklyk van gevoelen, dat personen welke hun leven in de dienst des Gouvernements hadden doorgebracht, aanspraak hadden tot onderstand in hunne onderhoud, maar by referende alleen naar de pensioenen of toelagen, door de veranderingen in 1828, teweeg gebragt, vooral wanneer Zyn Ed. onder hen aantrof menschen die nog in staat en gewillig zyn posten aannemen, een situatie kon hun aangeboden worden, en met een vermeerdering van salaris konden zy aangemoedig wordten om dezelve aan te nemen. De Edele Ross, — Eene schets was door het Gouvernement te huis gemaakt, naar eenen pensioen worden toegelegd, welke redden hadden zy te huis daarvan afstapten, en den Heer Bentinck, zulk een hoog pensioen te geven, waarom hebben zy hem niet een pensioen volgens die schets toegelegd? De Gouverneur, — Ik weet het niet. De Edele Cioete, — Maar dit is niet alles; partijen zyn geplaatst geworden op afgaende pensioenen, tegen hunne wenschen, daar zy begeert waren te dienen. De lyst van pensioenen is zeer groot. De Gouverneur, — Ik moet zeggen, dat toen ik die lyst zag, ik verstonn was over het groote bedrag van pensioenen. De Secretaris des Gouvernements, zinspelende op de aanmerkingen betreklyklyk der belastingen, twyfelde, of het plan om alle belastingen daarvan door de middelen der Douane te heffen, en de Douane, zoudt in Engeland daar niets tegen te konnen hebben, waar, uit £44,000 Inkomsten, eens som van £30,000 door de Douane geconlecteerd werd. Zy zouden alleen aan de uitvoering eens grondbeginsels in deze Kolonie toegeven, dat zy thans ook in Amerika en in ieder handel dryvend land hebben opgevolgd. Hy herinnerde, dat in 1821, en naar huns gezonden; by had gehoord, dat het Gouvernement te huis daarin had toegestaan, maar het onderwerp had men laten varen. De Gouverneur, — Ik heb geen de minste objectie daarover te schrijven. De Edele Brink, — Het was naar huns gezonden en aan de kamer van kooplieden gerefererd voor hunne opinie; en hy dacht, dat huns wilspraak daartegen geweest was. De Edele Ross kon niet zien waarom deze kolonie niet zoude worden toegestaan dezelfde schaal van taxatie te volgen, als in de andere kolonien is toegestaan geworden, — Mauritius, Ceylon, Nieuw Zuid Wales en Guiana. De Gouverneur, — Het zal my altoos aangenaam zyn by het Gouvernement te huis, de wenschen van den Raad te onder- steunen, hetzyl ik van hun gevoelen ben of niet. De Edele Ross hoopte dat Zyne Excellentie op de zaak thans zal aandringen. Opgeschoort tot Zaterdag den 23 Febr. 1839.

LANDBOUWKUNDIG GENOOTSCHAP. Wy hebben het genegen de handelingen des Genootschaps in dezelys in de Koopmans Beus, op den 13 Febr. 1839, gehouden jaarlyksche Byeenkomst, voor het Publiek te leggen. De Heer A. Olijphant, tot voorzitterschap benoemd zyde, zeide in het kort, dat de vergadering beledigd was tot de volgende einde, nam: — 1. Om het jaarlyksche Rapport van het Comité te ontvange, een nieuw Comité en andere Amtenaren voor het tegenwoordig jaar te benoemen, en de rekeningen des Genootschaps natezien. 2. Het berigt te ontvangen der aangestelde Beoordelaars over de onderscheidene ingezondene monsters Wol, ter mededinging voor de West- en Oostelyke Prys Bekers; en de Byeenkomst met de namen der gelaagde mededingers te bepalen te maken. 3. Zekere besluiten te nemen tot den invoer van vrye ardeelen in deze kolonie. 4. De noofige schikkingen te maken, om het besluit in de mandelyksche Byeenkomst van den 9 January 11. genomen, betreklyk den vreedghelyken harten Weg, over de Kaapsche Vlieten en Duinen, in werking te brengen. Waarop de Voorzitter van de Byeenkomst, des Genootschaps bekendmaking, aangaande den Wol Prys Bekers voorgelaz- zen, en den Secretaris verzocht hebbende het certificaat der Be- oordelaars te openen, bevonden werd dat het monster gemerkt "Persevere," gerechtigd was, tot den £50 Wol Prys Bekers, en het monster gemerkt "R. S.," tot den Oostelyken, ter waarde van £20; en de brieven deszelve vergeleedde, en de mededingers overtenkomende van Reitz, Breda, Joubert & Co., en de laatste van William, Joseph en Rice Smith, die dan ook verklaard werden, de gelaagde mededingers te zyn. Er waren negen monsters Wol, voor den Westelyken Bekers, gemerkt (T. L.), (A.), (B.), (C.), (Fairfield, and no favor), (W.), (M.) (Cape of Good Hope, February 1839), (Persevere), en drie voor de Oostelyke Afdeling, gemerkt (P. Q.), (R. S.), en (Challenge). Hierop las de Voorzitter der Byeenkomst het jaarlyksche berigt van het Comité voor: — En werd vervolgens ge- steld door den Edele Heer M. van Breda, onderstund door Baron von Ludwig, en besloten, dat het berigt aange- nomen en goedgekeurd word; ook bragt de Tresorer schyn aantoonende van £12 7 0j. De volgende besluiten werden toen voorgelazzen en eenpa- rlyk aangenomen: — 1. Dat het voordeelig voor de Kolonie zoude zyn, van- neer daarin Arbeiders van Madagascar, Mosambique of andere vryen werden ingevoerd. 2. Voorgesteld door den Wel-Ed. Heer W. Proctor, onder- stund door den Wel-Ed. Hr. J. C. Gie, en op de voorgestelde verbetering van den Wel-Ed. Hr. J. Lettersteldt,

weder tegen objecteren. Er is een ander post, waarmede de kolonie door het Gouvernement te huis is belast geworden, "de kosten gemaakt voor den Salts van Johanna nelyk." Ik zou gaarne wenschen te hooren wat het volk van Engeland zoude zeggen, wanneer het vernam, dat groote sommen geld per order van den Secretaris van Staat, aan dien persoon zyn betaald geworden, waarmede hy een getal byzitten, en een vrouwen-hof in de kolonie heeft opgericht, en dat, op een tydtyd wanneer het Gouvernment te huis wegerde generale sommen toeestaan tot onderhoud van het daartelven christelyke kerken, — waaraan moet het volk deze Kolonie worden belast, voor het onderhoud van dat vrouwen-hof, en die byzitten? Hy hoopte dat Zyne Excellentie dit aan het Gouvernement te huis zou voorleggen, en dat de sommen dus betaald, mogen worden gerestitueerd. Hy zou in de derde plaats zinspelen op de Lyst der Pensioenen, waarover hy reeds zyne oogmerken, had te kennen gegeven, en waartegen, met betrekking tot versche- dene posten, by zong lang protesteren tot dat de Secretaris van den kant des Raads daartegen gedaan. Hy zou ook melding maken van het Rapport van het finantiel Comité, waerop als nog geen antwoord van het Gouvernement te huis was ontvangen. Hy hoopte dat Zyne Excellentie den Secra- van Staat op het gemeed zou drukken om dewegens tot een besluit te komen. Hy voor zickelven (en by gelooft dat zyne on-officiele vrienden van hetzelfde gevoelen waren), was begeert, het geheel der belasting, geheven wordende, op hoofd, vren inkomsten, enz. zoo spoedig mogelijk weg te doen. De gem. belasting was een, welke, terwyl grote kosten werden gemaakt tot den ontrant daarvan, slecht ingezameld werd. Inderdaad was zy in eenige opzichten in het geheel niet geheven geworden. Hy eindigde met zyne vaste hoop uitdrukkende, dat Zyne Excellentie de eerste ge- legenheid zou waarmaken, om de aandacht van den Secretaris van Staat voor de Kolonien, tot deze onderscheidene zaken te trekken. Hoopte dat ook Zyne Excellentie, als daar- stelling van de verbeteringen daarin zoude aanbevelen, zoo als by en zyne on-officiele vrienden ladden voorgesteld. De Gouverneur was begeert aan den Raad zyne volkomen bereidwilligheid te herhalen, om aan den Secretaris van Staat, enige zaak, welke de Raad wenschen mogte, voor- teleggen. De Edele Cioete gevelde zickelven verpligt met zynen Ed. vriend (den Ed. Ross) te protesteren tegen de lyst der Pensioenen, te meer daar dezelve vreeslyk toegenomen was van om trent £5,000 tot £10,000. Hy kon alleen zeggen, dat daar de vermeerdering gedeelyk veroorzaakt is geworden door den Kaffer-oorlog, het hem speet, dat er nog enige zeer vreedghelyken waren zonder het minst onderhoud. De Gouverneur, — De vermeerdering der Pensioen-lyst is niet voor Pensioenen, maar voor afgaende toelagen. De Secretaris des Gouvernements, — Vele bekwaame personen waren toegestaan hunne posten neerteleggen, door de veranderingen welke in 1828, teweeg ronden. De Gouverneur, — En gy zult het opgebracht zien, niet als Pensioenen, maar als afgaende toelagen. De Edele Cioete, — Maar zy zyn niet alleen van het jaar 1828; het speet hem die lyst met zulk een groote som te zien opzichten, maar als personen die nog in staat en bekwaam waren diensten te doen, en door wier aanstelling tot 1839 — dus staan zouden: —

De Secretaris des Gouvernements, — Hy kon alleen zeggen dat het Gouvernement volgaarne die lyst vermindert zoude hebben door aanstellingen, — maar dat partijen, de posten welke hen aangeboden zyn, niet wilden aannemen. De Edele Ross, lacht niet dat zy allen zouden weigeren, maar zy dit doen, dacht dat de toelagen ingetrokken. De Edele Cioete was klaarblyklyk van gevoelen, dat personen welke hun leven in de dienst des Gouvernements hadden doorgebracht, aanspraak hadden tot onderstand in hunne onderhoud, maar by referende alleen naar de pensioenen of toelagen, door de veranderingen in 1828, teweeg gebragt, vooral wanneer Zyn Ed. onder hen aantrof menschen die nog in staat en gewillig zyn posten aannemen, een situatie kon hun aangeboden worden, en met een vermeerdering van salaris konden zy aangemoedig wordten om dezelve aan te nemen. De Edele Ross, — Eene schets was door het Gouvernement te huis gemaakt, naar eenen pensioen worden toegelegd, welke redden hadden zy te huis daarvan afstapten, en den Heer Bentinck, zulk een hoog pensioen te geven, waarom hebben zy hem niet een pensioen volgens die schets toegelegd? De Gouverneur, — Ik weet het niet. De Edele Cioete, — Maar dit is niet alles; partijen zyn geplaatst geworden op afgaende pensioenen, tegen hunne wenschen, daar zy begeert waren te dienen. De lyst van pensioenen is zeer groot. De Gouverneur, — Ik moet zeggen, dat toen ik die lyst zag, ik verstonn was over het groote bedrag van pensioenen. De Secretaris des Gouvernements, zinspelende op de aanmerkingen betreklyklyk der belastingen, twyfelde, of het plan om alle belastingen daarvan door de middelen der Douane te heffen, en de Douane, zoudt in Engeland daar niets tegen te konnen hebben, waar, uit £44,000 Inkomsten, eens som van £30,000 door de Douane geconlecteerd werd. Zy zouden alleen aan de uitvoering eens grondbeginsels in deze Kolonie toegeven, dat zy thans ook in Amerika en in ieder handel dryvend land hebben opgevolgd. Hy herinnerde, dat in 1821, en naar huns gezonden; by had gehoord, dat het Gouvernement te huis daarin had toegestaan, maar het onderwerp had men laten varen. De Gouverneur, — Ik heb geen de minste objectie daarover te schrijven. De Edele Brink, — Het was naar huns gezonden en aan de kamer van kooplieden gerefererd voor hunne opinie; en hy dacht, dat huns wilspraak daartegen geweest was. De Edele Ross kon niet zien waarom deze kolonie niet zoude worden toegestaan dezelfde schaal van taxatie te volgen, als in de andere kolonien is toegestaan geworden, — Mauritius, Ceylon, Nieuw Zuid Wales en Guiana. De Gouverneur, — Het zal my altoos aangenaam zyn by het Gouvernement te huis, de wenschen van den Raad te onder- steunen, hetzyl ik van hun gevoelen ben of niet. De Edele Ross hoopte dat Zyne Excellentie op de zaak thans zal aandringen. Opgeschoort tot Zaterdag den 23 Febr. 1839.

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Bealoten, — Dat om zoodanigen invoer tot stand te brengen, het noodig zyn zou, dat eenige Maatschappij werde benoemd, de fondsen waarvan vercheeld zullen worden, in de deelen van £5. 3. Voorgesteld door den Wel-Ed. Heer W. Herman, onderstund door den Ed. M. van Breda, en besloten, — Dat zoodra zoodanigen ten bedrage van £100000000, met het getal zal worden gesteld in eenen Kaapstads Bank, op het Credit van den Tresorer der Maatschappij; en de bestierders (die door de Bestuurders zullen gekozen worden) daarop dadelyk schikkingen zullen maken, om den degenen invoer tot stand te brengen. 4. Voorgesteld door den Wel-Ed. Hr. J. A. van Breda, onderstund door Baron von Ludwig, en besloten, — Dat by de aankomst van zoodanigen invoer, het publiek zal worden verzoekt, zoodanige overeenkomst met vrye Arbeiders te treffen, als zy in staat zullen zyn tot stand te brengen, aan de Maatschappij terug betaaldende, paasende ledig en onkosten. 5. Voorgesteld door den Wel-Ed. Hr. en Mr. C. J. Brand, en onderstund door den Wel-Ed. Hr. W. Proctor, en besloten, — Dat het volte terugbetaald, op gelijke wyze worde gebruikt, — en zoo voort van tyd tot tyd. 6. Voorgesteld door den Wel-Ed. Hr. Erayer, onderstund door den Wel-Ed. G. Greig, en besloten, — Dat dese som niet te borengende een Schil- ling's maands, aan den Tresorer in der tyd, door de Maatschappij van elken vryen Arbeider, betaald word, om van zyn wenschen te worden afgetrokken, en daaruit een fonds voor zoodanige bejaarde Werklieiden, die alzo zyn ingevoerd, te vinden. 7. Voorgesteld door den Wel-Ed. Mr. Brand, onderstund door den Wel-Ed. Hr. J. A. van Breda, en besloten, — Dat het Comité van het Kaapsche Landbouwkundig Genootschap, verzocht word, om als een Pro- tection Comité met het Emiratie fonds dienend. 8. Voorgesteld door den Wel-Ed. Hr. G. G. Gie, en onderstund door den Wel-Ed. Hr. en Mr. C. J. Brand, en besloten, — Dat den Heer B. Norden, verzocht word, om de Leden van het Comité te zyn. Voorgesteld door den Wel-Ed. Hr. en Mr. C. J. Brand, onderstund door Baron van Ludwig, en besloten, — Dat het voorgestelde plan of besluit, genomen by de Maatschappij Byeenkomst van het Comité, gehouden op den 1 January 1839, te bevestiging hebbende op de voorgestelde harten weg, over de Kaapsche Vlieten en Duinen, in werking word gebragt, en dat Intekening lysten dien dien eende geopend worden. 9. Voorgesteld door Baron von Ludwig, onderstund door den Wel-Ed. Hr. C. J. Brand, en besloten, — Dat het zaadkorps voor rekening van dit Genoot- schap, onlangs uit de Vereenigde Staten aangebragt, ver- deeld word, om de Landbouwers van de Landbouwen- derze Kolonie te worden uiterlyk. Voorgesteld door den Ed. J. B. Edden, en onderstund door den Ed. Hr. F. Still, en besloten, — Dat deze Byeenkomst dank verschuldigd zyn aan den Voorzitter, voor zyn bekwaam gedrag als zoodanig en voor het belang hetzyl by om allen tyden in de landbouw kundige aangelegenheden der Kolonie, heeft aan den dag ge- geven. 10. Voorgesteld door Baron von Ludwig, onderstund door den Wel-Ed. Hr. Forbes Still, en besloten, — Dat een Landbouwkundig Maalryt, worde gegeven aan den Ed. Hr. Olijphant, voor zyn vertrek uit de Kolonie. De Heeren Advokaten Brand en Hofmeyr, verzocht zyde als stem-opnemers te ageren, en de looting voor beamte te worden opzede, werden de navolgende Heeren verklaard be- hoorlyk gekozen te zyn, nelyk: —

Comité. Ed. Hr. M. van Breda, Wel-Ed. Hr. W. J.

TO CORRESPONDENTS.

"Stutter," whose correspondence we have received, will bear from us in our next.—The "School Commission of Worcester" in our next; together with several other communications.

THE

ZUID-AFRIKAAN.

CAPE TOWN, MARCH 1, 1839.

Giving precedence to the different interesting reports inserted in to-day's paper, we have no space left for ourselves. We, however, steal a few lines, to quiet the anxiety of our community, and our friends in the Country, respecting the MEASLES.—Although increasing, it yet is still of a very mild nature, and in as far as we have been informed, no deaths have yet occurred in consequence.

The Governor, together with the Medical Board, have adopted necessary precautionary means, by establishing Hospitals, and dividing the Town into Medical Wards, to prevent as much as possible the evils arising from epidemic diseases. The poor are therefore provided for; and the regulations in the temporary Hospitals are of such a nature, that every Malay may safely allow himself to be removed to that place.

The Committee of the Town Municipality have held their Meeting on Wednesday last, with open doors, in the Town Hall, and have adjourned till this day at 10 o'clock. A Report of the proceedings will be found below. The Public will therefore evince what degree of interest they take in the proceedings, by attending those open Meetings of the Committee.

The New Consolidated Magistrate's Bill has, as we expected, been withdrawn; a report of the proceedings will appear in our next.

It is with great pleasure that we announce the honorable acquittal of Capt. STOCKENSTRÖM, by the Court of Inquiry, confirmed by the Secretary of State, of the charge of murder, committed on a defenceless and unarmed young Caffer. The Governor having read the different dispatches and opinions in Council, on the 23d last, we are preparing a Supplement, for the purpose of laying the whole before the Public, and which will be published on Saturday (tomorrow), at 12 o'clock.

TOWN MUNICIPALITY.

Wednesday, Feb. 27, 1839.

This morning the Committee, elected by the Public Meeting of Householders on the 21st ult., for the purpose of framing the necessary regulations for the intended town administration, met at 11 o'clock, for the purpose of constituting itself.

The honorable Mr. van Breda, having been elected as Chairman, and Mr. Advocate Brand and Mr. Attorney J. Reid, as joint Secretaries,—the following Rules were adopted:—

1. That every Member, wishing to speak on any subject, shall address himself to the Chair, standing; and no one be allowed to speak twice on the same subject, except in explanation; and that it be open to any one to speak in the English or Dutch language.

2. That any member, wishing to make a proposal or motion, shall submit the same in writing to the Chairman, signed by him, and be duly seconded by another Member.

Letters from Messrs. W. A. Wentzel, S. B. Venning, and J. P. Serrurier, were read, declining to accept the appointment of Members of the Committee.

A considerable discussion then ensued as to whether the Committee were empowered to call upon those whose names were on the reserved list to fill up the vacancies which have occurred by the above resignations, when it was decided in the affirmative by a majority of 14 against 8, and the Secretary was consequently directed to inform those gentlemen, whose names were at the top of the reserved list, of the vacancies, and to request their attendance at the next Meeting.

A proposal having after this been made to proceed to business, and adopted by a majority of 13 to 8.

It was then proposed and resolved, "that the number of eight Members of the Committee, shall form a quorum to transact business."

It was proposed and resolved, that the Committee should divide itself into three sub-committees, and that

1st. There shall be a Sub-Committee, to consist of 15 Members, 5 to be a quorum, for making out the different sets of qualifications, dividing the Town into Wards and districts, and making the valuation and classification, as directed in the Ordinance.

2d. There shall be another Sub-Committee consisting of 10 Members, 3 to be a quorum, for the purpose of framing the Regulations and Instructions for the Commissioners, Secretaries, Surveyors, and all other Officers of the Municipality.

3d. There shall also be a Committee consisting of 7 Members, 3 to be a quorum, for framing all the other Regulations, mentioned in the preceding sub-division, viz., about the paving and lighting of the streets, &c.

It was then resolved to adjourn till Friday next, the 1st of March, at 10 o'clock, for the purpose of electing those three Committees.—Adjourned.

Legislative Council.

TUESDAY 20TH FEBRUARY, 1839.

Present His Excellency the Governor and all the Members. N.B. The Council had been summoned not by advertisement in the Public Gazette, but by Circular, dated 18th February.

The Secretary to Government moved for the third reading of the Estimates, and stated, that the different Estimates had now been correctly cast up, the Estimates for 1839 would stand thus:

Table with columns for Revenue and Expenditure. Revenue: General Revenue of the Colony for 1839 estimated at £140,800; local revenue at £14,850; Making total Revenue 155,650. Expenditure: Western Division—Ordinary, 66,566 5 1; Fixed contingencies, 15,790 7 6; Unfixed ditto, 22,500 17 6; Total, 104,857 10 1. East Div.—Ord., 13,154 13 0; Fixed conting., 8,906 7 6; Unfixed ditto, 11,705 2 3; Total, 33,766 2 9. Local Expenditure, 12,811 13 0. Total Expenditure, 151,405 6 1. Leaving a balance in favor of Revenue, 4,244 13 11.

The Clerk of the Council read the Ordinance, "For applying a Sum not exceeding £151,405 6 1, to the service of the year 1839," which was passed.

SOMERSET ROAD.

Mr. Ross said he had received a petition of several inhabitants of the village of Somerset, complaining of the badness of the road, through the village, towards Sir Lowry's Pass,—he proposed that it might be repaired out of the allowance given, to the estimate, to Stellenbosch District.

Secretary to Government knew that road to be in a very bad state, and which might be repaired with a small sum,—in application for that purpose should be made to the Civil Commissioner of Stellenbosch;—the repairs, if required, will be made out of the allowances.

Mr. Cloete should like to see it again in the state in which it was 2 or 3 years ago.

MUNICIPALITY ORDINANCE.

Mr. Ebben referred to the Municipal Ordinance lately published, as passed by the Council, and observed, that it appeared that several Members of the Council were disqualified from voting at the Municipal Meetings, because they were residing at Rondebosch, although they had their stores and counting-houses in Cape Town; which he thought could not have been the intention of the Council, when they passed the Bill.

Mr. Cloete thought, if there were any doubt upon the subject, the question might be tried, the Ordinance having prescribed the means for trying it.—I, for my part, have no doubt, that any merchant who, altho residing at Rondebosch, conducts all his business in a counting-house within his own dwelling-house in Town, is, to all intents and purposes, a resident householder.

Mr. Breda.—The case of Mr. Ross is different from that of Mr. Ebben and Mr. Pillans.

Mr. Ebben observed, that the Municipality Meeting was going to take place to-morrow.

Mr. Cloete.—Then you may appear, and move before the Magistrate to be allowed to vote; that will give the Magistrate an opportunity of deciding the question.

Mr. Ebben read the 60 Clause of the Ordinance, and said that a voter, who was entitled to vote, had placed upon his lists of candidates for the Committee to be elected, amongst others, 4 names for whom he intended to vote, but who by this Clause happen to be disqualified from being so elected.

The Governor thought an Ordinance might be brought in to amend this Clause.

Mr. Cloete.—Of course, the question can only regularly be brought before the Council by an Ordinance.

Mr. Ross.—Does the Clause not speak of "proprietors."

Mr. Ebben.—It says "the occupier of a dwelling-house, either as proprietor or renter." I think after "dwelling-house" there should have been added, "or offices or stores."

Surely that must have been intended.

Mr. Cloete.—If the clause remains as it now stands it would surely disqualify a great number of the Members of Council, by whom it was never so intended.

PROTESTS AGAINST ESTIMATES.

Mr. Ross rose, and said, the Estimates having now passed, he would repeat formally his objection to certain charges which appeared in the expenditure, in the hopes that they may be represented to the home Government, and redressed. His first objection was against the expenses for the maintenance of the Chinese; he could not see why the people of this Colony had to maintain them; and the more he reflected upon it he thought they should not; What right had they at home to send them to this place to be forwarded to China, instead of sending them to St. Helena, where there they would not receive them at Bombay.

Secretary to Government (interrupting)—I have not said that they would not receive them at Bombay, but that the St. Helena Government have sent them here to be forwarded direct to China, and that we had no opportunity yet to do so, and I have also stated, that if we send them to Bombay we will have to pay the expenses, without knowing to what amount.

Mr. Ross.—My reasons for mentioning this, is, to show that we should not have been taxed with their maintenance. I hope this charge may not appear in the expenditure for the next year; and I say so in due time, that the home Government may have ample opportunity to relieve us from this expense. If it appear again on the Estimate I will certainly make a stand, and object to it. There is another item with which the Colony has been charged by the home Government, namely, the expenses made for the Sultan of Johanna and Saig. I should like to know what the people of England would say if they were to hear, that by order of the Secretary of State, large sums of monies had been paid to that person, with which he purchased a number of concubines, and established a Seraglio in the Colony; and this at a time when the home Government refused to sanction general sums for the support or establishment of Christian Churches. Why are the people of this Colony to be taxed for the support of a seraglio and those concubines? He hoped His Excellency would represent it to the home Government, and that the sums thus paid may be refunded. He would now, in the third place, allude to the Pension List, on which he had already stated his views, and against which, in respect of several items, he would so long protest until the Secretary to the Colonies should pay attention to the objections which the Council have made thereon. He would also advert to the report of the Financial Committee, to which no answer had been given by the home Government. He hoped His Excellency would press the Secretary of State to come to a decision thereon. He for himself (and he believed his Unofficial friends were of the same opinion), was anxious to have the whole of the assessed taxes done away with as soon as possible. The assessed tax was one which, while a great expense was incurred for its collection, was badly collected; in fact, in several instances they have not been collected at all. He concluded by expressing his confident hope that his Excellency would take the earliest opportunity of pressing upon the consideration of the Secretary of State for the Colonies these different matters. Hoping also that His Excellency would recommend the adoption of those amendments thereon as he and his Unofficial friends have submitted to the Council.

The Governor wished to repeat to the Council his perfect readiness to represent to the Secretary of State any case the Council might wish.

Mr. Cloete then himself called upon to join in the protest of his friend (Mr. Ross) in respect of the Pension List; the more so, as it has fearfully increased, from about £5000 to £10,000. He could only say, that while the increase was partly occasioned by the Caffer war, he regretted that still there are some very deserving who are without a pittance of support.

Governor.—The increase in the Pension List is not for pensions, but for retiring allowances.

Secretary to Government.—Many persons who were competent were allowed to retire, on account of the changes which took place in 1828.

Governor.—And you will see it charged, not as pensions, but as retiring allowances.

Mr. Cloete.—But they are not all of the year 1828; he regretted to see that list filled with so large a sum, paid to persons who are still able and competent to perform duties, and by whose employment the list might be reduced.

Secretary to Government.—He could only say that Government would gladly have made the reduction by appointments, but parties were unwilling to take the situations offered.

Mr. Ross did not think they would all refuse, but if they do so, let the allowance be withdrawn.

Mr. Cloete was clearly of opinion, that persons who had passed their lives in the service of Government, were entitled to a support in their worn out life; but he only referred to the pensions or allowances occasioned by the changes in 1828, particularly when he found amongst them those who are still able and willing to accept offices. A tender of a situation might be made to them, and with an increase of salary they might be induced to accept it.

Mr. Ross.—A scheme was adopted by the home Government, upon which pensions were to be awarded; what reason had they at home to deviate from it, and give Mr. Bentinck so large a pension, why did they not allow him a pension according to that scheme?

Governor.—I do not know.

Mr. Cloete.—But this is not all; parties have been placed on retiring pensions, against their will, while they were willing to serve. The list of pensions is enormous.

Governor.—I must say, that when I saw the list, I was struck at the enormous amount of pensions.

The Secretary to Government, advertising to the observations made on the taxes, was in doubt whether the plan to give up all assessed taxes, and collect others through the customs, would meet the approbation at home.

Mr. Ross thought they could not object to it in England, where out of £14,000 Revenue, a sum of £30,000 was collected from the Customs. They would only consent to an execution of a principle in this Colony, which they adopt at home, and also in America, and in every commercial country.

He remembered that a scheme of a similar taxation had been made in 1821, and sent home; he had heard that the Government at home had consented to it; but the subject was dropped.

Governor.—I have not the slightest objection to write about it.

Mr. Brink.—It was sent home, and referred to the Board of Trade for their opinion; and he thought they had decided against it.

Mr. Ross could not see why this Colony should not be allowed to adopt the same scale of taxation as have been allowed in the other Colonies,—the Mauritius, Ceylon, New South Wales, and Guiana.

Governor.—I shall always be most happy to support before the home Government the wishes of the Council, whether I disagree with them or not.

Mr. Ross hoped that his Excellency, should press the matter at home.

Adjourned till Saturday, 23th Feb.

AGRICULTURAL SOCIETY.

We have the pleasure in laying before the Public the proceedings of the Society, at its Annual Meeting, held on the 13th February last, in the Commercial Exchange.

The hon. A. Oliphant, Esq., having been called in the Chair, shortly stated that the meeting was convened for the following purposes, viz.:

1. To receive the Annual Report of the Committee, to elect a new Committee and other Officers Bearer for the present year, and to examine the accounts of the Society.

2. To receive the report of the Judges appointed to examine the several samples of Wool, sent for competition for the Western and Eastern Prize Cups, and to declare to the Meeting the successful Competitors of those prizes.

3. To adopt certain Resolutions for the importation of free Laborers into this Colony.

4. To make the necessary arrangements for carrying into effect the Resolution passed at the monthly meeting of the 9th January last, relative to the projected hard Road over the Cape Flats and Downs.

The Chairman having thereupon read to the Meeting the Society's Advertisement about the Wool Prize Cups, and having also requested the Secretary to open the Certificates of the Judges, it was found that the sample marked "Perseverer," was entitled to the £50 Wool Prize Cup, and the sample marked "R. S.," to the Eastern Cup, of £20 value; and the letters accompanying those samples, and corresponding with the marks, having been opened, it proved to belong, the first to the firm of Reitz, Breda, Joubert, & Co., and the latter to William Joseph, and Rice Smith, who were thereupon declared the successful competitors.

There were nine samples of wool for the Western Cup, marked (T. L.) (A. 1839), (E. R.), (Fair Field, and no Favor), (W.), (M.), (Cape of Good Hope, February, 1839), (Perseverer) and three for the Eastern Division, marked P. Q. R. S. and Challenge.

The Chairman hereupon read to the Meeting the Annual Report of the Committee.—It was moved by the hon. M. van Breda, seconded by Baron Ludwig, and resolved,

That the Report be received and approved.

The Treasurer also laid before the Meeting an account of the Society Fund, showing a balance in favor of the Society, of £12 7 0.

The following Resolutions were proposed, and unanimously carried:—

1. Moved by J. C. Gie, Esq., seconded by Baron von Ludwig, and resolved,—

Resolved—That it would be beneficial to this Colony, that an importation of Madagascar, Mosambique, or other free laborers, be brought into the country.

2. Moved by W. Proctor, Esq., seconded by J. C. Gie, Esq., and upon the proposed amendment of J. Letterstedt, Esq., resolved—That for the purpose of effecting such importation, it is expedient that a Company be formed, the stock of which shall be divided in £5 shares.

3. Moved by W. Herman, Esq., seconded by the hon. M. van Breda, and resolved,—

Resolved—That as soon as shares to the amount of £1000 are taken, the money shall be paid into any of the Cape Town Banks, to the credit of the Treasurer of the Company; and the Directors (who shall be chosen by the Shareholders) shall thereupon make immediate arrangements for effecting the first importation.

4. Moved by J. A. van Breda, Esq., seconded by Baron von Ludwig, and resolved,—

Resolved—That on the arrival of such importation, the public shall be invited to make such agreements with the free laborers as they may be able to effect, in repaying to the Company their passage money and expenses.

5. Moved by C. J. Brand, Esq., L.L.D., and seconded by W. Proctor, Esq., and resolved,—

Resolved—That the clear sum repaid be again invested in similar manner, and so on from time to time.

6. Moved by Fryer, Esq., seconded by G. Greig, Esq., and resolved,—

Resolved—That a sum not exceeding one shilling a month shall be paid by the master of each free laborer, to be deducted from the laborers wages, to the Treasurer for the time being, for the purpose of forming a Fund for the sick and aged laborers so imported.

7. Moved by C. J. Brand, Esq., seconded by J. A. van Breda, Esq., and resolved,—

Resolved—That the Committee of the Cape Agricultural Society be requested to act as a Provisional Committee of the Emigration Fund.

8. Moved by G. Greig, Esq., seconded by C. J. Brand, Esq., and resolved,—

Resolved—That Mr. B. Norden be requested to be one of the Committee.

9. Moved by C. J. Brand, Esq., seconded by Baron von Ludwig, and resolved,—

Resolved—That the proposed plan or Resolutions, passed at the Monthly Meeting of the Committee, holden on the 9th January last, relative to the projected hard Road over the Cape Flats and Downs, be carried into execution, and that Subscription Lists be opened for that purpose.

10. Moved by Baron von Ludwig, seconded by C. J. Brand, Esq., and resolved,—

Resolved—That the Seed Wheat lately imported from the United States on account of this Society, be distributed among the Members of the Society, for the purpose of being distributed amongst the Agriculturists in this Colony.

11. Moved by the Hon. J. B. Ebben, Esq., seconded by F. Still, Esq., and resolved,—

Resolved—That the thanks of this Meeting are due to the Chairman, for his able conduct in the Chair, and for the interest he has at all times evinced in the Agricultural interests of the Colony.

12. Moved by Baron von Ludwig, seconded by Forbes Still, Esq., and resolved,—

Resolved—That an Agricultural Dinner be given to Mr. Oliphant on his approaching departure from the Colony.

Messrs. Advocates Brand and Hofmeyr having been requested to act as Scrutinizers, and the ballot for Office Bearer having been closed, the following gentlemen were declared to be duly elected, viz.:

Hon. M. van Breda, Esq., Hon. J. B. Ebben, Esq., T. F. Dreyer, Senior, Esq., Hon. H. Ross, Esq., Captain J. Vanrenen, Hon. H. Cloete, Esq., J. L. Herman, Esq., J. de Wet, Esq., L. L. D., Hon. C. S. Pillans, Esq., A. Chippinini, Esq., Hon. J. B. Ebben, Esq., Baron von Ludwig, L. Liesching, Esq., M. D. J. J. L. Sauts, Esq., D. G. Eksteen, Esq., C. J. Brand, Esq., L. L. D., J. A. van Breda, Esq., J. H. Hofmeyr, Esq., Hon. C. S. Pillans, Esq., F. S. Watermeyer, Esquires.

GOVERNMENT NOTICE.

At the suggestion of the Colonial Medical Committee. His Excellency the Governor has been pleased to approve of the division of Cape Town into thirteen Wards, each under the superintendance of a Medical Practitioner, for the better observation and treatment of the Measles now prevalent in the place.

It will be the business of these Gentlemen, who have handsomely proffered their services on this occasion, and whose names are mentioned with their respective Wards, to discover and prescribe for these poor persons attacked by the disease, who are unable to pay for medical advice and treatment; to send to the temporary Measles hospital, established for the purpose, such of them as are houseless or too much crowded together in their lodgings; and to take such measures as they shall deem proper for the disinfection of the houses so occupied. The necessary medicines, &c., will be furnished by Messrs. Pallas & Poleman, on orders signed by the Medical Superintendents,—such orders being issued for poor persons only.

It being of the utmost importance that the cleanliness of the Town should be particularly attended to on this occasion, the Superintendent of Police has already received Instructions to devote the whole of the means at his disposal to that object; but as those means are inadequate to its immediate accomplishment, His Excellency trusts that the Inhabitants will cheerfully contribute their aid for a purpose so desirable and on which many lives may depend.

His Excellency is happy to receive the assurance that the Disease has shown itself in a very mild and modified form, and that no death has resulted from its attack,—and not a single case has occurred. If it shall hereafter assume a more malignant character, it will most probably have done so from a reckless disregard of the simple precautions here enjoined, and the simple mode of treatment which the complaint requires.

The Colonial Medical Committee will sit every Monday during the continuance of the disorder; and the Medical Superintendents are requested to send in their weekly reports, stating its progress, to the Committee, early on that day.

Colonial Office, Cape of Good Hope, Feb. 21, 1839.

By Command of His Excellency the Governor, (Signed) JOHN BELL, Sec. to Govt.

Wards alluded to in the foregoing Advertisement.

Ward No. 1, Dr. Chippinini.—Beginning with the jetty and including every street and lane between Strandstreet and the sea, as high up as where it is crossed by Loopstreet.

Ward No. 2, Dr. Brown.—Beginning where Ward No. 1, ends, and to continue up Strandstreet as far as the late place of execution, including every street, lane, or house, and part of Somerset Road between that and the sea.

Ward No. 3, Dr. Bickelsteth.—To include all that part of Upper Town beyond Buitengracht, till where it is crossed by Shortmarktstreet, at the corner of Mr. Buyskes' house.

Ward No. 4, Dr. Mader.—To begin from Mr. Buyskes' house, including Walendorp, and the remainder of that upper part of the Town towards the Lionshead.

Ward No. 5, Dr. Frankel.—To take in Castlestreet, Houtstreet, and Shortmarktstreet, from the Heerengracht to Buitengracht, including the intermediate streets.

Ward No. 6, Dr. Laing.—Longmarktstreet, Churchstreet, Walstreet, to Buitengracht, including Hotentotensquare and intermediate streets.

Ward No. 7, Dr. Liesching.—Dorpstreet, Leuwentstreet, Peppertstreet, and Bloemstreet.

Ward No. 8, Dr. Hiddingh.—Keeromstreet, Newstreet, Vredelburgstreet, Buitencingel, Kloof and Orangerestreet.

Ward No. 9, Dr. Ahrens.—St. Johnstreet, Hoepstreet, Lane and Rooke lek, Stalplein, Roelandstreet, and the upper part of Buitenkant.

Ward No. 10, Dr. Fleck.—Boomstreet, Pleinstreet, Leliestreet, Barrackstreet, Ziektestreet, Mosterstreet, and Caledonsquare.

Ward No. 11, Dr. Montgomery.—Lower part of Buitenkant, Irish Town, Constitution Hill, Harringtonstreet, down to the Castle bridge.

Ward No. 12, Dr. Bally.—Heerengracht, Keizersgracht, Gravestreet, Churchsquare, and lower end of Longmarktstreet.

Ward No. 13, Dr. Somerville.—Every street, lane, or house between the Castle ditch and the upper and lower Toll.

The Gardens, Dr. Abercrombie.

For the temporary hospital, Drs. Pappé and Havinga van Zweel.

Her Majesty's Victualling Office.

23rd February, 1839.

NOTICE is hereby given, that Tenders and Samples will be received at this Office, till noon on Saturday, the 16th of March next, (when parties tendering, or some person on their behalf, are requested to be present), for 56,000 pounds of Biscuit, and 20,000 pounds of Flour, for the use of Her Majesty's Navy.

The Tenders must express the price sterling for Biscuit, at per 112 pounds, and Flour, at per 100 pounds English weight, in words at length, and also the period of delivery.

The names of two responsible persons must be proposed in the Tenders, as securities for the due fulfilment of the Contract.

RECEIVED by the Ship "Elizabeth," best white Java Soap and Table Rice, Rattans, Sugar in casks, Mace, Nutmegs, Pepper, Sugarcandy, Tamarinds, &c. &c.

And per Catherine, 3300 bags best white Patna Rice, &c. For sale at the Stores of the "Tandri Maatschappij."

Daily expected, the Schooner "Coch," with a select cargo of Wagonmaker's Wood.

Stinkwood Logs for sale, at 2 Rds, and 2 skillings per cubic foot.

WRECK "TRAFALGAR."

ON Monday Morning, 4th March, at 11 o'clock precisely, will be sold on the Beach, near Three Anchor Bay, such part of the Cargo and Wreck, washed up and recovered, consisting of Blankets, Chintz, Cloth, Wine, Beer, Planks, Beans, Masts, Spars, Sails, Cordage, and Firewood, &c. &c., without Reserve.

JOHN BLORE, Auctioneer.

Cape Town, Feb. 28, 1839.

Public Sale

By the Auctioneer Mr. J. DE VREYE.

THE Undersigned having disposed of his House, in Plein street, by private Contract, will cause to be sold on Monday the 4th of March, and if necessary on the following day, without the least Reserve, the whole of his Stock and Trade, consisting of Cloth, Duffe, Moleksins, Chintz, Linnen, Fannels, Bay, Gros de Naples, &c., &c.—Also, Coffee, Sugar, Rice, Raisins, Oil, Window-glass, and what further will be offered for sale.

Stellenbosch, Feb. 27, 1839.

C. M. PETERSEN.

N.B. At the above Sale will likewise be sold in Commission, all sorts of Household Furniture, consisting in Tables, Chairs, Bedsteads, Bedding, fine Carpets, and several other Articles.

Mr. J. WEGE, Vendue Adm.

BUILDING LOTS AT WYNBERG.

SOME BUILDING LOTS, situate in the centre of the Village of Wynberg, being parts of the Church ground, belonging to the Dutch Reformed Congregation of that place, will be sold on the spot, on Monday the 19th March, 1839,—and liberal Strykmoeny given.

Wynberg, Feb. 25, 1839.

J. J. CRUIWAGEN, Act. Scriba.

Amateur Theatre.

IN the course of this month (the day to be fixed hereafter), will be sold publicly, at the Theatre, all the elegant Furniture and Decorations, made in this Colony by the best workmen in that line, consisting of all the scenery, with the Lines and Rolls thereto belonging; as also the elegant and expensive Costumes, and valuable collection of Books, belonging to the Amateur Company "Tot Nut en Vermaak."

Wreck of the "Protee,"  
MUIZENBURG.  
TO BE SOLD BY PUBLIC AUCTION,  
BY  
MR. BENNINGFIELD.

ON Friday, the 8th of March, at 10 o'clock,  
the whole of the Cargo saved from the French brig  
"Protee," now lying on Muizenburg beach, consisting of  
22 casks of 180 and 252 gallons each, 35 bundles of Hoops;  
Provisions, Beef and Pork, Beans, Butter, &c.; Windlass,  
Bowsprit, Yards, Spars, Pumps, Rigging, and Ropes; Try  
Pots, Furnace Works, Fire Bricks, ship Copper and Cooking  
Utensils, together with an infinity of Building Materials, all  
European Oak and completely new, the Vessel having been  
built within the last 5 months.

Further particulars may be had of the Auctioneer, Zieker-  
street, Cape Town.

PUBLIC SALE OF LANDED PROPERTY.  
THE Undersigned, duly authorized thereto,  
will cause to be Sold by Public Auction, on Tuesday,  
the 5th of March next, at 11 o'clock in the Forenoon, the  
most desirable and pleasantly situated Landed Property, be-  
longing to THOMAS DAVID RICHARDS, Esq. (who has removed  
to Caledon), consisting of a strong-built and very  
convenient House, Store, and Premises, situated on the Tun-  
plein.

This Property has lately been thoroughly repaired and  
improved.  
It will be put up first in two separate Lots, by the Rise and  
Fall, and afterwards in one Lot, by the Fall only.

The Conditions will be made favorable to Purchasers, and  
may be known by visiting the Property, where the  
Diagrams and Title Deeds are also to be seen.  
This Property is in the mean while for Private Sale.  
E. A. BUYSKES, q.c.  
Cape Town, Feb. 21, 1839.

WYNBERG.  
LANDED PROPERTY.  
LIEUT.-COLONEL ROGERS, purposing  
to leave the Colony very shortly, wishes  
to dispose of his Property at Wynberg by Private Contract,  
either the whole together, or in divisions.

Persons who may be desirous of viewing this fertile and  
beautiful Estate, are invited to take an early opportunity of  
doing so, as in the event of its being hereafter disposed of by  
Public Sale, the Garden and enclosed Grounds will not then  
be opened to the Public, but the Sale will be held on some  
convenient spot outside those Premises.

Application may be made to the Proprietor on the Spot, or  
in Cape Town.  
Springfield, 6th February, 1839.

FREEHOLD PROPERTY AT RONDE-  
BOSCH,  
4 Miles from Cape Town.

MR. JONES will sell by public Auction, on  
Monday, the 4th day of March next,  
ON THE PREMISES,  
Mr. DICKSON'S Freehold Estate, comprising a modern built  
House, erected by Major MICHAEL about six years ago,  
suitable for the accommodation of a large Family, with every  
 requisite Out-office, Stabling, Coach-house, Servants' Apartments,  
Porch, and a well known Garden of 5  
 Acres, planted with choice Fruit Trees, and in high cultivation.

The House is under a tiled roof, with a Teak Wood  
Verandah, and a Kitchen under a flat Roof, fitted up in the  
most approved style with Hot Water, English Range & Oven.  
At the same time the whole of the Furniture comprising  
Pebony, Rosewood, and Mahogany Chairs, Tables, Bedsteads,  
Dinner and Breakfast Services, Kitchen Utensils, a new  
Lantern by Holditch, a Stanhope Spring Cart, and two  
South Sea Carts, also three Horses, two of which go well either  
in double or single harness.—The Carpets, window Curtains,  
&c. are all of the most pattern and recently imported  
from England.

MR. DE SMIDT, going to Europe, will hold  
a Public Sale on the 20th March next, of his Landed  
Property, in the following manner:  
1. The present House and Garden Myrtle Hedge, in  
Constitution street, let to a very respectable Tenant for two  
years.

2. That valuable and pleasant corner House in Harrington-  
street, really fit for all kinds of Trades, lately the Property  
of Mr. BIANCHI, now put in the highest order, with a nice  
Garden, Coach-house, Stable, Servants' Rooms, &c. &c.  
to be sold in two lots.

The Furniture will be sold in April, on a day to be fixed  
hereafter.—The above are in the mean time for private sale,  
and can be had by inspection.  
Cape Town, 14th February, 1839.

HOUSE FOR SALE.  
THE Undersigned, intending to diminish  
her Affairs, offers for Sale, by Private  
Contract, her well-known and very convenient Dwelling-  
house, in Breede-street, No. 17, comprising upstairs 5 spacious  
rooms and hall, very roomy, with a pleasant view; on the  
ground floor two large parlours, also a dining and drawing  
room, a spacious hall, divided by a porte brice, a room for  
ironing, pantry and kitchen, a cool cellar, in which 40  
leaguers may be placed, a servant's room, an apartment in  
which to keep provisions during summer, a stable for at least  
12 horses, and which may be enlarged by taking down a  
one stone wall, whereby 20 horses may be stabled, a court  
lay and chaff pits, as also a private water-leading, over-  
shadowed by vines, lead over the same; fowl, duck, and  
game houses, besides a few other apartments.

This House is principally built with teak wood, and, from  
its well known situation, very well adapted for carrying on an  
extensive trade.  
The Conditions of Sale will be made very acceptable.—  
Further information may be had with the Undersigned, or  
with the Widow F. PRELLER.  
Cape Town, March 1, 1839.

Public Sale in the Estate of the Late Mr. LAM-  
BERTUS VAN SITTERT, Senior.

THE Undersigned, Testamentary Executor in  
the above Estate, will cause to be publicly sold to the  
highest Bidder, on favorable terms, according to conditions  
of Sale, on Monday, the 11th of March next, at 10 o'clock  
in the forenoon, the whole of the Effects belonging to the  
Estate of the late Mr. L. VAN SITTERT, Esq., consisting of a  
roomy Dwelling House, situated in Peppercorpe street, No. 2, with  
a Garden at the back, and annexed double storied back-gate,  
of 7 1/2 feet wide, and 32 foot long, well adapted for the  
stabling of Horses, or for a Coach house;—said House is  
replete with every convenience, has a private Water-leading,  
and is well situated, in consequence of its free situation and  
fine Garden, for any person wishing to establish his residence  
in Town.

Likewise all sorts of Furniture, as a beautiful Cabinet,  
Tables, Chairs, Bedsteads, Bedding, Mirrors, Gold, Silver,  
plated, copper, glass, and Earthenware, Kitchen Utensils,  
&c. &c. No.  
Said House may be viewed on Friday and Saturday, the  
8th and 9th March next.  
Liberal Strykmoney will be given.  
A. BRINK, Cs., Test. Exor.  
Cape Town, Feb. 19, 1839.

HOUSEHOLD FURNITURE, CHIMNEY,  
PIER, & TOILET GLASSES, &c. &c.  
CONSTANTLY on Sale, at the Store of the  
Undersigned, a large assortment of new and second-hand  
household Furniture, of every description.

R. H. ARDERNE, Church-square.  
Houses or single Rooms Furnished on Hire, at a very  
short notice.

WRECK OF THE TRAFALGAR.  
THIS Morning, at H. M. Custom-house, will  
be Sold for account of whom it may concern, sundry  
Cargo and Stores, landed ex wrecked ship *Trafalgar*.  
BORRADIALES, THOMPSON, & PILLANS, Agents.  
ELLIOTT BROTHERS, Auctioneers.

AMERICAN TIMBER.  
THE first Public Sale, of the *Harold's* cargo  
of Building Timber, consisting of Boards, Planks, &  
Beams, will take place on Friday Afternoon, on the Beach,  
near the Post Office.  
ISAAC CHASE.

NEGROHEAD TOBACCO.  
THE Undersigned has received per *Harold*  
an investment of Negrohead Tobacco, which is for  
sale in lots to suit purchasers.  
ISAAC CHASE.

CIGARS.  
ON SATURDAY Morning next, at Messrs.  
ELLIOTT BROTHERS, will be sold a lot of Prime  
American Cigars, received per *Harold*.  
ISAAC CHASE.

Public Sale of Household  
Furniture, &c.  
THE Undersigned duly authorized will cause  
to be publicly sold on This Morning, the 1st March, at his  
former Residence, No. 27, Strand street, next to Mr. POL-  
KEMAN, a few articles of Household Furniture, consisting  
of Mahogany Sofas, Chairs and Tables, large gilt Mirrors, stink-  
wood Tables, Chairs and Wardrobes; likewise Glass,  
Earthenware, &c. J. T. JURGENS, q.c.  
Cape Town, Feb. 21, 1839.

WILKINSON'S GUNS.  
RECEIVED a few of WILKINSON'S highly  
finished double and single barrel Guns, in strong  
brass-bound Cases, with apparatus complete; also Farmer's  
highly finished double and single barrel long Guns, with  
Flint Locks.  
R. CLARENCE, General Store.  
4, Keizersgracht.

N.B.—Messrs. WILKINSON & SON beg leave to inform  
Gentlemen purchasing Guns of their Manufacture, that all  
Guns having their Names engraved on them, are Warranted  
*Twisted Barrels, strongly proved, the Locks highly finished,*  
and every part carefully examined, before they leave their  
Factory.

Messrs. W & SONS have exported their Guns to Mr. R.  
CLARENCE, of Cape of Good Hope, for several years, and  
with confidence recommend them to the most timid  
Sportsman.—No instance of a Barrel bursting has ever come  
to their knowledge.

AT a Public Sale to be held in Worcester, by  
Mr. William Harris, on Monday, the 4th of March  
next, there will be Sold, Without Reserve, for account of the  
Undersigned, the following Goods:—Cloths, various, summer  
do., Trousering and Waistcoating of all descriptions, fine  
Shirting and Shetland, Linen, white and brown Biffras, Checks,  
Chambray, Voerdracht, superior white Shirts, with linen col-  
lars, fronts, and ribbons; Hosiery of all descriptions, silk  
and cotton Shawls of various qualities, silk and Challi Aprons  
and Reticles; also, one case of *Straw Bonnets*; likewise  
Bridles and Saddles, Ironware of all description, Jewellery in  
great variety, ladies' Work-boxes do.; and one case of col-  
ored shooting Prints, in handsome gilt frames, and a numerous  
assortment of other Goods, too numerous to mention.  
JOHN DIGNAM.  
14, Burg street, Cape Town, Feb. 21, 1839.

PUBLIC SALE.  
MESSRS. NICOLAAS D. LOMBARD, and J.  
S. RAUBENHEIMER, intend to put up by Public Auction,  
on the 16th April next, at the Farm of Mrs. the Widow  
M. MULLER, at Krombeks River, the following effects, viz.:  
150 Oxen and breeding Cattle,  
100 saddle and breeding Horses,  
1 Wagonmakers Shop,  
2 Smiths forges complete,  
4 new Ox wagons,  
1 second hand ditto.

Wagonmakers' and other Wood, Celler Implements, a  
brandy Still and Apparatus, nearly new, Household Furniture,  
and what further will be exposed; as also, for account of M.  
MULLER, Jr., 12 draught and saddle Horses.  
J. C. EKSTEEN, Auctioneer.  
Siedendam, Jan. 19, 1839.

CAPE OF GOOD HOPE FIRE ASSURANCE  
COMPANY.  
NOTICE TO SHAREHOLDERS.  
THE Shareholders are requested to take  
Notice, that a Dividend of £2 10 per Share will be  
payable at the Company's Office in the Heerengracht, on  
Friday, the 1st of March next, and following days.  
The Shareholders will be required to produce their Certifi-  
cates, when they receive their Dividends.  
By Order of the Directors,  
R. W. EATON, Sec.  
Cape Town, 20th February, 1839.

19,500 GULDERS.  
THE above sum, belonging to *Fidei Commis*  
Heirs, can be obtained on interest, on application to  
Mr. J. J. BRUGGERS, at 24 Rivers, or to  
P. J. ROUX, Ps.  
No. 4, Wale-street, Cape Town.  
Also can be obtained on interest, a sum of 20,000  
Guldens.

ADVERTISEMENT.  
THE Committee of the Churchwardens of  
D'Urban, will attend on the 5th March next, in the  
Vestry-room of said Church, from 9 to 11 o'clock, A.M.,  
for the purpose of receiving Tenders for repairing and white-  
washing, with good stone lime, the in and outside of the Church  
Buildings and surrounding Wall, including the P. rsonage and  
Clerk's Dwelling;—on which day the Tenders will be opened,  
and the work awarded to whomsoever shall have made the  
most acceptable offer.  
A. J. LOUW, Elder.  
D'Urban, Feb. 13, 1839.

SLAVE COMPENSATION CLAIMS.—The Undersigned  
will Purchase or Receive Powers to recover Compensation  
Claims.—Persons requiring Cash in advance may have  
the Amount they require at a moderate rate of Interest.  
HAMILTON ROSS & Co.  
ENTABLISHED 1831.  
Capital £30000.

ANTONIO CHIAPPINI, Esq., Chairman.  
D. E. OYERBROEK, Esq., Deputy-Chairman.  
GABRIEL JACOB LOEFLER, Esq.  
JOHAN COENRAAD GIE, Esq.  
SAMUEL OLIVER, Esq.  
R. A. ZIEBERBERG, Esq.  
J. P. JURGENS, Esq.  
D. W. HERTZOG, Esq.  
F. S. MERRINGTON, Esq.  
J. G. MEYBURG, Esq.  
J. DEANE, Esq.  
Caj. van YANRENNEN.  
AUDITORS:  
P. G. WATERMEYER, Esq.  
A. H. HOFMEYER, Esq.  
PHYSICIAN,  
Doctor SAMUEL BAITLEY.

Present's Rate of Fire Premiums:  
First Class, ..... 2s. 6d per £100  
Second Class, ..... 2s. 8d per £100  
Third Class, ..... 3s. 0d per £100  
Fourth Class, ..... 3s. 2d per £100  
Special Assurances according to the nature of the risks.  
P. S. WATERMEYER, Secretary.  
No. 10, St. George's-street.

South African Bank.  
Directors:  
F. S. WATERMEYER, Esq., Chairman.  
J. H. VAN RENNEN, Esq.  
J. H. WICHT, Esq.  
P. M. BRINK, Esq.  
By more immediately useful, ISAAC CHASE, Esq.  
ISAAC CHASE, Esq.  
J. A. BAM, Esq.  
W. J. HERMAN, Esq.  
W. G. ANDERSON, Esq.

THE following are the leading principles of  
this Establishment:—  
Not being a Bank of Issue, as at present constituted, and  
consequently not issuing Notes of its own, it abstains from  
all interference with the Currency of the Country.  
Its large Proprietary ensures the most undeniable security  
to its Customers.

It observes inviolable secrecy as to the accounts of Individ-  
uals, a declaration in writing to that effect, being signed  
by all persons connected with its management.  
It gives the Proprietor who keeps an Account with the  
Bank the advantage of realizing a profit out of his own trans-  
actions with it.

It affords every possible facility and accommodation to the  
Public within the bounds of prudence and caution.  
By keeping early Office hours, it endeavours also to render  
itself more immediately useful to that part of the Agricul-  
tural interests of the Colony, who dispose of their Produce  
at the Town Market early in the morning.  
F. S. WATERMEYER, Chairman.

'Board of Executors.'  
ADVERTISEMENT.  
THE Undersigned, have the honor hereby to  
notify to the Public, that, under the Provisions of a  
Deed of Partnership, executed on the 22d of August last,  
they have been duly nominated, as Directors of the Society,  
established by Fifty Shareholders, under the  
name and title of "BOARD OF EXECUTORS," for ad-  
ministering and Settling Estates and also for administering  
foreign agencies.

The Principles and Regulations of the said Board are  
shortly the following:—  
1. The "Board of Executors" consists of Fifty Shareholders,  
all persons accredited and possessed of landed property in this  
Colony.  
2. The "Board of Executors" has established a Fund of  
*Ten Thousand Pounds Sterling*, consisting in amply secured  
Mortgage Bonds, placed in the hands of the Directors, as a  
Guarantee for their Administration; which Fund shall be  
increased, according to the increase of the business.  
3. No Shareholder shall hold more than one Share.  
4. Agents shall be appointed in the Country Districts, to  
assist the Directors in settling Estates, in which such assistance  
may be required, and according to circumstances.  
5. The "Board of Executors" shall charge for their Adminis-  
tration, the ordinary and lawful Salary or Commission, to  
which Executors and Guardians are entitled.  
6. The affairs of the Board shall be directed and adminis-  
tered by Five Directors, to be chosen yearly from among the  
Shareholders; and with the assistance of the necessary offi-  
cers, appointed as Executors, Administrators, Guardians, or Curators,  
of the said Estates, and all their acts and doings are placed  
under control of the Shareholders, who, for that purpose,  
shall meet four times yearly, in a General Meeting.  
7. No two Persons, carrying on Business as Partners in  
any Firm, and no two Persons related within the third degree  
of consanguinity, shall be allowed, to sit in the same direction,  
and no Director shall have any Vote or Sitting in any case  
involving the Estate or Interest of any Co-partner, or Relat-  
ive, within the aforesaid third degree of consanguinity, but  
another Shareholder shall be chosen to act in every such case.  
8. The Directors shall meet once in each week or oftener  
if necessary.  
9. The "Board of Executors" remains responsible and liable  
to the Public, for their acts, in the same manner and to the  
same extent as other Executors, Administrators, or Guardians.  
10. The business of the "Board of Executors" shall consist  
in administering Estates, to which they may, by last Will, be  
appointed as Executors, Administrators, Guardians, or Curators;  
as also in administering foreign Agencies, or affairs of  
Persons leaving, or being absent from the Colony; which  
appointment, by expressing the names of the Directors, for the  
time being, or the Secretary,—as near as possible in the form  
hereinafter mentioned,—will be of full force and effect.  
11. The Directors are charged, as soon as possible, to  
apply to the Legislative Council, to have the provisions  
contained in the said Deed of Partnership, converted into an  
Ordinance.  
The Directors are ready to commence business, which will  
be carried on provisionally at No. 1, Burg-street, the House  
of Mr. Advocate HOFMEYER, who acts as Secretary to the Board.  
FRED GODFRIED WATERMEYER, Esq. will act as Book-  
keeper, and also provisionally as Cashier.

DIRECTORS.  
Hon. H. CLOETE, Esq., Chairman.  
G. H. MAASDORP, Esq.  
W. M. G. DANIEL, Esq.  
AND BRINK, Esq.  
J. A. H. WICHT, Esq.  
J. H. HOFMEYER, Esq., Secretary  
Office of the Board of Executors,  
1, Burg-street, Cape Town, Sept. 4, 1838.

Persons desirous to appoint the "Board of Executors"  
as their Executors, Administrators, Guardians, &c. will be  
pleased to follow as near as possible, the following form:—  
"I [insert the name of the person making the appoint-  
ment] do hereby nominate and appoint Messrs. [insert the  
names of the Directors] Directors of the "Board of Executors,"  
established in this Colony, on the 22d August, 1838, or the  
Directors of the said Board for the time being, as the  
Executors of my last Will, &c. or otherwise.

I do hereby nominate and appoint Mr. [insert the  
name of the Secretary, and add to his name] Secretary to the  
"Board of Executors" established in this Colony on the 22d  
August, 1838, or the Secretary to the said Board for the  
time being, as Executor of my last will &c.

ASSOCIATION FOR THE ADMINISTRATION AND  
SETTLEMENT OF ESTATES.  
DIRECTORS:  
D. DENYSSEN, Esq., L.L.D., President.  
C. T. HERMAN, Esq.  
J. T. JURGENS, Esq.  
J. A. SMUTS, Esq.  
J. F. SERRURIER, Esq.  
W. HAWKINS, Esq., Auditor.  
J. de WIT, Esq., L.L.D., Secretary.  
J. W. J. HERMAN, Esq., Cashier.  
J. P. E. FAURE, Esq., Bookkeeper.

The Association calculates for their Labor,  
In Estates of Deceased Persons,  
5 per Cent. on the Proceeds of Moveables, Book Debts found  
in the Estate, and on the Receipt of Interest, House Hire,  
and other Revenues.  
2 1/2 per Cent. on Capitals bearing Interest.  
2 1/2 per Cent. on the Proceeds or the Legated Value of Sold  
or Legated Immovables.  
1 1/2 per Cent. on the Appraised Amount of Moveables and  
Immovables.

In Estates of Living Persons, or where the Association acts  
in capacity of Agent,  
2 1/2 per Cent. on the Receipt of Monies not being House Rent  
or Book Debts.  
5 per Cent. for the Receipt of House Rent or Book Debts.  
No Charge is made in the latter mentioned Estates for  
Disbursements.  
1 per Cent. from the Amount of Capitals of all Notarial  
Deeds or Bonds placed under the Administration of the As-  
sociation, should the same be taken back within one year after  
the commencement of the Administration, and not other-  
wise.  
The Association charges for holding a general Power of  
Attorney, 25 Rds. per annum, according to Colonial custom.

MR. H. P. H. DE WIT, being honored with  
the Executive of the Governor's permission, has opened an  
Establishment in Stellenbosch, as Chemist, Druggist and  
Apothecary, where he will have constantly on hand the most  
approved Hulsech and other Medicines, and as all prescriptions  
will be prepared personally by himself, he hopes by strict  
attention to give the paragonage of the Public.  
Stellenbosch, Feb. 27, 1839.

Master's Office, Cape Town, 20th Feb. 1839.  
EDICT.—The Next of Kin and Creditors of *Wynand Prins  
driek Bezuidenhout*, and his Wife *Elizabeth Johanna  
Liesenberg*, formerly of the *Grass-Rooset* District, both  
deceased, are required to take Notice, that a Meeting of the  
Next of Kin and Creditors of the deceased, and all others  
whom these Presents may concern, will be held before the  
Resident Magistrate, at his Office, *Grass-Rooset*, on Saturday,  
the 6th of April next, at 11 o'clock in the Forenoon precisely;  
and all such Persons as aforesaid, are hereby required to  
attend at the time and place aforesaid; then and there to see  
some Person or Persons selected by such Magistrate, for  
approval by the Master of the Supreme Court, as fit and proper  
to be by the said Master appointed Executor or Executors  
Dative to the Estates of such deceased Persons as aforesaid.  
CLERKE BURTON, Master of the Supreme Court.

Master's Office, Cape Town, 20th Feb. 1839.  
EDICT.—The Next of Kin and Creditors of *Guillaume  
Johannes Vintje*, late of Colabaeg District, (deceased),  
are required to take Notice, that the said *Guillaume Johannes  
Vintje*, died intestate, and that a Meeting of the Next of Kin  
and Creditors of the Deceased, and all others whom these  
Presents may concern, will be held before the Resident Magis-  
trate, at his Office, Colabaeg, on Saturday the 6th of April  
next, at 11 o'clock in the Forenoon precisely; and all such  
Persons as aforesaid are hereby required to attend at the time  
and place aforesaid; then and there to see some Person or  
Persons selected by such Magistrate, for approval by the  
Master of the Supreme Court, as fit and proper to be by the  
said Master appointed Executor or Executors Dative to the  
Estate of such deceased Person as aforesaid.  
CLERKE BURTON, Master of the Supreme Court.

Notice to Creditors & Debtors.  
ALL Persons having any Claims or Demands,  
of whatsoever nature, against the Estate  
of the late Mr. LAMBERTUS VAN SITTERT, Esq., of Cape Town,  
are requested to give Notice thereof to the Notary, JAN  
HENRIK HOFMEYER, Esq., L.L.D., at his Office, No. 1,  
Burg-street, Cape Town, within Three Months, reckoned  
from the 22d instant; while those indebted to the same are  
likewise requested to settle their respective Debts with the  
Undersigned, Long street, No. 22, Cape Town.  
A. BRINK, Ca.  
Cape Town, Feb. 20, 1839.

Notice to Creditors and Debtors.  
ALL Persons having any Claims or Demands  
against the Estate of the late Mr. RYNO JOHANNES  
GODLIEB DE KORT, are requested to send in the same to the  
Undersigned within six weeks, and those indebted to the same,  
to pay their debts within the said period.  
Stellenbosch, Feb. 12, 1839.  
D. O'PLINN, M.D., Executors  
A. F. CARSTENS, J. Dative.

NOTICE TO CREDITORS & DEBTORS.  
ALL Persons having any Claims against the  
Estate of the late Mr. COENRICK ERNESTUS MARAIS,  
Esq., are requested to send in the same, with proper Vouchers,  
to his Widow, at her Residence, in Stellenbosch, or in Cape  
Town to Mr. L. CAUVIN, Sr., No. 44, Buitengracht, within  
Six Weeks from the date of this notice; and those indebted to the  
same are likewise requested to settle the same within said period.  
L. CAUVIN, Sr., Assumed  
P. S. MARAIS, Executors.  
Cape Town, March 1, 1839.

Notice to Creditors & Creditors.  
In the Joint Estate of WILLEM GEORGE GREYBE, deceased,  
and surviving Widow, CATHERINA JACOBA HERMOLDT.  
ALL Persons having Claims or Demands  
against the above mentioned Joint Estate, are requested  
to send in the same to the Office of Mr. J. H. WAGNER,  
Church-square, within 3 months from the date of this notice;  
and those indebted to it to pay their Debts within the same period.  
W. G. GREYBE, Executrix Testamentary  
Graaff Reinet, Feb. 23, 1839.

Public Sale of Houses at Malmes-  
bury.  
THE Undersigned qualified by the Church-  
wardens of this place, will cause to be put  
up and sold on Monday, the 4th of March next, at 10 o'clock  
in the Morning, by the Rise (opslag), three Houses and Eleven  
belonging to the Church, at present occupied by Messrs. J. P.  
Cotzler, E. F. Hennig, and M. van Eysen; likewise an Erf-  
with Buildings partly erected thereon, situated annex  
the dwelling of Mr. J. Carstens.  
Conditions of Sale will be made favorable, and may be  
known at the office of  
J. W. MOORRELS, Vendue Adm.  
Malmesbury, Feb. 11, 1839.

PUBLIC SALE.  
ON Thursday, the 14th of March next, will  
be Sold by Public Auction, at the Farm "Herdie Vally,"  
situate at Piquetberg, for account of the Widow JAN FRED-  
RIK LAMBRICHTS, draught and breeding Cattle, among  
which milch Cows, Sheep and Goats, Wagons, Ploughs, Har-  
rows, Harness, and what further belongs to a complete Farm.  
Likewise, a quantity of Barley and Oats, and finally, all sorts  
of household Furniture.  
A long Credit will be given.  
J. W. MORRELS, Vend. Adm.  
Malmesbury, Feb. 23, 1839.

NOTICE.  
THE Undersigned offers to Let, her half Share  
in the Farm *Herdie Vally*, situate at Piquetberg, in the  
Cape District, provided with abundant sowings, and a  
large extent of land, admirably adapted for Pasturage for all  
sorts of Cattle.  
Those wishing to hire the same, are requested to be present  
on the spot, on the day fixed for the above mentioned Sale,  
when the conditions will be made known.  
The Widow J. F. LAMBRICHTS.  
Piquetberg, Feb. 28, 1839.

Public Sale.  
MR. JAN FISCHER, of the Farm *Goudine*,  
intending to remove to the Betseldier, District Stellen-  
bosch, will on that account cause to be publicly Sold on  
Wednesday the 6th March next, under the Administration of the  
Undersigned, the whole of his property, consisting of a third  
part of the Farm *Goudine*, also 50 draught and 10 Wagon-  
jacks, 1 team of Oxen, 500 superior cross breed Sheep,  
1 Cart, Farm Implements, Kitchen Utensils, and what  
further will be put up.  
J. D. DE KOCK.  
Vendue Office, Karmemelks River, Feb. 9, 1839.

PUBLIC SALE.  
THE Undersigned duly qualified thereto by  
the Widow and Executrix of the Estate of the late Mr.  
JURIE JOHANNES PAU, will cause to be sold to the highest  
Bidder, on Monday the 11th of March next, the well known  
and fertile Farm called "Speelman's River," situate near Caledon,  
supplied with abundance of Water, throughout the year,  
planted with a large number of Fruit Trees, and having good  
and healthy Pasturage for Sheep, and Cattle, and what  
further will be put up.  
On the above mentioned day will likewise be sold, some  
Moveable Property, and what further may be offered.  
J. D. DE KOCK.  
Caledon, Feb. 20, 1839.

1,300 EXCELLENT FAT SHEEP AND  
KAPATER BUCKS.  
ON SATURDAY, the 16th March next, will  
be sold by Public Auction, at the Farm of Mr. Jacob  
de Villiers, A. B., situate in this Village, the above number  
of excellent Fat Sheep and Kapater Bucks.  
FORD & HAUPT, Vendue Adms.  
Vendue Office, Paarl, Feb. 22, 1839.

1,000 EXCELLENT FAT SHEEP AND  
KAPATER BUCKS.  
THE Undersigned will cause to be sold by  
Public Auction, on Wednesday, the 13th March next,  
at the Farm of Mr. H. J. ROSE, situate at Waggonmaker's  
Valley, the above number of excellent Fat Sheep, and Kapater  
Bucks.  
G. S. & J. G. HAUBTLEISCH, & Co.  
Waggonmaker's Valley, Feb. 25, 1839.  
Messrs. FORD & HAUPT, Vendue Adms.

SHIPPING INTELLIGENCE.  
Arrivals in Table Bay.  
Feb. 21. Epiphany, ship, W. Buckham, from Portmout, ZATU  
Dec. 8, to Bombay. Cargo sundries. Passengers for the Present: Z  
Cape, Messrs. Freeman, Mathews, and Parby. Miss Parby, De ONNE  
F. W. Freeman, Esq., Major Parby, Messrs. R. & J. S. G. De ONNE  
kington, Stroud, and Spry; Capt. Gidley and Frster, M. S. G. De ONNE  
Farquharson, cadet; Mr. Pratt, Indian Navy, and 5 servants. Brings a mail.  
21. Elephantia, bark, W. Edie, from Downs Dec. 7, to the De ONNE  
port. Cargo sundries. Passengers, Mr. McLeod, and 12 De ONNE  
the steerage. In entering Table Bay last night about De ONNE  
half past 11 o'clock, got becalmed near Three Anchor Bay, De ONNE  
and drifted towards the shore. After missing stays she De ONNE  
her anchor, but from the strength of the current and the De ONNE  
swell, dragged her anchor, and went ashore. Crew and De ONNE  
passengers saved. One woman was killed by the mast falling De ONNE  
upon her.

24. Munster Lass, schooner, G. Carew, from Liverpool Nov. 21, to this port. Cargo sundries. Passengers, Messrs. De ONNE  
Jan. 21, to this port. Cargo sundries. Passengers, Messrs. De ONNE  
Eksteen, Willis, Andrew, Darling, Sampson, Mrs. Carew and De ONNE  
infant and 2 servants, Master G. Carew. Steerage passengers, De ONNE  
5 men, 7 women, and 3 children, emigrants, 32 men, 12 De ONNE  
women, and 28 children. Brings a mail.

24. Hinder, bark, C. van Zuilvoorn, from Liverpool Nov. 21, to this port. Cargo sundries. Passengers, Messrs. De ONNE  
No. 2, to Swan River. Cargo sundries. Passengers, Messrs. De ONNE  
and Mrs. Naab, 2 Misses Glascock, Messrs. Singelmann, De ONNE  
Scully, Montgomery, Greery, Carey, McCullough, Dundas, De ONNE  
and Webb, in the steerage 35 passengers. Brings a mail.

24. Arabian, ship, J. H. Brown, from Bristol 21st Nov. 15, to this port. Cargo sundries. Passengers, Messrs. De ONNE  
Lauconson and Sydney. Cargo sundries. Passengers, Messrs. De ONNE  
Brown, Messrs. F. and J. Manning, Board, Harford. Put up De ONNE  
for.

24. Comandeur Preble, Am. ship, A. Eldrige, from Boston Feb. 17, 1838, to whaling. Cargo 900 barrels of oil. Put in for water.

24. Hope, Am. bark, S. Grinnel, from New Bedford Mar. 1837, to whaling. Cargo, 1050 barrels sperm oil, and 30 barrels whale oil. Put in for water.

24. Harold, Am. ship, L. Howes, from Boston to this port. Cargo sundries. Passengers, Messrs. Parkman, Austen, De ONNE  
and Davidson.

25. William, bark, — Hamlen, from Greenock Nov. 8, to this port. Cargo sundries. Put in for water.

25. Hope, steamer, T. H. Cox, from Algoa Bay Feb. 22, to Mossil Bay Feb. 24, to this port. Cargo sundries. Passengers, Messrs. De ONNE  
Misses Heugh, and Ramson, Messrs. de Villiers, Visser, De ONNE  
Neale, J. Hoets, Bestandig, Hauptfleisch and Biddup, 2 children, and 2 servants.

25. Catherine, bark, A. Brown, from Calcutta Jan. 1, to this port. Cargo rice, &c. Passenger, Mrs. Brown. Brings a mail.

25. Janet, brig, D. F. Wingate, from Rio Jan. 2, to this port. Cargo coffee.

25. City of London, bark, T. Reynolds, from Batavia Dec. 24, to Hamburg. Cargo sundries. Put in for refreshments.

25. Fairfield, ship, R. Abbot, from Liverpool Nov. 15, to South Australia. Cargo sundries. Passengers, Messrs. De ONNE  
Stanken, Wall, and Richardson, De Ranken, Messrs. Rich- De ONNE  
ardson, W. and N. McIn, Dalziel, Wall, Gordon, Edington, De ONNE  
Taylor, Smith, and McFarlane; and 92 steerage passengers. Put in for refreshments.

26. Vectors, brig, R. Isenonger, from Downs Dec. 5, to this port. Cargo sundries. Passenger, Mr. Dyason. Brings a mail.

Sailed out of Table Bay.  
Feb. 17. Joseph Maxwell, to whaling.  
20. Argyle, to Liverpool.<



Legislative Council.

SATURDAY 23RD FEBRUARY, 1839. Present: His Excellency the Governor and all the Members. Strangers: the hon. Mr. Justice Menzies; Messrs. Borchers, Sutherland, Brand, Rynereid, &c.

INCORRECT REPORTING. The Governor called the attention of those present on behalf of the Public Press, to a misrepresentation, which had been published in one of the papers, of some remarks made by him on introducing the Bill.

LIET. GOVERNOR STOCKENSTROM. His Excellency said.—The Council were aware that, soon after his arrival here, he had received a Despatch from the Right Honourable the Secretary of State for the Colonies, directing an inquiry to be instituted into certain charges which had been preferred against the Lieut. Governor of the Eastern District of the Colony, and that an inquiry had taken place accordingly.

The subject proceeded to read a Despatch, dated 19th December, 1837. In this Despatch Lord Glenelg begins by stating, that he has received a Despatch from Sir Benjamin D'Urban, dated 11th of September, 1837, enclosing various documents, relating to a charge preferred against the Lieut. Governor of the Eastern District of the Colony of the Cape of Good Hope.

The essential question, he observes, is, of course, how the charge brought against Capt. Stockenstrom is to be dealt with; but before proceeding to that point, he must advert to another topic, which, though somewhat collateral, is yet not immaterial, and to which, at all events, so much importance is attached on all sides, as to compel some notice of it.

Sir B. D'Urban, he observes, has in his despatch of the 11th Sept., given a full explanation of his motives. I need not assure you, says Lord Glenelg, that to his statement I give implicit credit. I have not a doubt that throughout all this matter, Sir B. D'Urban was actuated by motives and feelings upright, generous, and honorable.

With respect to Messrs. Van Rynereid, Lloyd, and Moodie, I conclude that, having transmitted the evidence to the Governor, and not without reason, as I think, that their duty was to await instructions, and they could not, with propriety, volunteer any further information.

With Mr. Campbell's explanation of his proceedings in this matter, I must with regret confess that I am not so well satisfied, especially in regard to the time allowed to intervene between the re-discovery of Botha's affidavit and the transmission of it to Captain Stockenstrom; and in regard to the statements made by the Lieut. Governor, in the Commission of the Lieut. Governor, to Col. Wade in England, neither that nor the affidavit of Botha, would, as it appears, have been transmitted by Mr. Campbell to Capt. Stockenstrom, had he not been compelled to do so by transmission by remarks in a public journal.

I should not think it necessary to advert to Capt. Stockenstrom's conduct or receiving Kloppe's affidavit, if I did not see the necessity, as represented by Mr. Campbell as an indication of conscious guile—a conclusion which I cannot but think unfounded.

Mr. Campbell had accompanied his transmission to the Lieut. Governor, of that affidavit, with the statement that Botha had also been examined, and with a promise to send a copy of Botha's deposition. Of that promise he was reminded by the Lieut. Governor, who appears to have used all the means in his power to obtain a copy of the documents.

Mr. Campbell answered, that the deposition had not been preserved. Yet, when he afterwards recovered the document, Mr. Campbell did not think it necessary to correct this mistake, but left the Lieut. Governor for many months, and would probably, as far as it depended on him, have left him for an indefinite period, in the belief that the affidavit of Botha was not to be found.

Considering the nature of the charge, it is not without reason, as I think, that it is not material to observe, that the deposition which is notified as raising a presumption of conscious guile against Capt. Stockenstrom, is really explained by the conduct of Mr. Campbell himself.

The Lieut. Governor knew that two depositions had been made, charging him with the guilt of murder—he knew that the Magistrate had taken these depositions had adopted all the means to follow up the case—that although one part only of the evidence had been submitted to him, he had received a promise of the other. Now, if at this stage of the business, he had demanded an inquiry, he would probably have been satisfied with the suspicion of wishing to proceed upon a charge so gravely imperfect. That he should have subsequently acquiesced with no very serious concern, a charge, one of the most material depositions regarding which the Magistrate had expressed his opinion while even in presence, or to procure its renewal, does not appear extraordinary on the supposition that the Lieut. Governor was conscious of the falseness of the charge itself.

Mr. Campbell is a further indication of guilt in the circumstance, that, as he states, the Lieut. Governor has not demanded, in express terms, the truth of the accusation.—The remark is at once inaccurate and unjust. The Lieut. Governor has demanded, in express terms, the truth of the accusation, as well as the truth of the charge, as a preliminary to his proceeding. But it is not material to observe, that the deposition which is notified as raising a presumption of conscious guile against Capt. Stockenstrom, is really explained by the conduct of Mr. Campbell himself.

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during many intervening years; and on the obvious incredulity of Sir B. D'Urban, and in the first instance apparently, of Messrs. Van Rynereid and Campbell themselves. I might rely further on the high commendation which Capt. Stockenstrom has received from almost every Governor under whom he served; nor can I forget the fearless denunciation of the cruelties of which the Caffers were formerly the victims;—a denunciation which, while it argued some feelings different from that of conscious guilt, yet could scarcely fail to create many enemies and provoke much calumny.

But notwithstanding these presumptions, says his Lordship, I feel that it is due to Captain Stockenstrom, no less than to society at large, that the case should be subjected to the investigation which he so earnestly demanded. I commit the conduct of it to you, with the gratifying certainty, that you will enter upon it with the most impartial and just spirit, and in the spirit of perfect impartiality and justice. It shows and is not, however, probable that you will be able to pursue such an investigation to its close, without the assistance of others who can command more uninterrupted leisure; you will, therefore, obtain the cooperation of any competent persons, on whom you may devolve any branch of this duty. But of course no person can be held competent, who has been a party to the recent controversy by which the Colony is so much agitated, or who is in any manner connected with it. Amongst the officers of Her Majesty's Naval and Military Services, who are always ready to promote the public good even beyond the limits of their own appropriate sphere of action, there would probably be found some who might not be indisposed to constitute a Court of Inquiry for this purpose, although I am well aware that I have no right to require their assistance. The subject, however, in one to the manner of conducting it, and the persons to be selected, would be an important qualification, and officers who are stationed but for a short time within the Colony, are far less likely than any other persons of equal rank and education to be involved in local feuds and parties. You will understand me as merely throwing out this as a suggestion for your consideration, and not as an instruction for your guidance.

Referring, therefore, to you, Sir, as the Court, and to the associates whom you may employ for that purpose, I limit myself to the instruction that it may be entered upon as promptly as may be possible; that it may be conducted, of course, with all due respect to the person and office of the Lieut. Governor, but with entire publicity, and with the most strict and impartial justice;—and that on the result you transmit me a copy of all the proceedings accompanied by your own opinion as to the conclusion which ought to be drawn from them.

Lord Glenelg concludes by saying, "You will transmit a copy of this despatch to the Lieut. Governor." The Governor then said, a copy of this Despatch had been sent to Capt. Stockenstrom, and an extract of it to Capt. Campbell, and, immediately on arriving at the Frontier, he had sent Capt. Stockenstrom, and informed him, that as soon as the Court should be constituted, and the Court constituted, the inquiry would be commenced. With the open and impartial manner in which that inquiry was conducted, he believed every one, who had witnessed the proceedings, must have been fully satisfied. For himself, he had felt it rather a delicate task which Lord Glenelg had, flatteringly enough, imposed, in leaving to him the selection of the officers who were to form the Court, from this difficulty he was, however, relieved by the assistance of Sir Benjamin D'Urban, who, as one of two gentlemen, in every respect qualified, and who had recently arrived in the Colony. To one of these, Capt. Dundas, a man of high rank, and of perfectly just and honorable character, altogether unconnected with the Colony, and of totally different politics to himself, His Excellency immediately wrote; and although Capt. Dundas neither expected nor wished to be so called upon, he acceded to the request. The other gentleman, who was selected to assist him in the inquiry, was Mr. Campbell, a Member of the Council, and who, with whom, indeed, he had little previous acquaintance, but who he knew to stand high in his family's estimation, for his qualities both as an officer and a gentleman. He, also, was entirely unconnected with the Colony, though actuated by a sincere desire for its welfare, having visited it before, and spent, with the family of an honourable Member of this Council, several months, to which he frequently alluded as the happiest period of his life. His Excellency had, therefore, appointed these two gentlemen to assist him in the inquiry; the Court, thus constituted, set daily at Graham's Town, from 10 o'clock in the morning, frequently till 5 in the evening. Every publicity was given; the inhabitants appeared satisfied; and the public prints did them the justice to exhibit the fairness and impartiality of their proceedings. Indeed he felt perfectly justified in stating, that not one of the three members was actuated by any other motive than a desire to see justice done to all the parties concerned.

He had determined to make the result of that investigation thus public, because he considered that this Council, being in a manner the representative of the Colony, had a right to be made aware of the whole state of the case so closely connected with its best interest. In the performance of this duty, it afforded him much pleasure to have an opportunity of expressing his conviction, that the Council was of very great benefit to the Colony, and that he trusted they would always prove as perfectly independent as he had ever seen since he came here.

He regretted the public were not yet put in possession of the whole proceedings of the Court of Inquiry. Every facility had been afforded to those who attended as reporters, and the Editor of the Graham's Town Journal had, with every possible preference, noted down the whole, and submitted his notes to a Member of the Council, who, under a promise to his Excellency, that they should be published. In a recent number of that paper he had seen a statement by the Editor, that the proceedings could not be published "for want of hands;" this he really believed, and was very sorry for it. There was, indeed, one document which he had refused to exhibit to the Editor in question, as well as to Mr. Campbell and others, who attended and noted the proceedings. Of this, he had informed them, he could not furnish a copy, it being a Despatch from the Secretary of State, but that they had a right to take it down, if they could, in short-hand, as read to the Court. This was the only circumstance, he was aware of, that could have produced any change in the opinions previously expressed, as to the openness of the proceedings.

He would now proceed to read the several Opinions of the Members of the Court, in the order which he had deemed proper, as there might be some slight shades of difference between them on minor points,—to request the Members to give their Opinions in writing separately.

He had also considered it due, no less to the parties concerned, than to the Members of the Court, as officers and men of honour, to accompany the transmission of these opinions to the home Government, as a request for liberty to publish them in this Colony. That he considered it his duty, he could not but think, to do so, as he would accordingly appear in the next number of the Government Gazette, when the public would have an opportunity, as they have a right, to form a judgment on the result of proceedings involving subjects of so much interest and importance to this community.

His Excellency read the following opinions:— Graham's Town, Cape of Good Hope, 11th June, 1838.

After mature deliberation upon the Evidence before the Court of Inquiry respecting the grave charge against Captain Stockenstrom, the Lieut. Governor of the Eastern District of the Colony, and Hope, of having twenty four years ago shot an unarmed helpless Caffer boy, while hiding under some drift wood, and in a cold blooded deliberate manner, I have come to the following opinion:—

1. That Captain Stockenstrom was on the Commando in Cafferdland, in the year 1813.

2. That the Commando was under the orders of Major Fraser, an officer of high character and honor, and well known for his great humanity towards the Caffers on all occasions.

3. That the general orders promulgated on the Commando by the Governor and Commander in Chief, were "to destroy and lay waste;" and these orders were consequently issued to the troops and burghers on the Commando, and also to shoot all the male Caffers, as appears by Evidence on the Minutes of the Court.

4. That the Caffers on that day were in the bush on the banks of the Blinkwater River, and various other parts, as clearly shown in evidence, and that during the general rush, which was made to wear the bush on the banks of the river, Captain Stockenstrom's party saw two Caffers concealing themselves under some drift wood in the bed of that river, and upon a cry of the Caffers' throats, "Captain Stockenstrom and others fired, and killed the two Caffers, and then returned to their own quarters, and were not helped boys, but grown up young men."

5. That although several shots were fired, only two Caffers were found dead; but it appears clear to me, from the evidence of several witnesses, and the statement sworn to by Captain Andrew, an old and highly respectable officer, respecting Major Fraser's report, which Captain Andrew's own wife in his bed room at his house, that those two Caffers were armed with spears, and were not helpless boys, but grown up young men.

6. That all the witnesses who were present on that Commando, fully agreed that Captain Stockenstrom, the day before the shooting of the two Caffers, saved the lives of

seen others, who were on the point of being shot in the Camp, by running forward and placing himself between them, and the pointed guns of the burghers, who were just going to put them to death.

7. That from all the foregoing facts and circumstances, I am clearly and decidedly of opinion, that Capt. Stockenstrom, in shooting the Caffers acted according to orders, and the established custom of Commando warfare against Caffers as stated by all the witnesses, and I therefore fully and honorably acquit him of shooting an unarmed young Caffer boy in a coldblooded or cruel manner. He shot the Caffers in the bush as any young officer of one and twenty years old, or indeed any officer would have done under the same circumstances and orders. I farther declare it to be my opinion, according to the statements of every one of the witnesses, without single exception, that Capt. Stockenstrom, although it was only a year after the barbarous murder of his father by Caffers, was totally incapable of a cruel cold-blooded murder of a Caffer boy, in order to revenge that father's death,—the crime attempted to be fixed upon him by his enemies.

8. And lastly,—It appears to me that the Civil Commissioner, Captain Campbell, certainly acting injudiciously as a Magistrate, by delaying to send the depositions of Kloppe and Botha to the Governor, but in this I do not conceive he was actuated by any wish to injure Capt. Stockenstrom; and I am therefore, in justice to that Magistrate, and also to Mr. van Rynereid, called upon to acquit them of any conspiracy against the Lieut. Governor; but I am of opinion that there were persons who, in collecting evidence against Captain Stockenstrom, did not conduct their enquiries in an open manner, and that some of the witnesses, the angry feelings of the burghers or boers against the Lieut. Governor, Captain Stockenstrom, for his evidence given so fearfully before the Committees of the British House of Commons.

(Signed) GEO. NAPIER, Governor and Commander in Chief, Cape of Good Hope.

Graham's Town, June 11, 1838.

After having considered the evidence brought before the court, with the attention which the importance of the case requires, I have come to the following conclusion:—

1. Capt. Stockenstrom has been accused of a cold-blooded murder on an unarmed Caffer boy, and of having made use of expressions manifesting his intention of revenging the death of his father.

2. I believe that Capt. Stockenstrom did shoot a Caffer somewhere on the Blinkwater; but that he was of an age to defend himself, and to use arms, and that he was shot with assaigis, and the time he was shot, that Capt. S. shot him in obedience to the orders of his superior, and in the lawful performance of a military duty, and that he made use of no expressions indicating a feeling of revenge at the time.

3. The following are my reasons for having come to this conclusion:—

1. The unimpeachable Evidence, as well in number as respectability, in favor of it.

2. The anomaly of Capt. S. saving, at the risk of his own life, that of 6 or 7 Caffers one day, and shooting in cold blood an unarmed Caffer boy the next.

3. The universal testimony of all the evidence, who had served on commando with Captain S., in favor of his kindness and humanity to the people of color, so much so, as to be blamed for it by some of them.

4. The conduct of Mr. O'Reilly, in taking the late Col. Fraser and Captain S., which friendship continued until the death of the former, and the absolute certainty that, from the well-known humane, exalted, and honorable character of Colonel Fraser, he would have scouted and driven from him the man, who would have been guilty of the act imputed to Captain Stockenstrom, and that all the circumstances (especially so important a one) which took place under his immediate command, which Captain Campbell and others, who were present, fully and clearly explained to him.

5. With respect to the alleged conspiracy against Capt. S., on the part of Captain Campbell and others, the subject has been dealt with by the Supreme Court in Cape Town, and I consider it no part of my duty to remark or comment on its decision.

(Signed) SAMUEL CHARTERS, Major, Asst. Military Secretary.

The course adopted by the Court of Inquiry, has been to exhibit and read publicly the Despatch from Lord Glenelg of 19th Dec. 1837, addressed to his Excellency the Governor, directing an inquiry to be held.

The Despatch from Sir Benjamin D'Urban to his Lordship, of 11th September, 1837, and the various documents which accompanied it, have formed the subject of inquiry, and were likewise publicly read with other subsequent correspondence annexed to the Minutes of Proceedings.

This mode of proceeding was rendered necessary by the declared intention of Captain Stockenstrom to prove that the charges against himself originated in a malicious conspiracy, in which Captain Campbell and others, who were present, were principally accused, and it was proper to afford to all parties an opportunity to explain their own conduct.

It may be convenient first to advert to the charges of conspiracy.

The conduct of Captain Campbell had been already submitted to judicial inquiry before the Supreme Court in this Colony, and it is not necessary now to enter into further explanation of that conduct; but since he has voluntarily come forward a second time in defence of his own character, it is only fair to refer generally to the Minutes of our Proceedings, and to state that I am persuaded he has not acted from unworthy or dishonorable motives.

The conduct of Mr. van Rynereid is explained in his own evidence; and I am equally convinced that he has not acted from malicious or dishonorable motives.

The conduct of Mr. O'Reilly in taking the original deposition of Philip Rudolph Botha, is likewise sufficiently explained in his own evidence, which I see no occasion to distrust, notwithstanding the privacy of his proceeding, for which he gives his own reasons.

Various questions will be found in the minutes of evidence, addressed to different witnesses, with a view to extract information relative to the conduct of individuals employed to collect evidence for the trial of Stockenstrom, and relative to the sums received by the witnesses themselves, in payment of their expenses by that occasion. I am unable to detect a single instance in which a charge of corruption is substantiated, or in which irregularity is proved, in the payment of these expenses. The sum of £75 is the amount which most of the witnesses have received, and the same sum was paid to witnesses summoned on behalf of Capt. Stockenstrom, in pursuance of an agreement between the agents of the plaintiff and of the defendant.

The witness, Cornelius Swanepoel, appears to have received £100. He was detained for three months in Cape Town. His expenses were duly taxed by the Master of the Court, and he was examined under different circumstances from other witnesses. I cannot, therefore, consider that these facts are sufficient to substantiate corruption; and it is to be generally, that witnesses have been compelled to travel distances of six or seven hundred miles from their own homes, to the injury of their own private affairs, in a country where travelling is tedious and difficult. With respect to the conduct of individuals employed to collect witnesses, I am equally unable to discern that a single accusation has been substantiated. That the evidence of Captain Stockenstrom before the Aborigines' Committee may have created feelings of animosity towards him, is most certain; and that persons travelling through the country to collect evidence against him, may have been little scrupulous in their mode of proceeding, conversation, and gaining information, is also evident; but it is not proved that suspicion, on these grounds, attaches to the conduct of any one witness in particular; and where guilt is not proved, I am not at liberty to infer it on slight grounds.

I proceed, therefore, to consider the evidence on the charges against Captain Stockenstrom, upon its own merits. It will be seen on reference to the Minutes of Proceedings, that, with the exception of occasional allusions to it by Charles Pretorius, in conversations at different periods, the conduct of Captain Stockenstrom, now under consideration, did not attract public attention prior to the inquiry relative to the death of Zeko, which took place in Graham's Town in February, 1838. It was not until the 11th of that month, that a Caffer, having been killed by Captain Stockenstrom, was first mentioned by the witness, Kloppe, to Field-Cornet Erasmus, who was accused in the case of Zeko. The manner in which the deposition of Kloppe was subsequently taken, will be seen in the evidence of Mr. Jarvis, which is corroborated by many particulars by others.

From the evidence of Kloppe himself, little information is to be gained, but I think it the contradictions it contains, are not deliberate untruths. He is a man rather advanced in life, and is in infirm health. He is not intelligent, his memory is imperfect, and his ideas confused. His affidavit is important, inasmuch as it was the first which became public; but I assume nothing as positive from his evidence, which is not clearly corroborated. The idea of revenge which he has associated with the death of the Caffers, may be a confusion of memory, and not a deliberate false-

hood. I discover no concert between Kloppe and Botha, whose deposition is read to be considered. I have already stated that I do not distrust the evidence of Mr. O'Reilly. He has distinctly asserted that he elicited nothing by any entreaties of his own to refresh the memory of Botha, who was left to make his own statement. The difference of date between 1819 and 1813, is no proof of concert between Kloppe and Botha. The order "to shoot all the Caffers," which is attributed by Botha to Captain Stockenstrom, is now proved to have been given by Major Fraser; and the circumstances are explained to the credit of Capt. Stockenstrom. This statement did not coincide with Kloppe's. It is not a pure invention, but merely a distortion of fact, which Botha is correct in fixing as having occurred on the day immediately preceding the death of the two Caffers. The cause of dissatisfaction among the farmers is not corroborated, and the day of the week is not distinctly proved. The expressions of revenge are not related as having been used at the time mentioned by Kloppe. Upon this point the memory of Botha would be most likely to be correct; but where one distortion has been detected, I may reasonably suspect others, although on the particular morning in question the party marched, as is asserted by Botha, from Karooma. The other witnesses in general do not agree in stating that the Caffers were young children.

The deposition of Charles Pretorius commences apparently by a confused account of occurrences, as connected with the year 1819, which I cannot explain, but the facts he states himself to have seen "on a former occasion," are evidently those of the year 1813, which are corroborated by others. It is to be regretted that Charles Pretorius declined attending the proceedings of the present inquiry. The original deposition of P. Aucamp is completely explained away by his present evidence, which is only valuable as affording proof that the shooting of a Caffer by Captain Stockenstrom, at the Blinkwater, was mentioned to Aucamp by Pretorius in the year 1827, as well as to Mr. Rynereid in 1829 or 1830, and long prior to the evidence before the Aborigines' Committee. In connection with the above four original depositions, I have considered as carefully as I am able, the evidence of four other persons who have appeared before us, and who, in the year 1813, were eye-witnesses to the death of two Caffers at the Blinkwater, of whom one was shot by P. van der Merwe, and the other by Captain Stockenstrom. The names of these witnesses are Cornelius Swanepoel, P. van der Merwe himself, Karl Koen, and Barand J. van den Berg; and I may refer to the minutes of their evidence, as affording the strongest general corroboration to the deposition of Pretorius, as far as the latter relates evidently to the year 1813. It will be seen that the age of the Caffers is variously stated, at from 16 to 24 or 25 years; and it must be observed, that the time which elapsed between the discovery of the first Caffer, and the death of the last, did not exceed "two minutes" at most, when the party were in the bed of the river.

To judge correctly of the conduct of Captain Stockenstrom, it is necessary to take into consideration many other occurrences of the period; in question, which have been either wholly forgotten, or are only imperfectly remembered by the above named witnesses; and here it may be proper to remark, that Cornelius Swanepoel is the only witness, except Kloppe, who has deposed to the expressions of revenge. He differs with Kloppe, and differs with Botha; and his evidence confirms my belief, that if these expressions are not distorted, they are incorrectly associated with the occasion particularly referred to.

It is satisfactorily proved by other evidence, that Captain Stockenstrom, in the year 1813, served on commando under the orders of Major Fraser. The commando first assembled at a place called "Oppeerman's Farm," near the Bavian's River, and marched from thence, by Koonop to Karooma, where it appears to have remained about seven days. During the stay of the commando there very credible exertions were made by Capt. Stockenstrom in saving the lives of several Caffers, whom Major Fraser had ordered to be attacked by a patrol, under circumstances of misconception, which are detailed in evidence. On the following day, the whole commando marched in pursuit of an armed body of Caffers, who were retiring with their cattle, and concealing themselves in the bush of the country. I find it extremely difficult to form an accurate opinion of the exact state of the party under Capt. Stockenstrom, at the moment when the death of the two Caffers took place, but it appears to have been detached at a short distance from the main body of the commando, and acting in concert with it. Notwithstanding many statements to the contrary, I cannot divest myself of the belief, that other Caffers must also have been killed nearly at that moment; and it seems certain, from the evidence of Van der Riet and others, that the Caffers were fired from as remembered by those who witnessed the conduct of Captain Stockenstrom at the spot where the two Caffers were concealed.

Under the circumstances, and taking into consideration the high character for humanity which Capt. Stockenstrom has invariably borne, as well as the peculiar character of Caffer warfare, it is just to conclude, that he must have acted under a reasonable belief of concealed danger, at the moment, and in the performance of a lawful military act.

(Signed) R. DUNDAS, Captain, R.N. Graham's Town, June 11, 1838.

A true Copy. SAM'L CHARTERS, As. Mil. Sec.

The Governor then read a Despatch from Lord Glenelg, dated October 27, 1838, acknowledging the receipt of General Napier's Despatch of the 22d June, 1838, with the proceedings therein contained of the Court of Inquiry which had been held before His Excellency the Governor, for the purpose of investigating the merits of a charge which imputed to Lieut. Governor Stockenstrom the deliberate murder of a Caffer boy.

Having attentively considered these proceedings, says His Lordship, it affords me much satisfaction to assure you that I entirely concur in the judgment by which you and your coadjutors in the inquiry have absolved the Lieut. Governor from the odious imputation which has been circulated against him. I deeply regret, he continues, that this investigation was rendered necessary by the manner in which the charge was advanced, and I feel it due to Captain Stockenstrom to state, that the high character for humanity which he has acquired and long sustained, has not in my opinion been in the slightest degree affected by the inquiry, and that the confidence of Her Majesty's Government in his qualifications for the office of Lieut. Governor of the Eastern District is wholly unimpaired.

I fully concur in the propriety of communicating the opinions of the Court to Lieut. Governor Stockenstrom, as well as of making them public, and you will have the goodness to take the necessary measures accordingly.

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Having attentively considered these proceedings, says His Lordship, it affords me much satisfaction to assure you that I entirely concur in the judgment by which you and your coadjutors in the inquiry have absolved the Lieut.

Legislative Council.

SATURDAY 23RD FEBRUARY, 1839.

Present His Excellency the Governor and all the Members, Strangers, the hon. Mr. Justice Meers; Messrs. Borchers, Sutherland, Hoad, Rynveld, &c.

INCORRECT REPORTING.

The Governor called the attention of those present on behalf of the Public Press, to a misrepresentation, which had been published in one of the papers, of some remarks made by him on introducing the Resident Magistrate's Bill. He had been made to appear, on that occasion, as seeking, in a summary way, to hurry that Bill through its several stages with undue rapidity. These gentlemen had a right to publish their own opinions,—but not as being his. What he had said was, that he was anxious no time should be lost, being very desirous, should the Bill pass into a law, to obtain the valuable assistance of his friend the Attorney-General, in bringing it into operation, previously to the expected departure of that gentleman from the colony.

LIEUT. GOVERNOR STOCKENSTROM.

His Excellency then said,—The Council were aware that, soon after his arrival here, he had received a Despatch from the Right Honble the Secretary of State for the Colonies, directing an inquiry to be instituted into certain charges which had been preferred against the Lieut. Governor of the Eastern District of the Colony, and that an inquiry had taken place according to the intention of the said Despatch, to the Council, together with the opinions of the several Members of the Court of Inquiry, and two Despatches which he had received the day before yesterday, on this subject.

The Governor proceeded to read a Despatch, dated 19th December, 1837. In this Despatch Lord Glenelg begins by stating, that he has received a Despatch from Sir Benjamin D'Urban, of the 11th September, 1837, enclosing various documents, relating to a charge preferred against the Lieut. Governor of the Eastern District of the Colony of the Cape of Good Hope. He did not think it necessary to enter, in this communication, into any statement of the case thus brought before him. The course he proposed to direct the Governor to take regarding it, almost precluding him from discussing its merits, lest he should appear to prejudge a matter, which, in his opinion, required an impartial and immediate investigation.

The essential question, he observes, is, of course, how the charge brought against Capt. Stockenstrom is to be dealt with; but before proceeding to that point, he must advert to another topic, which, though somewhat collateral, is yet not immaterial, and to which, at all events, so much importance is attached, as to require a few words. It is, in fact, to mean the sort of obedience in which the charge was, in a greater or less degree permitted by all parties to remain, till it was forced into publicity by an accidental and unforeseen circumstance. Without engaging himself in any details relating to this topic, he thinks it proper, though very briefly, to advert to the conduct of the parties interested in it.

Sir B. D'Urban, he observes, has in his despatch of the 11th Sept., given an explanation of his motives. I need not assure you, says Lord Glenelg, that to his statement I give implicit credit. I have not a doubt that throughout all this matter, Sir B. D'Urban was actuated by motives and feelings upright, generous, and honorable. Yet I must venture to differ from him as to the view which he took of the right line on this occasion. In my judgment the only course open to him was a frank communication, at the very first opportunity, of the whole charge to the Council.

With respect to Messrs. Van Rynveld, Lloyd, and Moodie, I conclude that, having transmitted the evidence to the Governor, they conceived, and not without reason, as I think, that their duty was to await instructions, and they could not, with propriety, volunteer any further information.

With Mr. Campbell's explanation of his proceedings in this matter, I must confess, that I am not so well satisfied, especially as regards the time allowed to intervene between the recd. of Botha's affidavit and the transmission of it to Captain Stockenstrom; and in regard to the circumstance that, notwithstanding the transmission of Klöpper's affidavit alone to Col. Wade in England, neither was transmitted by Mr. Campbell to Capt. Stockenstrom, and the latter being compelled to that transmission by remarks in a public journal.

I should not think it necessary to advert to Capt. Stockenstrom's conduct on receiving Klöpper's affidavit, if I did not see that it is represented by Mr. Campbell as an indication of conscious guilt—a conclusion which I cannot but think unfounded.

Mr. Campbell had accompanied his transmission to the Lieutenant Governor, of the affidavit, with the statement that Botha had also been examined, and with a promise to send a copy of Botha's deposition. Of that promise he was reminded by the Lieutenant Governor, who appears to have used all the means in his power to obtain a copy of the documents. Mr. Campbell answered, that the deposition had not been preserved. Yet, when he afterwards recovered the document, Mr. Campbell did not think it necessary to correct this mistake, nor left the Lieutenant Governor for many months, and would probably, as far as it depended on him, have left him for an indefinite period, in the belief that the affidavit of Botha was not to be found. Considering the nature of the charge, I cannot perceive the justice of this proceeding. But it is more material to observe, that the inaction which is noticed as raising a presumption of conscious guilt against Capt. Stockenstrom, is readily explained by the conduct of Mr. Campbell himself.

The Lieut. Governor knew that two depositions had been made, charging him with the guilt of murder. He knew that the Magistrate had taken these depositions had adopted no measures to follow up the case—that although one part only of the evidence had been submitted to him, he had received a promise of the other. Now, if at this stage of the business, he had abandoned an inquiry, he would probably have been justly entitled to the suspicion of wishing to proceed upon a charge so evidently imperfect. That he should subsequently be called upon to give a serious charge, one of the most material depositions regarding which the Magistrate had not thought it worth their while even to preserve, or to procure its renewal, does not appear extraordinary in the supposition that the Lieut. Governor was confident of the falseness of the charge itself.

It is a singular and striking indication of guilt in the circumstances, that as he states, the Lieutenant Governor had not hesitated, in excess terms, the truth of the accusation. The remark is at once inaccurate and unjust. The Lieut. Governor denounces the charges as "a tissue of falsehood from first to last." Words of contradiction as peremptory as could be employed. But the whole tenor of his despatch is altogether inconsistent with an indignant denial of the charge; and the repeated and earnest demand for inquiry can have no other meaning.

Much is said respecting the vehemence and the obscurity of the style in which the Lieutenant Governor's despatch is drawn up. That the charge of having committed what is in effect a cruel murder, should be repelled with expressions even of extreme warmth, cannot be the subject either of a charge, or of a defence. The charge, if it is to be an accusation, should have occurred in a plain and simple style, as would, that I cannot but regret that such a remark should have been made and insisted on as a ground of reproach.

Passing now to the despatch proceeds, to the more important subject, and being anxious not to prejudge the question of Capt. Stockenstrom's guilt or innocence, Lord Glenelg says he has not any ground for forming an opinion, although it may possibly appear to have that tendency.

If the four depositions before me, were such as to raise a strong presumption of the truth of the charge, it would be my duty to act on that presumption, by advising Her Majesty to suspend the Lieut. Governor from the discharge of his office, until an inquiry had taken place, and the result of it had been communicated to me. I must, however, avow, that I had no such opinion in my judgment very far from conclusive, and I should not have thought it justifiable to justify such a measure as suspension. Without making particular comments, I rest my opinion on the incoherence of the statements of the witnesses as to the date, location, and several other material circumstances, on the fact of their having been examined privately, and in some cases at least, through the intervention of an interpreter, on the protracted silence of the present accusers.

In the Report of the Legislative Council, of the 23rd of January last, on my Paper of the 1st of February, when the "Magistrate's Bill" was introduced, the following is reported. "The Attorney General proposed to postpone the first reading."

"The Governor was anxious to have the Bill as soon as possible." "His Excellency now explains why he was anxious to have the Bill as soon as possible; viz.—"That he should have the approval of the Council, he might have the assistance of the Attorney General." The Reporter would have been more clear, had he said, that the Governor was anxious "to have the Bill discussed as soon as possible."—Ed.

during many intervening years; and on the obvious incredulity of Sir B. D'Urban, and in the first instance apparently, of Messrs. Van Rynveld and Campbell themselves. I might rely further on the high commendation which Capt. Stockenstrom has received from almost every Governor under whom he served; nor can I forget the fearless denunciation of the frontier of which the Caffers were formerly the victims—a denunciation which, while it argued some feeling different from that of conscious guilt, yet could scarcely fail to create many enemies and provoke much calumny.

But notwithstanding these presumptions, says his Lordship, I feel that it is due to Captain Stockenstrom, no less than to society at large, that the case should be submitted to the investigation which he has so justly demanded. It is not, however, probable that you will be able to pursue such an investigation to its close, without the assistance of others who can command more uninterrupted leisure; you will, therefore, obtain the cooperation of any competent persons, on whom you may desire any branch of this duty. But of course no person can be held competent who has been a party to the recent controversies which the Colony has been agitated, or who is in any manner connected with them. Among the officers of Her Majesty's Naval and Military Service, who are always ready to promote the public good even beyond the limits of their own appropriate sphere of action, there would probably be found some who might be called upon to constitute a Court of Inquiry for this purpose, although I am well aware that I have no right to require their assistance. The subject, however, is one to the correct understanding of which military knowledge and habits would be an important qualification, and officers who are stationed but for a short time within the Colony, are far less likely than any other persons of equal rank and education to be involved in local feelings and parties. You will understand and me as merely throwing out a suggestion for your consideration, and I leave it to your instruction for your guidance.

Referring, therefore, to your discretion, whatever relates to the manner of conducting the inquiry, and to the associates whom you may employ for that purpose, I limit myself to the instruction, that it may be entered upon as promptly as may be possible; that it may be conducted, of course, with all due respect to the person and office of the Lieutenant Governor, and with the most strict and impartial justice;—and that on the result you transmit to me a copy of all the proceedings accompanied by your own opinion as to the conclusion which ought to be drawn from them.

Lord Glenelg concludes by saying, "you will transmit a copy of this despatch to the Lieut. Governor."

The Governor then said,—A copy of this Despatch had been sent to Capt. Stockenstrom, and an extract of it to Capt. Campbell, and immediately on arriving at the Frontier, he had seen Capt. Stockenstrom, and informed him, that as soon as evidence could be collected and the Court constituted, the inquiry would be commenced. With the open and impartial manner in which that inquiry was conducted, he believed every one, who had witnessed the proceedings, must have been fully satisfied. For himself, he had felt it rather a delicate task, which Lord Glenelg had so gallantly imposed, in leaving to him the selection of the officers who were to form the Court. From this difficulty he was, however, relieved, by finding himself able to obtain the assistance of two gentlemen, in every respect qualified, and who had recently arrived in the Colony. To one of these, Capt. Dundas, a man of high rank, and of perfectly just and honorable character, altogether unconnected with the Colony, and of by a sincere and public spirit, he had the honor to select, and although Capt. Dundas never expected nor wished to be so called upon, he acceded to the request. The other was Major Charters, his Excellency's Military Secretary, with whom, indeed, he had but little previous acquaintance, but whom he knew to stand high in his family's estimation, for his qualities both as an officer and a gentleman. He, also, was entirely without connections in the Colony, though actuated by a sincere desire to see justice, having resided in the Colony, several months, to which he frequently alluded as the happiest period of his life. His Excellency had, therefore, appointed these two gentlemen to assist him in the inquiry. The Court, thus constituted, set daily at Graham's Town, from 10 o'clock in the morning, frequently till 5 in the evening. Every public person, and the inhabitants appeared satisfied; and the public prints did them the justice to acknowledge the fairness and impartiality of their proceedings. Indeed he felt perfectly justified in stating, that not one of the three members was actuated by any other motive than a desire to see justice done to all the parties concerned.

He had determined to make the result of that investigation thus public, because he considered that this Colony, being a sincere and public spirit, he had the honor to select, and although Capt. Dundas never expected nor wished to be so called upon, he acceded to the request. The other was Major Charters, his Excellency's Military Secretary, with whom, indeed, he had but little previous acquaintance, but whom he knew to stand high in his family's estimation, for his qualities both as an officer and a gentleman. He, also, was entirely without connections in the Colony, though actuated by a sincere desire to see justice, having resided in the Colony, several months, to which he frequently alluded as the happiest period of his life. His Excellency had, therefore, appointed these two gentlemen to assist him in the inquiry. The Court, thus constituted, set daily at Graham's Town, from 10 o'clock in the morning, frequently till 5 in the evening. Every public person, and the inhabitants appeared satisfied; and the public prints did them the justice to acknowledge the fairness and impartiality of their proceedings. Indeed he felt perfectly justified in stating, that not one of the three members was actuated by any other motive than a desire to see justice done to all the parties concerned.

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His Excellency read the following opinions—  
Graham's Town, Cape of Good Hope, 11th June, 1838.

After mature deliberation upon the Evidence before the Court of Inquiry respecting the grave charge against Captain Stockenstrom, the Lieutenant Governor of the Eastern District of the Cape of Good Hope, of having twenty four years ago, shot an unarmed helpless Caffer boy, while hiding under some dead wood, and in a cold blooded deliberate manner, I have come to the following opinion—  
1. That Captain Stockenstrom was on the Commando in the year 1813.

2. That the Commando was under the orders of Major Fraser, an officer of high character and honor, and well known for his great humanity towards the Caffers on all occasions.

3. That the general orders promulgated on the Commando by the Governor and Commander in Chief, were to destroy and lay waste the Caffers, and to take the Caffers and to the troops and burghers on the Commando, and also to shoot all the male Caffers, as appears by Evidence on the Minutes of the Court.

4. That the Caffers on that day were in the bush on the banks of the Blinkwater River, and various other parts, as clearly shown by evidence, and that during the general rush which was made to destroy the Caffers, the Caffers were shot by Captain Stockenstrom, and several other Caffers were shot and upon a cry of "the Caffers' throw," Captain Stockenstrom and others fired, and killed two Caffers.

5. That although several shots were fired, only two Caffers were found dead; but it appears clear to me, from the evidence of several witnesses, and the statement sworn to by Captain Stockenstrom, in all and highly respectable officers, that the two Caffers were shot and killed by the two Caffers, and were not helpless boys, but grown up young men.

seven others, who were on the point of being shot in the Camp, by running forward and placing himself between them and the pointed guns of the burghers, who were just going to put them to death.

7. That from all the foregoing facts and circumstances, I am clearly and decidedly of opinion that Capt. Stockenstrom, in shooting the Caffers acted according to orders, and the established custom of Commando warfare fully and honorably acquitted him of shooting an unarmed young Caffer boy in a cold blooded or cruel manner. He shot the Caffers in the bush as any young officer of one and twenty years old, or indeed any officer would do, under the same circumstances and orders. I further declare it to be my opinion, according to the statements of every one of the evidences, without a single exception, that Capt. Stockenstrom, although it was only a year after the barbarous murder of his father by Caffers, was totally incapable of a cruel cold-blooded murder of a Caffer boy, in order to revenge that father's death;—the crime attempted to be fixed upon him by his enemies.

8. And lastly, I answer to me that the Civil Commissioner, Captain Campbell, certainly acted very injudiciously as a Magistrate, by delaying to send the depositions of Klöpper and Botha to the Governor, but in this I do not conceive he was actuated by any wish to injure Capt. Stockenstrom; and I am therefore, in justice to that Magistrate, and also to Mr. van Rynveld, called upon to acquit them of conspiracy against the Lieutenant Governor; but I am of opinion that there were persons who, in collecting evidence against Captain Stockenstrom, did not conduct their enquiries in a fair or open manner, and that pains were taken to excite the angry feelings of the burghers or boers against the Lieut. Governor, Captain Stockenstrom, for his evidence given so fearfully before the Committee of the British House of Commons.

(Signed) GEO. NAPIER, Governor and Commander in Chief, Cape of Good Hope.

Graham's Town, June 11, 1838.

After having considered the evidence brought before the court, with the attention which the importance of the case requires, I have come to the following conclusion:—

1. Capt. Stockenstrom has been accused of a cold-blooded murder on an unarmed Caffer boy, and of having made use of expressions manifesting his intention of revenging the death of his father.

2. I believe that Capt. Stockenstrom did shoot a Caffers somewhere on the Blinkwater, but that he was of an age to defend himself, and to use an assegai, and that he was armed with assegais, and the time he was shot, that Capt. S. shot him in obedience to the orders of his superior, and in the lawful performance of a military duty, and that he made use of no expressions indicating a feeling of revenge at the time.

The following are my reasons for having come to this conclusion:—

1. Preponderating Evidence, as well in number as respectability, in favor of it.

The anomaly of Capt. S. saving, at the risk of his own life, that of 6 or 7 Caffers one day, and shooting in cold blood an unarmed Caffer boy the next.

The universal testimony of all the evidence, who had seen or conversed with him, in favor of his kindness and humanity to the people of color, so much so, as to be blamed for it by some of them.

The friendship which existed between the late Col. Fraser and Captain S., which friendship continued until the death of the former, and the absolute certainty that, from the well known humane, exalted, and honorable character of Colonel Fraser, he would have scouted and driven from him the man, who had been publicly and so impudently imputed to Captain Stockenstrom, and that all the circumstances (especially so important a one) which took place under his immediate command, may clearly have been well known to him.

4. I fully, clearly, and honorably acquit Captain S. of all and every part of the charge brought against him.

5. With respect to the alleged conspiracy against Capt. S., on the part of Captain Campbell and others, the subject has been dealt with by the Supreme Court at Cape Town, and I consider it no part of my duty to remark or comment on its decision.

(Signed) SAMUEL CHARTERS, Major, Asst Military Secretary.

The course adopted by the Court of Inquiry, has been to exhibit and read publicly the Despatch from Lord Glenelg of 19th Dec. 1837, addressed to his Excellency the Governor, directing an inquiry to be held.

The Despatch from Sir Benjamin D'Urban to his Lordship, of 11th September, 1837, and the various documents which accompanied it, have formed the subject of Inquiry, and the result of the inquiry, with other subsequent correspondence annexed to the Minutes of the Court.

This mode of proceeding was rendered necessary by the declared intention of Captain Stockenstrom to prove that the charges against himself originated in a malicious conspiracy, of which Captain Campbell and Mr. van Rynveld were principally accused, and it was proper to afford to all parties an opportunity to explain their own conduct.

It may be convenient first to advert to the charges of conspiracy.

The conduct of Captain Campbell had been already submitted to judicial inquiry before the Supreme Court in this Colony, and it is not necessary now to enter into further explanation of that conduct; but since he has voluntarily come forward a second time in defence of his own character, it is only fair to refer generally to the Minutes of our Proceedings, and to state that I am persuaded he has not acted unworthily or dishonorably.

The conduct of Mr. van Rynveld is explained in his own evidence; and I am equally convinced that he has not acted from malicious or dishonorable motives.

The conduct of Mr. O'Reilly, in taking the original deposition of Philip Rudolph Botha, is likewise sufficiently explained in his own evidence, which I see no occasion to distrust, notwithstanding the privacy of his proceeding, for which he gives his own reasons.

Various questions will be found in the minutes of evidence addressed to different witnesses, with a view to extract information relative to the conduct of individuals employed to collect evidence for the trial of Stockenstrom v. Campbell, and relative to the sums received by the witnesses themselves, in payment of their expenses on that occasion. I am unable to detect a single instance in which a charge of corruption is made, or in which any individual is charged with the payment of these expenses. The sum of £75 is the amount which most of the witnesses have received, and the same sum was paid to witnesses summoned on behalf of Capt. Stockenstrom, by mutual agreement between the agents of the plaintiff and of the defendant.

The witness, Cornelis Swanepoel, appears to have received £100. He was detained for three months in Cape Town. His expenses were duly taxed by the Master of the Court, and he was examined under different circumstances, and other witnesses. I cannot, therefore, consider that these facts are sufficient to substantiate corruption; and it is to be observed, generally, that witnesses have been compelled to travel distances of six or seven hundred miles from their own homes, to the injury of their own private affairs, in a country where travelling is tedious and difficult.

With respect to the conduct of individuals employed to collect evidence, I am equally unable to discern that a single accusation has been substantiated. That the evidence of Captain Stockenstrom before the Aborigines' Committee may have created feelings of animosity towards him, is most certain; and that persons travelling through the country to collect evidence against him, may have been little scrupulous in their mode of proceeding, and gaining information, is also evident. It is not, however, to be supposed, on these grounds, that the conduct of any one witness is to be impeached, where guilt is not proved, I am not at liberty to infer it on slight grounds.

I proceed, therefore, to consider the evidence on the charges against Captain Stockenstrom, upon its own merits. It will be seen on reference to the Minutes of Proceedings, that, with the exception of occasional allusions to it by Capt. Pretorius, in the Minutes of the Court, the conduct of Captain Stockenstrom, now under consideration, did not attract public attention prior to the inquiry relative to the death of Zeko, which took place in Graham's Town in February, 1836. It was upon that occasion that the fact of a Caffer having been killed by C. Stockenstrom, was first mentioned by the witness, Klöpper, to Fiehl-Cornet Erasmus, who was accused in the case of Zeko. The manner in which the deposition of Klöpper was subsequently taken, will be seen in the evidence of Mr. Jarvis, which is corroborated in many particulars by others.

From the evidence of Klöpper himself, little information is to be gained; but I incline to think the contradictions it contains, are not deliberate untruths. He is a man rather advanced in life, and is in infirm health. He is not intelligent, his memory is imperfect, and his ideas confused. His affidavit is important, inasmuch as it was the first which became public; but I assume nothing as positive from his evidence, which is not clearly corroborated. The idea of revenge which he has associated with the death of the Caffer, may be a confusion of memory, and not a deliberate false-

hood. I discover no concert between Klöpper and Botha, whose deposition is next to be considered. I have already stated that I do not distrust the evidence of Mr. O'Reilly. He has distinctly asserted that he solicited nothing by any endeavor of his own to refresh the memory of Botha, who was left to make his own statement. The difference of date between 1819 and 1813, is no proof of concert between Klöpper and Botha. The order to shoot all the Caffers, which is attributed by Botha to Captain Stockenstrom, is now proved to have been given by Major Fraser; and the circumstances are explained to the credit of Capt. Stockenstrom. This statement did not originate with Klöpper. It is not a pure invention, but merely a distortion of fact, which Botha is correct in fixing as having occurred on the day immediately preceding the death of the two Caffers. The cause of dissatisfaction among the farmers is not corroborated, and the day of the week is not distinctly proved. The expressions of revenge are not related as having been used at the time mentioned by Klöpper. Upon that point the memory of Botha would be most likely to be correct; but where one distortion has been detected, I may reasonably suspect others, although on the particular morning in question the party marched, as is asserted by Botha, from Karooom. The other witnesses in general do not agree in stating that the Caffers were young children.

The deposition of Charles Pretorius commences apparently by a confused account of occurrences, as connected with the year 1819, which I cannot explain, but the facts he states himself to have seen "on a former occasion," are evidently those of the year 1813, which are corroborated by others. It is to be regretted that Charles Pretorius declined attending the proceedings of the present inquiry. The original deposition of P. Aucamp is completely explained away by his present evidence, which is only valuable as affording proof that the shooting of a Caffer by Captain Stockenstrom, at the Blinkwater, was mentioned to Aucamp by Pretorius in the year 1827, as well as to Mr. Rynveld in 1829 or 1830, and long prior to the evidence before the Aborigines' Committee. In connection with the above four original depositions, I have considered as carefully as I am able, the evidence of four other persons who have appeared before us, and who, in the year 1813, were eye-witnesses to the death of two Caffers at the Blinkwater, of whom one was shot by P. van der Merwe, and the other by Captain Stockenstrom. The names of these witnesses are Cornelis Swanepoel, P. van der Merwe himself, Karl Koen, and Barend J. van den Berg; and I may refer to the minutes of their evidence, as affording the strongest general corroboration to the deposition of Pretorius, as far as the latter relates evidently to the year 1813. It will be seen that the age of the Caffers is variously stated, at from 16 to 24 or 25 years; and it must be observed, that the time which elapsed between the discovery of the first Caffer, and the death of the last, did not exceed "two minutes" at most, when the party were in the bed of the river.

To judge correctly of the conduct of Captain Stockenstrom, it is necessary to take into consideration many other occurrences of the period in question, which have been either wholly forgotten, or are only imperfectly remembered by the above named witnesses; and here it may be proper to remark, that Cornelis Swanepoel is the only witness, except Klöpper, who has deposed to the expressions of revenge. He differs with Klöpper, and he differs with Botha; and his evidence confirms my belief, that if these expressions are not distorted, they are incorrectly associated with the occasion particularly referred to.

It is satisfactorily proved by other evidence, that Captain Stockenstrom, in the year 1813, served on commando under the orders of Major Fraser. The commando first assembled at a place called "Opperman's Farm," near the Blinkwater River, and marched from thence, by Koonop to Karooom, where it appears to have remained about two days. During the stay of the commando there very creditable exertions were made by Capt. Stockenstrom in saving the lives of several Caffers, whom Major Fraser had ordered to be attacked by a patrol, under circumstances of misconception, which are detailed in evidence. On the following day, the whole commando marched in pursuit of an armed band of Caffers, who were retiring with their cattle, and concealing themselves in the bush of the country. I find it extremely difficult to form an accurate opinion of the exact situation of the party under Capt. Stockenstrom, at the moment when the death of the two Caffers took place, but it appears to have been detached at a short distance from the main body of the commando, and acting in concert with it. Notwithstanding many statements to the contrary, I cannot direct myself to the belief, that other Caffers must also have been killed nearly at that moment; and it seems certain, from the evidence of Van der Riet and others, that more shots were fired than are remembered by those who witnessed the conduct of Captain Stockenstrom at the spot where the two Caffers were concealed.

Under the circumstances, and taking into consideration the high character for humanity which Capt. Stockenstrom has invariably borne, as well as the peculiar character of Caffer warfare, it is just to conclude, that he must have acted under a reasonable belief of concealed danger at the moment, and in the performance of a lawful military act.

(Signed) R. DUNDAS, Captain, R.N.

Graham's Town, June 11, 1838.

A true Copy. SAMT. CHARTERS, As. Mil. Sec.

The Governor then read a Despatch from Lord Glenelg, dated October 27, 1839, acknowledging the receipt of General Napier's Despatch of the 22d June, 1838, with the proceedings therein enclosed of the Court of Inquiry which had been held under His Excellency's directions, for the purpose of investigating the merits of a charge which had been imputed to Captain Stockenstrom, the deliberate murder of a Caffer boy.

Lord Glenelg, in his despatch, says, "I have carefully considered these proceedings, says his Lordship, and I am fully satisfied that you are your coadjutors on the inquiry have absolved the Lieut. Governor from the odious imputation which had been circulated against him. I deeply regret, he continues, that this investigation was rendered necessary by the manner in which the charge was advanced, and I feel it due to Captain Stockenstrom to state, that the high character for humanity which he has acquired, and long sustained, has not in my opinion been in the slightest degree affected by the inquiry, and that the confidence of Her Majesty's Government in his qualifications for the office of Lieut. Governor of the Eastern District is wholly unimpaired."

I fully concur in the propriety of communicating the opinions of the Court to Lieut. Governor Stockenstrom, as well as of making them public, and you will have the goodness to take the necessary measures accordingly.

The next despatch is dated 28th Oct. 1839.

Lord Glenelg acknowledges the receipt of a despatch from his Excellency, dated 21 July, 1838, stating that he had proceeded to London, for the purpose of proceeding to England for the purpose stated in a despatch from the Secretary of State, and that he had communicated to him the arrangements he had made consequent on the Lieut. Governor's absence.

In conveying to his Excellency his full approbation of his proceedings on this occasion, and of his provisional appointment of Col. Hare, to act as Lieut. Governor, he cannot but express his deep regret that any part of the despatch which he has now read to his Excellency, with reference to the proposed investigation, which has since taken place into the proposed charges against Capt. Stockenstrom, should have given pain to his feelings, or led him to suppose that he (Lord Glenelg) believed him capable of having perpetrated the crime imputed to him. Nothing certainly, says his Lordship, could be farther from his intention than to convey any intimation of opinion in the slightest degree prejudicial to the high character which Capt. Stockenstrom has long and so justly maintained. The only reason for not having expressed myself in terms of greater confidence as to the result was my wish not to anticipate the judgment which was to be formed after an impartial investigation, and I trust the Lieut. Governor will feel, on reflection, that the course which I adopted was consistent with the most entire confidence in his honor, integrity, and humanity. The peculiar qualifications of Captain Stockenstrom for the situation which he has recently held, and the high and gratifying testimony which he has borne to his conduct and services, would make me sincerely regret his final abandonment of his office.

I abstain, at present, continues his Lordship, from the consideration of any final arrangement as to his successor, in the hope that he may be induced to reconsider the determination which he has privately announced to you of not returning to the Cape.

His Excellency concluded by saying,—I have now, gentlemen, read the whole of the documents which I purposed to bring before you on this subject; and in moving that they be placed on the R. records of the Council, I have nothing left to do but the pleasing duty of expressing the great pleasure I feel in having made one more on an inquiry, which has so effectually cleared Capt. Stockenstrom from the imputation which have been cast upon him,—and of declaring my full conviction that the whole affair was a system of calumny and intrigue against him from beginning to end.

Ordered to be entered on the Minutes.

(The continuation of the proceedings of the Council, with reference to the Magistrate's Bill, in our next.)

Churches News.

REVOLT IN CANADA.

Plattsburgh, Nov. 3. "Hon. J. C. Hunt—Sir, last night there was a revolt of the patriots in Upper and Lower Canada. In the city of Quebec, Thellier and Dodge, the yankee prisoners, had 25,000 armed men under their command; at Montreal, 5,000 men were commanded by French officers; at Quebec, 1,000 men were commanded by French officers; and at Plattsburgh, 800 stand of arms which were deposited there for the Royalists.

"Dr. Nelson left Plattsburgh last night at 12 o'clock with 1,500 men to march upon St. John's, at which place he was to be joined by 1,000 men from the parish east of St. John's. The town was to be burnt at day-break this morning. All communication by land is stopped. The patriots have possession of the lines. Still Johnson's work at his old station Saturday night 1,000 men from the British evacuated. The whole of the loyalist of Canada are very unpleasantly situated.—Times, Dec. 3.

(From the Societ's Harbour Journal Extra.) "The steam boat Oneida, just arrived from Ogdensburgh brings the following news:—

"A severe engagement took place at Prescott yesterday commencing at 8 A.M. and lasting seven hours, between the Patriots and the British forces, with some military success, and 300 British regulars, together with some militia, were engaged. The battle took place about a mile below Prescott. The Patriots having possession of several stone buildings. Several were killed and wounded on both sides. The British, however, sustained by far the heaviest loss. Colonel Young, the British commander, was among the British killed, his body being pierced with seven balls. The British were repulsed by the Patriots, and finally left the field to win reinforcements, for which an express was sent to Kingston.

"During the action the British party were dead and wounded into a barn, behind which they sheltered themselves, and the Patriots, to dislodge them, set it on fire, which was consumed, together with its contents; immediately after which the British retreated to Prescott for the last time.

"The steam boat United States and two schooners were seized yesterday by the United States Marshal, under the neutral flag, on their way to this port under the command of Mr. Foster, the steamer of the steam boat United States, was killed by a grape shot from the British schooner Experiment, yesterday, while engaged in getting into the United States, the Experiment, attempted to run down the schooner Charlotte, but was fired into by the Patriots on board of her, killing six and wounding five, after which she retreated into Prescott.

"A small boat containing British patriots, crossing from Ogdensburgh to Prescott, was fired into by the steam boat Coburg and disabled, and then she ran alongside and fired down upon them, sinking the boat, and killing every person that was on board.

"The steam boat Oneida has been chartered by Colonel Worth for the United States service, and is to return immediately to the river St. Lawrence with troops from this place."

"The Montreal Herald of the 16th, has the following reference to the affair at Prescott:—

"Information was received late on Tuesday evening that 900 men, with eight pieces of artillery, had approached Prescott, from the opposite shore, on the morning of Monday, about 10 o'clock, and failed in an attempt to run two large schooners alongside the wharf. With the assistance of the steamer United States and Paul Perry, about 600 men of the British forces, were engaged, and the British accounts below the town, where they were defeated, and the