

**“...and my blood became hot!”**

**Crimes of Passion, Crimes of Reason:**

**An analysis of the crimes against Masters and Mistresses  
by their Indian Domestic Servants, Natal,  
1880-1920**



**PRINISHA BADASSY**

**A thesis submitted in partial fulfillment of the requirements for the  
degree of Masters of Arts in the Department of Historical Studies,  
Faculty of Human Science, University of KwaZulu-Natal.**

**February 2005**

For my grandparents, ... who survived!

*D e c l a r a t i o n*

This study represents an original work by the author and has not been submitted in any form to another university. Where use has been made of the work of others it has been duly acknowledged in the text.

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Prinisha Badassy  
February 03, 2005

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Dr Catherine E. Burns  
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February 03, 2005

## Abstract

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by

PRINISHA BADASSY

Supervised by: Dr Catherine E Burns  
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This thesis posits that the experiences and emotional strain associated with being a domestic servant gave rise to a culture of anger and violence within the ranks of Indian Domestic Servants in Colonial Natal during the period 1880 to 1920. These acts of violence, in particular physical and indecent assault and poisoning are explored here not in admiration of their brutality, but for their historical relevance to the study of Indenture, more specifically in the area of servant-master/mistress relations. The study uses these crimes as a window into the social dynamics of the settler home and domestic space in Colonial Natal, since they were created within their own set of orchestrating emotions and situations. The thesis draws on international and local literature around master/mistress-servant relations as well as relations between domestic slaves and the owners of their labour at the same time in other regions of the world. The findings of this thesis contribute to the historiography of South Africa; to the historiography of Indian South African life; to the historiography of servant-master/mistress relationships; to the analysis of the complex intermingling of private and public labour and lives bound up with this labour form, both in past moulds and in its present form; and to the growing literature on the linkages between utilizing analysis of legal institutions and legal records in researching and writing the history of South African lives. Most importantly however, this thesis is the story of ordinary men and women whose lives, cultures, individualities and histories intersected with the domestic and colonial nexus.

*C o n t e n t s*

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*A c k n o w l e d g m e n t s*

questioning the whole threshing floor of the earth,  
trying to discover  
the meaning of this vast disorder...  
perhaps even rebelling at finding  
no answer.

aime cesaire

Every Tuesday and sometimes Friday for the past three years, Stephen and I would glumly jump into our cars and dread the long drive to the archives. Sometimes we would be joined by the other graduate students, and on the way there, we would talk about the birds, the bees, life, love, colonial paper cuts, and very, very occasionally about work. And sometimes we never actually made it to the Archives. But all those trips are laced with pleasant memories of arguments on amaFoucault, Mamdani, Wednesday afternoon seminar papers and it was during these long drives that this thesis developed. There are many people that have, in their own little ways contributed to this thesis, but first and most importantly, I would like to thank Stephen Sparks [who wears his heart on his sleeve]. This thesis is as much mine as it is his. Stephen is the greatest friend I have known and if I could describe that friendship in one word, it would be glorious! Many people who will read this thesis I am sure, will feel the energy and passions of Dr Catherine Burns radiating through the pages. She has been so much more than just a supervisor and her dedication, honesty, friendship and inspiration over the past five years is sacred and cherished. To Catherine: who taught me how to be the sand in the oyster! – thank you. I would like to acknowledge the financial support of the National Research Foundation as well as the staff at the Pietermaritzburg Archives. I would like to extend my gratitude to Keith Breckenridge, Sandi Thompson, Jeff Guy, Marijke du Toit, Thembisa Waetjen, Vukile Khumalo, Chad Martin, Mike Mahoney, the graduate students – and of course, Julie Parle: the bearer of calmness – it is truly a privilege to be associated with such an excellent department: Mucho Gracias. To Nafisa, Suri, Vash and Melissa, what would the department be without you all? Thank you. I am so grateful for all your ideas, motivation and for helping me finish this thesis. A special thank you to Nafisa – your singing talent is indeed rare! To Buddy and Penny: I know that I speak for both Sershen and I when I say we could not have done this without your love and support. My love and greatest thanks to Sershen’s family and my own, for being so supportive, understanding the long nights and missing us on the weekends and holidays. To the latest member of our family, Keshav: whose spirit glistens like rain, thank you for your smile. And to Sershen Naidoo, ... he knows why!

... and how can I forget the sandworm!

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*List of Abbreviations*

- AGO – Attorney General's Office (1845 - 1928)
- CNC – Chief Native Commissioner (1893 - 1952)
- CSO – Colonial Secretary's Office (1842 - 1919)
- GH – Government House
- II – Indian Immigration Department (1858 - 1924)
- IRD – Immigration Restriction Department (1897 - 1912)
- MJPW – Minister of Justice and Public Works (1861 - 1910)
- MSCE – Master of the Supreme Court. Estates (1840 - 1971)
- NCS – Natal Civil Service
- NCP – Natal Colonial Publications
- NIC – Natal Indian Congress
- NIPU – Natal Indian Patriotic Union
- NITU – Natal Indian Teacher's Union
- NT – Natal Treasury (1846 - 1912)
- PAR – Pietermaritzburg Archives Repository
- PMG – Postmaster General (1855 - 1901)
- RSC – Registrar, Supreme Court, Pietermaritzburg (1846 - 1966)
- SGO – Surveyor General's Office (1837 - 1914)

...

And this also, thought the word lie heavy upon your hearts:

The murdered is not unaccountable for his own murder,  
And the robbed is not blameless in being robbed.

The righteous is not innocent of the deeds of the wicked,  
And the white-handed is not clean in the doings of the  
felon.

Yea, the guilty is oftentimes the victim of the injured.

And still more often the condemned is the burden bearer  
for the guiltless and unblamed.

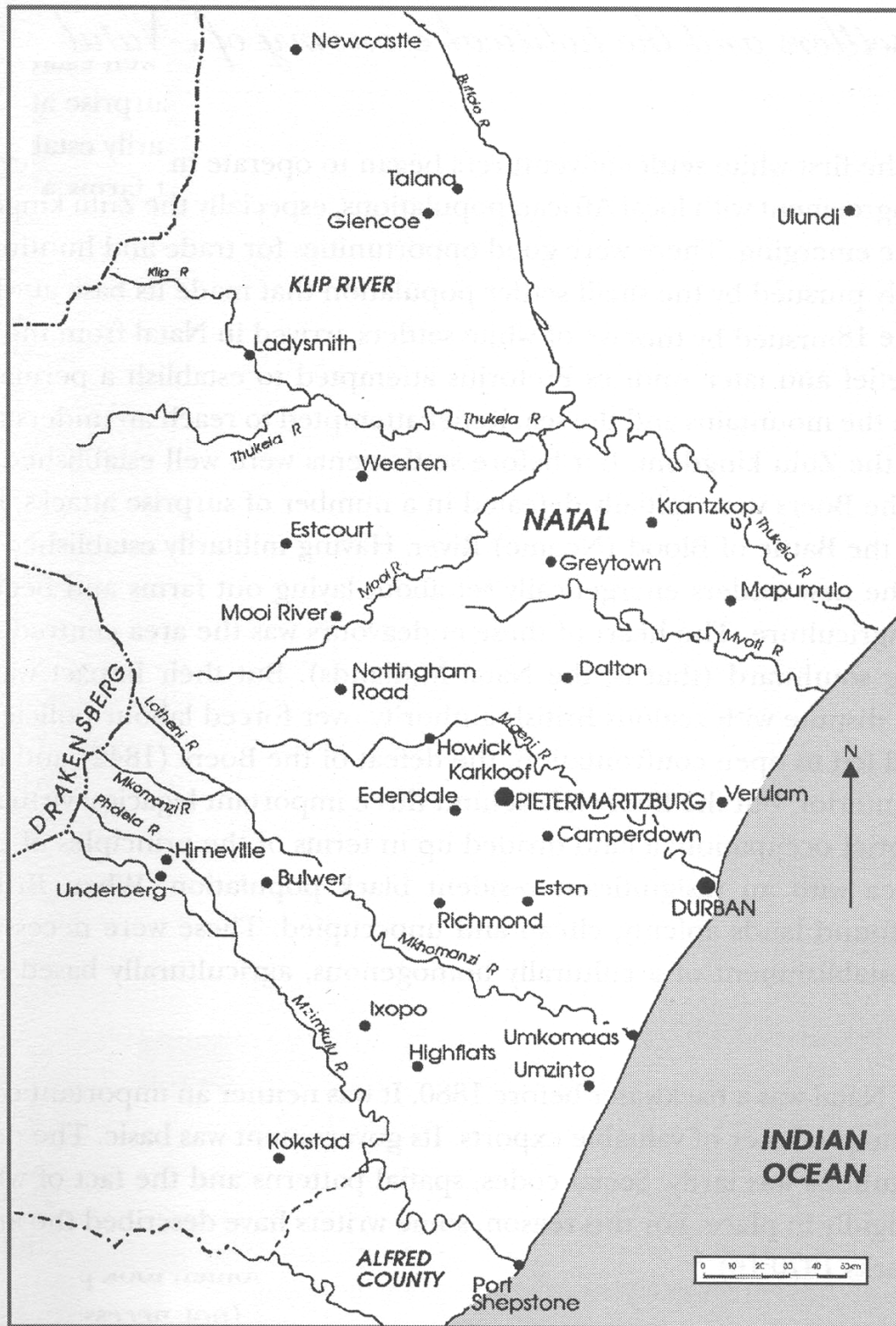
You cannot separate the just from the unjust and the good  
from the wicked;

For they stand together before the face of the sun even as  
the black thread and the white are woven together.

And when the black thread breaks, the weaver shall  
look into the whole cloth, and he shall examine the loom also.<sup>1</sup>

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<sup>1</sup> Kahlil Gibran. *The Prophet*. (Arkana: Penguin, 1998), 47-48.



Map of the Natal Region<sup>2</sup>

<sup>2</sup> Robert Morrell. *From Boys to Gentlemen: Settler Masculinity in Colonial Natal, 1880-1920*. (Pretoria: University of South Africa Press, 2001), 2.

*I n t r o d u c t i o n*

In *The Eighteenth Brumaire of Louis Bonaparte*, Karl Marx said that “They cannot represent themselves; they must be represented.”<sup>1</sup> Marx was of course referring to small-holding peasants, but the phrase is used here to describe the way in which this thesis represents the beginning of an attempt to bring to life the stories of those individuals that existed within the inner sanctum of colonial life. Interesting in their behaviour and actions and enigmatic in their thoughts and ideologies, for them, domesticity arrested their sense of individuality and they strived to exist outside of the bounds of their contract with their masters and mistresses. This was the loom that further entangled and subjected them, a loom that some of them tried to destroy, and that others were constrained by their entire working lives. Presented here are the micro-histories of these Indian domestic servants, who lived and worked in Natal from 1880 to 1920, a period marked by great turbulence. This thesis analyses the crimes committed by these servants against their masters and mistresses and through this offers a portrait of their at times, very intimate but also very violent relationships with their masters, mistresses and children in the Colonial settler homes for which they cared.

These domestic servants fell under the often unforgiving control of their masters and in particular their mistresses, and individual responses to this system were varied and were oftentimes provoked and fostered by the dispossession of individual freedom, sometimes by coercion, degradation, beatings, loss and deprivation of food rations,

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<sup>1</sup> Karl Marx. *The Eighteenth Brumaire of Louis Bonaparte*. (New York: International Publishers, 1987), 124. There have been numerous debates on ‘representation’ and degrees of truth and validity concerning representation, but this thesis is an attempt at representing their lives and life stories of individuals who were not necessarily silenced or forgotten but rather lingered in the background.

confinement, as well as the refusal of passes. Indian domestic servants in turn, expressed their frustration in the form of alcoholism, the excessive use of dakkha,<sup>2</sup> desertion, petty theft, forgery, perjury, arson, physical and indecent assaults, rape, and poisoning. These crimes were acted out in different settings, at different times, with different energies, agendas and motives. These crimes against masters and mistresses were the physical production of despair, anger, aggression and sometimes as acts of escapism and revolt.

This thesis explores a theory, substantiated through close examination of the sources, that for a variety and challenging set of reasons, there were aspects unique about the domestic space that allowed for the lives of both settler and servant to intersect and amalgamate in a way that could not have been so easily cultivated in the case of field labourers. It was primarily in a domestic setting that the forms and nature of relationships that this thesis investigates could have existed. The Colonial home was in fact the catalyst in spurring such unpredictable and sometimes volatile interactions. Not only were these domestic servants within close proximity to the master, and more especially the mistress, for most of the working day, these servants were also responsible for the well-being, care and upkeep of the settler family. It is therefore as a result of the constant contact between the master/mistress and servant that such intimate and antagonistic relationships were able to form. From the court cases and specific crimes examined in this thesis, it is evident that incidents of physical and indecent assaults and poisoning were triggered by intense resentment and, in essence, symbolised an attack on the representations of power of the Empire as embodied by; and through the master and mistress.

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<sup>2</sup> In KwaZulu-Natal, the commonly used word for hemp, *Cannabis indica*, *Cannibas sativa* is dakkha, also frequently spelt dagga.

For the most part Indians were considered by the state and employers to be dispensable components of a capitalist labour system. In the more popular history of Indians in Natal, as it stands the period 1860 to 1910 is largely classified by those who toiled the sugar plantations along the coastal belt of Natal and traders, commonly referred to as Passenger Indians. There remains an important sector of the Indian population that has been neglected in the existing historiography. As Goolam Vahed has argued “Indians are treated in the existing literature as an undifferentiated mass, distinctions and differences within the Indian community are ignored.”<sup>3</sup> There is little room for the storekeepers, traders, railway workers, constables, court messengers, miners, fishermen, fruit and vegetable hawkers, tea pickers, teachers, interpreters and in this case, domestic servants.<sup>4</sup> Such outstanding works as Bhana and Brain’s *Setting Down Roots*; Bhana and Pachai’s *A Documentary History of Indian South Africans*; Bhana’s *Essays on Indentured Indians in Natal*; Dhupelia’s recent *From Cane Fields to Freedom*; Freund’s *Insiders And Outsiders*; Meer’s *Portrait of Indian South Africans*; Y. S. Meer’s *Documents Of Indentured Labourers*; and Palmer’s *The History of the Indians in Natal*; appraise the entire indenture period, focusing on indentured labourers with perhaps only a few references and footnotes to Indian domestic workers. As this study will show, there remains an

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<sup>3</sup> Goolam Vahed. ‘Swami Shankeranand and the Consolidation of Hinduism,’ in *Journal for the Study of Religion*, **10**:2, September, 1997, 1.

<sup>4</sup> There were six definitions or groups of Indians in Natal, “Indentured Indian”- One who had been introduced, under the provisions of the various Acts dealing with Indian Immigration, by the Immigration Trust Board, “Re-indentured Indian” – One whose time had expired since the operation of Law 17, 1895 and had thereof elected to re-indenture himself under the provisions of that Act, “Free Indian”- this being one who had completed his indenture prior to the coming into operation of Law 17, 1895, and who was therefore not liable to the payment of £3 license, and had forfeited his right to a return passage, but may have regained same by indenturing under Law 42, 1905. “Time Expired Indian” – One whose indenture had expired subsequent to the operation of Law 17, 1895, “Colonial Born Indian” – The child born in Natal, of the “Free Indian,” or of a “Time Expired Indian” who elected to pay £3 license and remain in the Colony without re-indenture under Law 17, 95, or, of an Indian who arrived in the Colony at his own expense, as an ordinary Colonist, and independently of the Indian Immigration Trust Board. The latter description is that of a “Free Immigrant”. See Y.S. Meer. *et al. Documents Of Indentured Labourers, 1852-1917*. (Durban: Institute of Black Research, 1980), 636.

abundant amount of primary archival documentation through which the social history of people such as Indian domestic servants can be explored. This then suggests that there are pockets of untouched history that relate to Indians and their existence in this region since 1860 that still needs to be explored. This thesis will hopefully contribute to building a more substantial, in-depth and complete history of Indians in this country, as well as refining our understanding of the private and personal spaces of colonial society within which domestic servants lived and worked.

Furthermore, this vast and intensive body of work regarding indenture and Indians in South Africa, lacking in personal history, individual narratives and experiences. By looking at individual agency, as Shula Marks argues, a new social history can be formulated.<sup>5</sup> Perhaps one of the most pertinent features of Gerda Lerner's book *Why History Matters* is the way in which her life becomes a paradigm for advocating the necessity of historical perspective.<sup>6</sup> Lerner aptly situates the importance of historical memory for both the present and the future within her complex life and historical memory. Likewise, the individuals that this thesis attempts to resurrect, become vehicles for historical memory and for sustaining historical continuity across boundaries of time and space. John Tosh has argued that "history is a cultural resource, a storehouse of accumulated human experience for our contemplation and delight," but at the same time, its applicability and relevance cannot be dismissed.<sup>7</sup> The relevance of this study is drawn

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<sup>5</sup> Shula Marks. *The Ambiguities of Dependence in South Africa: Class, Nationalism, and the State in Twentieth-Century Natal*. (Johannesburg: Ravan Press, 1986), 8.

<sup>6</sup> Gerda Lerner. *Why History Matters: Life and Thought*. (New York: Oxford University Press, 1997).

<sup>7</sup> John Tosh (ed.). *Historians on History*. (Harlow: Longman, 2000), 3. I must add though that this notion of history is somewhat naïve in that all history, however trivial or commercial is nonetheless imbued with some political agenda.

not from history's ability to give us prophecy, but rather from the fact that history enables a recalculation and analysis of past events, since it is "perspective rather than prophecy, [that] is the contribution historians make to the rational understanding of the contemporary world."<sup>8</sup> This study is the story of ordinary men and women, who were sometimes both the villains and the victims in the story of colonial domestic life in Natal. These women and men were not merely crushed by the past, they lived through it, and they created it, and for this reason, their stories resonate in the present. The process of reconstructing and representing the lives of what Gayatri Spivak has termed the 'subaltern' is not without its difficulties. Nonetheless, while fully cognisant of this debate, this dissertation endeavours to tell these stories, remaining alert to the dangers of claiming that this represents a definitive history.<sup>9</sup>

From official sources available it is possible to deduce that the experiences endured by indentured and domestic servants alike shared certain strikingly similar features. From secondary literature, it is also evident that the experiences of domestic servants are continuous in similar veins throughout history and across geographical locations. Unlike the Indian elite in Natal, these domestic servants were products of proletarianisation and their lives were powerfully shaped by structures of class and race present in Natal during this time. Despite the right to claim a free return passage to India, as laid down by Act 17 of 1895, by 1910 there were 15 749 Indians living in the Colony who had chosen to be

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<sup>8</sup> Tosh. *Historians on History*, 8.

<sup>9</sup> Gayatri Chakravorty Spivak. 'Can the Subaltern Speak,' in *Marxism and the Interpretation of Culture*. Cary Nelson and Lawrence Grossberg (eds.) (London: Macmillan Education, 1988).



re-indentured.<sup>10</sup> This is somewhat surprising given that life under indenture in Natal was severe, if not brutal.<sup>11</sup> In a letter sent to *The Indian Patriot*, dated the 16<sup>th</sup> of April 1909, Mr. Naidu, a Madras emigrant wrote to the Indian Government, appealing and complaining to his brethren in South India. “By the revelations that it makes, the oppression that it describes and the dangers that it mentions,” the appeal shows that by 1909, the living conditions of most Indians in Natal had not improved in fifty years.<sup>12</sup> Mr. Naidu said “Time or space will not suffice to describe the sufferings of our Indians by agreeing to become slaves for 5 years to the white masters. What their white master’s will is law.”<sup>13</sup> In a review of the appeal sent to India, an article run on the same day in *The Indian Patriot*, said “the colour of skin is an enemy of the Indian, only so far as it makes him, in the eyes of the white man, less of a human being.”<sup>14</sup> From the records of the Protector of the Indian Immigrants, it is apparent that this was a view held by most White settlers in Natal. By 1904, there were only 21 473 Indians employed as domestic servants, gardeners, coachmen, dhobis and cooks, in comparison to the 70 0000 or so

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<sup>10</sup> See Pietermaritzburg Archives Repository [hereafter PAR], Natal Colonial Publications [hereafter NCP], 5/3/2, Act 17 of 1895, “To amend the Indian Immigration Law, 1891,” and Y.S. Meer, *et al. Documents of Indentured Labourers, 1852-1917*. Durban: Institute of Black Research, 1980, 653.

<sup>11</sup> PAR, Colonial Secretary’s Office [hereafter CSO], 2602/C49/1909, Alleged ill-treatment of Indian Immigrant in Natal: Cuttings from the newspaper the “Indian Patriot.” Letter from the Colonial Secretary to the Under Secretary to the Government of Madras, Public Department, Ootacamund. The awful experiences of indenture are arguably reflected in the number of suicides by Indians in Natal during this time. Studies on the high rate of Indian suicide in Natal have suggested that they were caused by the conditions of life under indenture, which the records suggest was ‘brutal,’ see Julie Parle. “Death in Black and White: Suicide, Statistics, and the Construction of Race in Natal, 1880-1916.” Paper presented on the 2<sup>nd</sup> October 2002 at the Department of Historical Studies, University of Natal, Durban: History and African Studies Seminar.

<sup>12</sup> PAR, CSO, 2602/C49/1909, Alleged ill-treatment of Indian Immigrant in Natal: Cuttings from the newspaper the “Indian Patriot.” ‘Indians In Natal, Horrors Of Life, Sensational Details, The Revelations,’ *The Indian Patriot*, Friday Evening April 16 1909.

<sup>13</sup> PAR, CSO, 2602/C49/1909, Alleged ill-treatment of Indian Immigrant in Natal: Cuttings from the newspaper the “Indian Patriot.” *The Indian Patriot*, Friday Evening April 16 1909.

<sup>14</sup> PAR, CSO, 2602/C49/1909, Alleged ill-treatment of Indian Immigrant in Natal: Cuttings from the newspaper the “Indian Patriot.” *The Indian Patriot*, Friday Evening April 16 1909. See Appendix, *The Indian Patriot*, Friday Evening, April 16, 1909, Image 8.

engaged as field labourers. Given this, one would expect that there would be more crimes among the latter against their controllers.<sup>15</sup> But, as the records show, it was domestic servants rather than field labourers who primarily committed crimes of physical and indecent assault. Indeed, as the registers of the Attorney General's Office and the Supreme Court illustrate, there are numerous cases of Indians being accused of murder, physical and indecent assault, theft, arson, forgery, but in most cases, with a few exceptions, crimes against White settlers were committed by domestic servants.<sup>16</sup> Eugene Genovese's seminal study on slavery in America, *Roll Jordan, Roll* portrays a similar pattern for house servants and field labourers. He argues:

House servants appear to have been more rather than less troublesome to the whites than the field hands, even if in less dramatic ways. They quarrelled among themselves and with the whites, sulked, shouted, and in a variety of ways did not, or could not, conceal their hostility to harsh, unsteady, or even unexceptionable mistresses. High-strung white mistresses and sensitive servants clashed over words, deeds and mere looks. Life had to be lived at such close quarters that antagonism broke out everywhere.<sup>17</sup>

Thus, a study of domestic servants, domestic labour and the domestic space in Natal with special focus on Indians, is consequential to any study of Indians in this region and cannot be ignored since it is through these moments of violence that we are able to understand the dynamics of the relationship between the Settler and the Indian.

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<sup>15</sup> *Census Report of the Colony of Natal 17<sup>th</sup> April 1904*. (Pietermaritzburg: P. Davis and Sons, 1905).

<sup>16</sup> See Appendix, Tables 2-3, for crimes committed by Indians in the Colony of Natal, 1880-1920.

<sup>17</sup> Eugene Genovese. *Roll, Jordan, Roll: the World That Slaves Made*. (United States: Vintage Press, 1976), 361.

The relationship between ‘brown men’ and White women has been an area of interest for many colonial and post colonial writers, particularly in recent times, since there has been a general move away from great man histories as well as the much eroticised relationship between the colonising man and the colonised women. An analysis of the gendered nature of the context of colonial life and labour and the particular forms of patriarchy that took root in the Colony and later the Province of Natal will show how these structures powerfully shaped the social context in which the actual crimes were committed. The pioneering work of Jo Beall, and later Robert Morrell, and the emerging schools of gender sensitive historical work for this region, offer a base for developing an understanding of the mistress/master servant dialectic, within the context of Colonial Natal.<sup>18</sup> Furthermore, it is necessary to situate this thesis in the broader global context, and although there are limits to the extent to which servant-settler relationships in Colonial India and Colonial Natal are analogous, it is possible to assume that since Empire existed as a whole entity, there were undoubtedly many similarities between experiences in India and Natal. This study seeks to fill the gap caused by the lack of an in depth study of Indian domestic servants, their social identity, and their part in the broad spectrum of life under indenture. In evaluating their relationship with their masters and mistresses, their accounts can often be heard echoing in histories of other regions of the world, because the master/mistress-servant dialectic has occupied a crucial place in the histories of most world societies.

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<sup>18</sup> See D. J. Beall. ‘Class, Race and Gender; the political economy of woman in Colonial Natal.’ Thesis (MA-History) – University of Natal, Durban, 1982; and Robert Morrell. *From Boys to Gentlemen: Settler Masculinity in Colonial Natal, 1880-1920*. (Pretoria: University of South Africa Press, 2001).

This thesis is made up of the contextualisation and analysis of a series of narratives, mainly found in state records, of individuals whose lives came to be characterised by conflict with their masters and mistresses, who in turn enjoyed the support of the Colonial state when these conflicts erupted. From these histories it is possible to fashion the lives of ordinary men and women, both settlers and servants as well as construct a view of colonial authorities. The court cases burst with what some may call arbitrary information yet it is from these minute details that we are able to complete the narrative and build a clearer picture of nineteenth century Natal. In relation to the majority of field labourers, these interesting and marginalized characters appear to be seemingly unimportant. But as Nigel Penn argues in his scholarly and yet easily accessible study, *Rogues, Rebels and Runaways*, the fact that these characters are to be found in the archives, suggests that they attracted the attention of the colonial bureaucracy for a reason, and for this alone cannot be ignored. Penn argues that “in keeping with the turbulent natures they displayed more than two hundred years ago, and consistent with the irrepressible qualities with which they first forced themselves into the historical record, they demanded attention.”<sup>19</sup>

The stories of master/mistress-servant interactions did not always attract the attention of the bureaucracy. In some cases servants and masters reached agreement themselves, but frequently the Protector of Indian Immigrants and the courts passed judgment upon both master and servant in cases of thievery, flight, physical abuse, rape, and even murder. This dissertation intends to use the capital offences for which these Indian domestic servants were convicted as an avenue for exploring their lives by

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<sup>19</sup> Nigel Penn. *Rogues, Rebels and Runaways: Eighteenth Century Cape Characters*. (Cape Town: David Philip Publishers, 1999), 1.

attempting a ‘history from below.’<sup>20</sup> There have been numerous studies on the historical use of court cases in the production of histories, some of which have interrogated the methodologies used in the process of historical reconstruction. Some have praised their usage, while others have dismissed the importance of court cases, particularly in colonial settings where subjects could not speak English. The problematics of translation and interpretation have become a highly contested site of struggles over representation and truth as a result.<sup>21</sup> For this study, however, not only do the subjects traced through the records not speak English, but they were also immigrants and lived in a Colony where their only avenue for articulating their grievances was with the Protector’s Office. Therefore, these court cases and the depositions that compliment them, despite problems – such as the unreliability of interpretation, and biased trials – provide exciting and dynamic insights into colonial life. In these personal testaments individuals ultimately provide a commentary about their crimes in relation to the private and broader public life of the colony and the metropole as well as the people and the places in the cultural, economic, political and social setting of Colonial Natal.

Since this thesis relies heavily on archival and newspaper material housed in a colonial archive and make use of court records and personal testimonies, it is necessary to provide a commentary on the implications of this for historical research. Court records are not immune to the problems associated with rumour, testimony under

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<sup>20</sup> The approach to the study of ‘history from below’ has its origins in the 1960s, when a group of young historians reacted against top-down histories and the heavily theoretical Marxist style which had become dominant at the time. This trend towards the writing of histories ‘from below’ is perhaps best embodied by E P Thompson’s *The Making of the English of the Working Class*. (Harmondsworth: Penguin, 1963).

<sup>21</sup> For more on this see David William Cohen. *Burying SM: the Politics of Knowledge and the Sociology of Power in Africa*. (Portsmouth, N.H.: Heinemann, 1992), and David William Cohen. *The Combing of History*. (Chicago: University of Chicago Press, 1994), and Carlo Ginzburg. *The Cheese and the Worms: The Cosmos of a Sixteenth-Century Miller*. (Harmondsworth: Penguin, 1992) and Carlo Ginzburg. ‘Witches and Shamans,’ in *New Left Review*, July/August 1993, **200**, 75-85.

pressure and imprecise interpretation, but they have the potential to open up social histories that have otherwise been neglected, and “are a valid avenue through which the ‘representative reality’ may be attained.”<sup>22</sup> As Penn claims, “the reality of the past can only be partially represented.”<sup>23</sup> That is, historical narrative is the imaginative construction of events by the historian through a variety of sources that tell parts of a story. In keeping with Hayden White’s observation, “narrative history is a distinctive and legitimate form of discourse which bestows meaning on events but does not thereby lose touch with real events or the real truth value of its factual statements.”<sup>24</sup> Court records illuminate the social and political thoughts of individuals such as domestic servants who were only differentiated by the Colonial state with numbers and distinctive body piercings, tattoos or scars. As the following chapters will show, save the few individuals who do appear in the Protector’s files, the records of the Supreme Court and the Attorney General, though mediated, are the only collection where the voice of the domestic servants can be heard.

Following from Charles van Onselen’s observation about research on domestic servants and why there has been such a small number of scholarly works on this history from southern Africa, he argues that unlike writing about domestic service in eighteenth century England, where historians have at their disposal personal diaries, letters, travellers’ accounts, newspapers, and magazines, “no such simple solution exists for the historian of the colonies, where problems of class, colour and literacy combine to place

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<sup>22</sup> Fatima Meer. *Race and Suicide in South Africa*. (London: Routledge and Kegan Paul, 1976), 15.

<sup>23</sup> Penn. *Rogues, Rebels and Runaways*, 5.

<sup>24</sup> Penn. *Rogues, Rebels and Runaways*, 5.

diaries, memoirs and letters of employers and servants at a premium.”<sup>25</sup> But the colonial archives do offer some hope, as Nigel Penn reiterates, “nowhere else are the voices of the oppressed and vanquished – distorted though they might be – heard so clearly.”<sup>26</sup> Taking into account the process whereby these testimonies and depositions present in the archives, were produced, they are nonetheless a representative sample and it remains the challenge of the historian “to understand the context and conventions of these ‘stories from the archives’ before including them in historical narratives.”<sup>27</sup>

These domestic servants did much more than simply maintain and keep the Victorian home clean; they were also at the very epicentre of the colonial project, acting as powerful signifiers on the boundaries of class, race and gender. Their behaviour warrants a detailed examination because of the discontent they experienced within the milieu of the colonial domestic space. While there are only a finite number of accessible secondary resources that look at the complete history of Indians in South Africa, there are even fewer that look at the histories of domestic servants in this region.<sup>28</sup> In ‘The Witches of Suburbia,’ van Onselen suggests that part of the reason for this may be attributed to the fact that “domestic servants serve, they do not produce.” Unlike field and railway workers for instance, the work of domestic servants could not be “evaluated in capitalist terms,” since they were not “commodity producers.” He goes on to say that domestic

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<sup>25</sup> Charles van Onselen. ‘The Witches of Suburbia: Domestic Service on the Witwatersrand, 1890-1914,’ in *Studies on the Social and Economic History of the Witwatersrand, 1886-1914, Vol. II.* (Johannesburg: Ravan Press, 1982), 2.

<sup>26</sup> Penn. *Rogues, Rebels and Runaways*, 6.

<sup>27</sup> Penn. *Rogues, Rebels and Runaways*, 6.

<sup>28</sup> There have been a number of seminal studies that have opened new avenues for the study of domestic service in Southern Africa, such as Jacklyn Cock. *Maids and Madams: A Study in the Politics of Exploitation.* (Johannesburg: Ravan Press, 1984), and van Onselen. ‘The Witches of Suburbia: Domestic Service on the Witwatersrand, 1890-1914.’

servants “live[d] and labour[ed] in isolation” in private domestic spaces which the colonial state could not penetrate so easily and because of this “it is difficult to generate data about them.”<sup>29</sup> But it is precisely because of their position within the home that such a study would be able to provide a history that looks at the relationship between the master and the domestic servant rather than that of the state and the labourer, which we have seen in the case of South Africa’s mining and agricultural industries.

The wider literature examining the nature of bonded domestic labour in several other geographical contexts, has been essential for the purposes of this study. Works by the likes of Ann Stoler, Margaret Strobel and Nupur Chaudhuri on India; Jaclyn Cock on South Africa, and Karen Hansen on Zambia have shown the ways in which servants were essential to the construction of gender and race identities; the employment of domestics both reinforced and legitimated bourgeois notions of femininity and class superiority.<sup>30</sup> Norman Etherington, Jeremy Martens, Jock McCulloch, and to a certain extent John Pape, also argue that both masters and mistresses defined themselves in relation to their servants, flaunting their individual intellectual and moral sophistication in

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<sup>29</sup> van Onselen. ‘The Witches of Suburbia: Domestic Service on the Witwatersrand,’ 1-2.

<sup>30</sup> See N. Chaudhuri and M. Strobel. *Western Women and Imperialism: Complicity and Resistance*. (Bloomington: Indiana University Press, 1992); Cock. *Maids and Madams*; K. T. Hansen. *Distant Companions: Servants and Employers in Zambia, 1900-1985*. (Ithaca and London: Cornell University Press, 1989); Ann L. Stoler. *Race and the Education of Desire: Foucault's History of Sexuality and the Colonial Order of Things*. (Durham, N.C.: Duke University Press, 1995); Nupur Chaudhuri. ‘Memsahibs and their Servants in Nineteenth-century India,’ in *Women's History Review*, 3:4, 1994; Ann L. Stoler. ‘Carnal Knowledge and Imperial Power: Gender, Race and Mortality in Colonial Asia,’ in M. Di Leonardo. (ed.) *Gender at the Crossroads of Knowledge: Feminist Anthropology in the Postmodern Era*. (Berkeley: University of California Press, 1991); Ann L. Stoler. ‘Making Empire Respectable: The Politics of Race and Sexual Morality in 20<sup>th</sup> Century Colonial Cultures,’ in *American Ethnologist*, 16:4, November 1989, 634-660; M. Strobel. ‘Gender and Race in the Nineteenth- and Twentieth-Century British Empire,’ in R. Bridenthal and C. Koonz (eds.) *Becoming Visible: Women in European History*. (Boston: Houghton Mifflin, 1977). Also of considerable relevance is Susan Newton-King’s study on the Cape Eastern Frontier with a special focus on violence and race and labour relations. Susan Newton-King. *Masters And Servants on the Cape Eastern Frontier*. (Cambridge: Cambridge University Press, 1999).



contrast to their supposed uneducated and uncivilised ‘menials.’<sup>31</sup> When White emigrant women of lower and middle classes travelled to and settled in the Colonies, they saw replicating a Victorian lifestyle as a means of redefining themselves according to the bourgeois lifestyles of the metropole’s upper classes.<sup>32</sup> The widely held Victorian idea that domestic work was not only women’s work, but also work of the ‘undignified’ and lower classes disseminated throughout the colonies, and emigrant women, who travelled to the Colonies, further entrenched these ideas in settler societies. It was as a result of being in this very position, that women who came from the lower ranks of society, who filled the position of mistress of the home in turn, ended up being the most ardent activists and supporters of the Imperial project and fervently propagated White views of race and class. While this thesis is primarily about Indian domestic servants, at the same time it is also about White women in the colonies and their place in Colonial society and Empire. Besides the odd visit into town, the home of a friend, or the local hotel for afternoon tea, one of the few opportunities for contact with African and Indian people was through domestic servants. It was through these women in Natal, and in particular

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<sup>31</sup> In this instance see Jock McCulloch. *Black Peril, White Virtue: Sexual Crime in Southern Rhodesia, 1902-1935*. (Bloomington and Indianapolis: Indiana University Press, 2000); Norman Etherington. ‘Natal’s Black Rape Scare of the 1870s,’ in *Journal of Southern African Studies*, **15**, 1988, 36-53; Jeremy C. Martens. “‘Foul Deeds of Unparalleled Atrocity’: Colonial Legislation and Natal’s 19th Century Rape Scares.’ Paper presented at the Department of Historical Studies, University of Natal, Durban: History and African Studies Seminar, 11<sup>th</sup> August 1999; Jeremy C. Martens. ‘Polygamy, Sexual Danger, and the Creation of Vagrancy Legislation in Colonial Natal,’ in *The Journal of Imperial and Commonwealth History*, **31**:3, September 2003, 24-45; Jeremy C. Martens. ‘Settler Homes, Manhood and ‘Houseboys’: an Analysis of Natal’s Rape Scare of 1886,’ in *Journal of Southern African Studies*, **28**:2., June 2002, 379-400; J. Pape. ‘Black and White: The “Perils of Sex” in Colonial Zimbabwe,’ in *Journal of Southern African Studies*, **16**:4, December 1990, 699-720.

<sup>32</sup> See L. Davidoff and B. Westover. (eds.) *Our work, Our lives, Our words: Women's History and Women's Work*. (Basingstoke, Hants: Macmillan Education, 1986), and L. Davidoff. *Worlds Between: Historical Perspectives on Gender and Class*. (Cambridge: Polity Press, 1995).

their letters back to England, that British attitudes and knowledge about Africans and Indians in Natal was shaped, as Chaudhuri has also argued in the case of India.<sup>33</sup>

This dissertation is not just the story of the relationships between Indian domestic servants and their masters and mistresses and their daily interactions, but more importantly it aims to situate this story in the context of the broader social plains of South Africa and much of the Empire. As mentioned earlier, this story of these servants and their masters and mistresses are but micro histories and it is only through these extraordinary court cases that we hear parts of their life stories. It is primarily from the archival records of the Supreme Court, the Attorney General's Office and the Protector of Indian Immigrants Office, that these stories have been recreated. This is not without its limitations because not only do I bring my own interpretations and subjectivity to bare in telling these stories, but the archival records are themselves marked by silences, bias and incompleteness.

By concentrating on capital offences cases it is possible to gain an understanding of Indian domestic servants' subjected identity and it allows us to interrogate how different/similar their situation was to other indentured servants. More importantly it is from seemingly 'unimportant' social contexts such as domestic service that we can gain access to social histories of the more intimate aspects of colonial indenture. In addition this thesis hopes to also indirectly provide an insight into the domestic space of White

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<sup>33</sup> See Julie Parle. 'History, She Wrote: A Reappraisal of Dear Louisa in the 1990s,' in *South African Historical Journal*, **33**, November 1995, 33-61. A. L. Shadbolt. 'Daughters of the British Empire: A Study of Five British Women in Colonial Natal.' 190p. Thesis (MA-History) – University of Natal, Durban, 1998; A. L. Shadbolt. 'Victorians in Natal: A Study of Colonial life in Natal constructed through the letters and diary of three generations of a British Settler Family.' Thesis (BA-Hons) – University of Natal, 1996, and Lisa Stockman. 'The Construction of Boundaries: British Women, Labour and the Home in Colonial Natal. 80p. Thesis (BA-Hons) -University of Natal, Durban, 1997.

colonial families and more specifically, White women and their position within that context, and therefore will also draw on the wider literature on women in colonialism. By analysing the lived experience of Indian domestic servants, and the use of juxtaposition, it is possible to provide an insightful view into crucial historical questions relating to the general situation of Indians in the Colony, the social experience of indentured labourers, civil servants, free Indians as well as the Indian elite which were in many ways so different to those of Indian Domestic Servants. Investigating their lives will provide the grounds for a more profound and analytical historical study.

While Chapter One attempts to provide a broader framework for domestic service in Natal, Chapters Two to Four deal specifically with the different types of crimes committed by Indian domestic servants against their masters and mistresses. Chapter One, therefore, highlights such issues as the relationship of servants to their memsahibs in Colonial India, domestic servants in Eighteenth Century England, indenture in Natal, interaction between African and Indian servants, complaints submitted to the Protector of Indian Immigrants by Indian domestic servants, as well as an exploration of the problematic of the translation prevalent in Colonial Natal during the period in question. This study is concerned with the three primary types of crimes that were committed by Indian domestic servants, which include crimes of physical assault with intent to murder, crimes of indecent assault and rape, and the administration of poison with the intention of murdering. Chapters Two, Three and Four, concentrate on each type of crime respectively. An appendix has also been included, in which selected data from the 1904 Census can be found as well as tables detailing the numbers and various types of crimes committed by Indians in the Colony between the years 1880 and 1910 as listed in the Registers of the Attorney General and the Supreme Court. In addition, there are

photographs of masters and servants and the colonial home in Natal, which will give the reader an idea of what life was like during this time. As Hugh Trevor-Roper says, the historian should be *amphibious*, in that s/he should be able to penetrate the surface but at the same time be able to live above this surface as well.<sup>34</sup> The purposes of history is not just to paint in flat colours: black, blue, red, but also to show the hues, shades and mottles of the past.

Combing through court cases and depositions offers only glimpses into what servants, and masters and mistresses thought about their lives and their situations, which shaped their experience of empire. The architecture of social life that these court cases help the historian reconstruct is one that includes individuals that would otherwise be silenced and left out of the grand narrative of the history of Natal. A study of the past or learning from history will not enable ready made answers and it may not enable prophecy, but it will broaden outlooks and in doing this create an understanding to improve the present. History stems from our desire to learn about the past because it so foreign and different to us, and because the past is defined by this difference it makes sense to learn from the past by analogy as opposed to directly. History is a form of human agency, a dialogue and conversation that provides clues and connections with people in the past. This study analyses the forms of conflict and insurgency by Indian domestic servants against their masters and mistresses and in so doing attempts to enhance our understanding of the domestic space in Natal at the time. It is the story of men and women whose lives, cultures, individualities and histories intersected with the domestic and colonial nexus.

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<sup>34</sup> H.R. Trevor-Roper. 'The Past and the Present: History and Sociology', in *Past and Present* 42, 1969, in Tosh. *Historians on History*, 200.

*Chapter One*

**... is lying a coolie's religion?**

My father trained the mounted infantry for the Boer War in India and when he retired my parents went to live in England. My brothers and sisters, the older ones, remembered India with great affection. It was a different way of life I mean, the Indians thought you were gods you see, the sahibs and the memsahibs, they just waited on you hand and foot. There's no use looking at history with hindsight, you can't, there's no use in saying how wicked the colonials were and this that or the other, that's just how we lived, in those days, one was kind to one's servant and that sort of thing. I mean we always had Indian servants here [Natal]. They were the washerwomen. My family has always treated servants very well.

Godfrey Herbert was born on the 4<sup>th</sup> of November 1920 in a little house on Essenwood Road in Musgrave, which is today occupied by a bookstore. His mother, Ellen Charlotte, was born here in Natal and his father had come out from Yorkshire, England to fight the Matabele in 1896. His parents met here, got married and went off to the "coveted jewel in the crown of Empire."<sup>1</sup> In an interview conducted with a man recalling a childhood in India, England and South Africa, Herbert defended his family's relations with domestic servants over 80 years ago, and the tangled issues of work and remuneration; intimacy and distance; paternalism and racism; in the light of the massive shifts in expectations and legal requirements by the time of the interview, conducted in the early 21<sup>st</sup> century:

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<sup>1</sup> Sugata Bose and Ayesha Jalal. *Modern South Asia: History, Culture, Political Economy*. (Delhi: Oxford University Press, 1998), 3.

In India, mother used to give, I forgot what they call the butler, the senior man, but she gave him so many rupees a month and he ran the whole place. She just gave him so many rupees and he produced whatever meals and everything else and paid the servants and everything else, ... different way of life, and then they had syces as well you see for their horses and then they had the mali, the gardener and the butler's assistant, and then there was a pantry boy and then there was a cook as well. When I was a little boy, you never have any colour consciousness you know, well I never had it anyway but I mean some people do and you know because I'm white I'm superior never occurred to me, rubbish like that, I mean you're nice you're nice, pink, black or purple doesn't matter, if you're horrid you're horrid. I mean I've met some atrocious white people in my time and I won't have anything to do with them. The Indians here, the Sammys and the Marys as we called them in those days, it wasn't meant as a rudeness, we just couldn't remember Chinnasamy and all those names, but everybody who lived in India adored it, adored the servants and everybody got along terribly well, and you'll see that life there in those days, as my mother told me about this, they used to have straw matting hanging down over the doors and the paniwala used to come along and throw water on the doolays all day long to keep the heat down, and mother said that they had a punkahwallah<sup>2</sup> underneath the house with a string attached to his toe and he slept there all night and when he went to sleep you would say punka hai and he would wake up and his toe would start working and the punkas would start working. I mean those were the days gone by and you can't look at history with hindsight.<sup>3</sup>

These were Herbert's reminiscences of his childhood, and of his mother's stories about their 'glorious days in India'. Unlike the reality of life for many settler families, as this chapter will later show, Herbert presents a very idyllic and delightful view of a time gone by. However, in India and Natal, the interaction between the occident and the orient was not always so romantically woven.

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<sup>2</sup> This refers to a servant who was employed to operate a fan suspended from a ceiling.

<sup>3</sup> Interview with Godfrey Herbert and the author, undertaken at Musgrave, Durban on the 31<sup>st</sup> May 2004. Please note transcript in possession of author.

The inertia of his thoughts unfolds a myriad of independent as well interconnected issues and problems situated during a time of great turbulence, but his memories, despite being cast in the discourse of resisting present analysis, offer vital clues to the themes of this chapter. It is therefore necessary to tackle matters surrounding the broader Imperial project and emerging thoughts on social eugenics at the time as well as the changing notions of race, “the body,” and “the other” in relation to everyday transactions between the memsahibs and their servants in India. The works of Anna Davin, Nupur Chaudhuri, Margaret Strobel and Anne Stoler are especially important in illustrating these various issues and also show how these ideas had disseminated to the much younger Colonial state of Natal. The atmosphere in Natal at the turn of the 19<sup>th</sup> century was somewhat different to India, as well as the southern United States, and other European colonies in the Caribbean, Pacific and Indian Ocean regions. Master/mistress servant relations had taken on a far more bureaucratic accentuation which in turn impacted heavily on the general milieu of life in the Colony. More closely, this chapter will investigate the house and the domestic space as the cocoon for this metamorphosis of the relationships between Indian domestic servants and their masters and mistresses, domestic servitude in general, and the problematic of Indenture.

### **Natal and Indenture**

It was in 1843 that the Republic of Natalia became a Colony of what was the largest Empire in the world and between the years 1849 and 1851 there was a tremendous influx of more than five thousand British settlers arriving in Natal.<sup>4</sup> Emigration was fuelled by

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<sup>4</sup> Lisa Stockman. ‘The Construction of Boundaries: British Women, Labour and the Home in Colonial Natal.’ 80p. Thesis (BA-Hons) -University of Natal, Durban, 1997.

brighter prospects and the growing economic and social problems in England and the rest of Europe. Industrial depression, poor harvests and the potato blight spurred many individuals to take up Government grants in the form of very generous plots of land in the Colony. Besides posts as Government officials, or traders and artisans many had come as farmers and agriculturalists with the help of the Joseph Byrne Emigration and Colonization Company and the Christian Emigration and Colonization Society.<sup>5</sup> But by the 1850s, as many historians of this chapter of British imperialism have shown, slavery had been abolished in the British Empire and in this British colony an acute labour shortage was in evidence (as in many other colonial plantation and farming sites, as Walter Rodney and Marina Carter have shown).<sup>6</sup> In Natal small numbers of Africans living south of the Tugela worked for wages, but Zulu men and women living in the region under the rule of the Zulu royal house were able to refuse the sale of their labour through to the conclusion of the Anglo Zulu war of 1879. In the interim the British authorities and their agents in India and the far East looked to other colonial sites for their labour needs. Their aim was to staff the rapidly developing sugar, tea and coffee industry along the south Indian Ocean coastal plain, and Indian labourers, called 'coolies' by the Imperial officials and merchants of the day, were key to answering this shortage.

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<sup>5</sup> Charles Ballad. 'Traders, Trekkers, and colonists,' in Andrew Duminy, and Bill Guest. (eds.) *Natal and Zululand, From Earliest Times to 1910: A New History*. (Pietermaritzburg: University of Natal Press, 1989), 126.

<sup>6</sup> For further discussion on Natal, see Surendra Bhana and Joy Brain. *Setting Down Roots: Indian migrants in South Africa, 1860-1911*. (Johannesburg: University of the Witwatersrand Press, 1990); Surendra Bhana and Bridglal Pachai. (eds) *A Documentary History of Indian South Africans*. (Cape Town: David Philip, 1984); Surendra Bhana. (ed) *Essays on Indentured Indians in Natal*. (Leeds: Peepal Tree Press, 1990); Andrew Duminy and Bill Guest. *Natal and Zululand, From Earliest Times to 1910*; Bill Freund. *Insiders And Outsiders: The Indian Working Class Of Durban, 1910-1990*. (Pietermaritzburg: University of Natal Press, 1995); C. G. Henning. *The Indentured Indian in Natal, 1860-1917*. (New Delhi: Promilla, 1993); and for discussion with regards to other parts of the Empire see Marina Carter. *Voices from Indenture: Experiences of the Indian Immigrants in the British Empire*. (London, New York: Leicester University Press, 1996) and Walter Rodney. *A History of the Guyanese Working People, 1881-1905*. (Baltimore: The John Hopkins University Press, 1981).



A system of indentured labour – drawing on client and indebted hierarchies in India itself and already tried in several other British colonies – was thus implemented and consequently became a means through which British capitalist expansion was perpetuated in this region. There has been considerable debate regarding the notion of indenture as a form of slavery, much of the discussion focusing on the validity of Hugh Tinker and Henry Polak’s arguments. Tinker argues that indentured labour was fundamentally a “new system of slavery,”<sup>7</sup> while Polak, writing in the early 1900s argued that indenture was a system of temporary slavery. He stated that Indians were treated as,

mere chattel, a machine, a commercial asset to be worked to its fullest capacity, regardless of the human element, careless of the play of human passions. The system lends itself to heartlessness and cruelty, if not on the part of the employers, then on that of his Sidars and overseers.<sup>8</sup>

Marina Carter, who has written on Indentured labour in Mauritius and ‘Coolitude’ argues that historians who subscribe to Tinkerism have fallen into a number of false positions. She contends that Indenture can be described as a system of temporary slavery as long as there is recognition of changes that occurred over time in the conditions of indentured workers. This is a debate that will be further engaged in the thesis, since drawing parallels between the experiences of slaves and indentureds for analytical purposes can shed light on why this group of Indian domestic servants murdered their employers.

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<sup>7</sup> Hugh Tinker. *A New System Of Slavery: The Export Of Indian Labour Overseas, 1830-1920*. (London: Oxford University Press, 1974).

<sup>8</sup> H. S. L. Polak. *The Indians in South Africa, Helots within the Empire and how they are treated*. (Madras: G. A. Natesan and Co., 1909), 6. Sidars were Indian overseers on the sugar plantations.

By 1911, the records and official government census for Natal show that there were approximately 152 184 indentured Indians in Natal.<sup>9</sup> Besides being employed on the sugar farms and in various other agricultural and industrial settings as Indentured Indians, Natal also saw a wave of immigration by non-contracted Indians who followed their brethren to the Colonies in the pursuit of the opportunity of free business and enterprise.<sup>10</sup> And as the Colony developed there was a greater need for Indians who came to the Colony as 'Special Servants.' These were defined by specialised jobs such as waiters, clerks, interpreters, teachers, constables, messengers, drivers, etc. In the early years of "Indenture", it was only Free Indians who could be employed as domestic servants and settler families that relocated to the Colony from India brought their domestic servants with them.<sup>11</sup> It was only in 1897 that indentured Indians could officially be employed as domestic servants.<sup>12</sup> Prior to this, settler families were more likely to employ African males as domestic servants but after 1886 White masters and mistresses preferred re-indentured, free or colonial-born Indians as domestic servants.

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<sup>9</sup> Bhana and Brain. *Setting Down Roots*, 15.

<sup>10</sup> It is interesting to note that in *Setting Down Roots*, Bhana and Brain state that with the thousands of indentureds that went to Mauritius, the Caribbean, Sri Lanka, Mayalasia and Fiji this secondary movement of independent traders and merchants was generated.

<sup>11</sup> For instance, Pietermaritzburg Archives Repository [hereafter PAR], Colonial Secretary Office [hereafter CSO], 1700/1902/2339, DP Reid, Natal Government Telegraph, Pietermaritzburg. Applies for permit to bring into Natal an Indian servant, previously employed by him in Perak, 1902. PAR, CSO, 1711/1902/6770, Sir Henry Bale, KCMG etc, Pietermaritzburg. Applies for assistance in obtaining a pass for an old Indian servant Kurrabin to return from India to Natal, 1902. PAR, CSO, 1733/1903/5088, Colonial Secretary, Pretoria. Issue of a permit to an Indian, named "De Souza" who is to arrive in Durban, and is to proceed to the Transvaal as servant to Mr. S Stockman, 1903. PAR, CSO, 1734/1903/5754, Colonial Secretary, Pretoria. Asks that an Indian named "Berkhet", the servant of Mr. CT Glyde, of Ermelo, may be allowed to land at Durban, and proceed to his destination, 1903. PAR, CSO, 1861/1908/5093, LH Fripp, Pietersburg. Enquires re entry of an Indian servant into Natal, 1908. PAR, CSO, 1901/1911/1223, Dr. CD Boyes Calcutta: Visit to Natal: Wishes to bring his Indian servant with him, 1911. PAR, Immigration Restriction Department [hereafter IRD], 3/509/1899, AC Knight: Asks if he can bring an Indian servant to Natal, 1899. PAR, IRD, 15/108/1903, RM Stone, Pietermaritzburg: Asks for permission to import an Indian servant from Bombay, 1903.

<sup>12</sup> PAR, CSO, 1518/1897/4049, Parliamentary. Introduction of Indian Domestic Servants, 1897.

This was partly due to the Black Peril manias of 1883 and 1886, which Chapter Three will delve into with greater detail.

As mentioned earlier, attitudes to and relationships with domestic servants in Natal were similar to India. This was partly because the diffusion of ideas about interactions with the colonised peoples within the Empire was so significant and widespread, as shown by Anna Davin, Nupur Chaudhuri, Margaret Strobel and Ann Stoler. The central role that British women played in this particular Colonial context is clearly underplayed. Moreover, an exploration of the domestic sphere in India, focusing on memsahibs' intimate contact with their servants and how naturalised behaviours of interaction, discipline and control were generated and disseminated, will generate a clearer understanding of settler/servant life in Natal.

### **India and her Memsahibs**

Memsahibs occupied a somewhat difficult position, “as both subordinates in colonial hierarchies and as active agents of imperial culture in their own right.”<sup>13</sup> Stoler says that:

Most accounts show that the presence of European women put new demands on the white communities to tighten their ranks, clarify their boundaries, and mark out their social space ... In short, white women needed to be maintained at elevated standards of living, in insulated social spaces cushioned with the cultural artefacts of being European.<sup>14</sup>

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<sup>13</sup> Ann Laura Stoler. ‘Carnal Knowledge and Imperial Power: Gender, Race and Mortality in Colonial Asia,’ in Di Leonardo, M. (ed.) *Gender at the Crossroads of Knowledge: Feminist Anthropology in the Postmodern Era*. (Berkeley: University of California Press, 1991), 51.

<sup>14</sup> Stoler. ‘Carnal Knowledge and Imperial Power,’ 64.

And even though these women had the opportunities “to destroy the blurred divisions between colonised and coloniser,”<sup>15</sup> in an effort to “protect their status as rulers and defend British culture in India,” and prevent the ‘degradation’ of the British race, “[they] chose racial exclusiveness.”<sup>16</sup>

Ronald Hyam in *Empire and Sexuality* also speaks at length about memsahibs and their drive to shield and protect their hierarchical positions, which in turn gravely affected relationships between the colonised and the coloniser, not only in India but in other parts of Empire as well.

It has long been said that the biggest mistake the British made in India was to bring their women out, thus making it impossible to meet Indians as friends. New standards of racial prejudice were, it was said, imposed by hostesses drawing intricate distinctions between shades of colour, as the memsahibs elaborated an imperial social etiquette. They combined an exhaustive knowledge of precedence within European society with a lamentable ignorance of anything outside it.... Moping and sickly, narrowly intolerant, vindictive to the locals, despotic and abusive to their servants, usually bored, invariably gossiping viciously, prone to extra-marital affairs, cruelly insensitive to Indian women and hopelessly insulated from them—such is the memsahib stereotype.<sup>17</sup>

In ‘Memsahibs and their Servants in Nineteenth-century India,’ Chaudhuri brings to the fore an explanation of how these women were so crucial to the imperial venture. She says

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<sup>15</sup> Stoler. ‘Carnal Knowledge and Imperial Power,’ 66.

<sup>16</sup> Nupur Chaudhuri. ‘Shawls, Jewelry, Curry, and Rice in Victorian Britain’ in N. Chaudhuri and M. Strobel (eds.) *Western Women and Imperialism: Complicity and resistance*. (Bloomington: Indiana University Press, 1992), 231.

<sup>17</sup> Ronald Hyam. *Empire and Sexuality: The British Experience*. (Manchester: Manchester University Press, 1990), 119.

that this construction and proliferation of opinions about Indians was expounded primarily through diaries, letters, autobiographies and more specifically women's periodicals such as the *Englishwoman's Domestic Journal (EDM)* and *Queen*.<sup>18</sup> Since domestics were an indispensable part of everyday life and servants were the only group of Indians that they shared such close proximity with, these memsahibs wrote at great length of them in their letters and correspondence back home to their mothers, sisters and cousins in England, which in turn made them very active participants in British imperialism.<sup>19</sup> Furthermore, since it was these servants who were the key link between memsahibs' personal abode and the rest of India, it was inevitable that these memsahibs shaped their own attitudes as well as that of their relatives in Britain to Indians in general through their relationships with their servants.

The experiences of Godfrey's mother were notably different to most of the women that Chaudhuri describes. In this picture below, besides the mali, punkahwala, syces and the head servant, sitting with the family is the ayah and Godfrey remembers quite eloquently how sincere and faithful their ayah was.

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<sup>18</sup> See also Swapna B. Banerjee. 'Down Memory Lane: Representations of Domestic Workers in Middle Class Personal Narratives of Colonial Bengal,' in *Journal of Social History*, **37**:3, Spring 2004, 688. Besides publishing the letters and diaries of colonial women, *EDM* and *Queen* also acted as a guide for housewives and memsahibs in the Colonies, and offered them advice on everyday household activities, such as the number of servants to employ, the rates of pay for these servants, management of finances with regards to household needs, and a wealth of recipes. See Mary Procida. 'Feeding The Imperial Appetite: Imperial Knowledge And Anglo-Indian Domesticity,' in *Journal Of Women's History*, **15**: 2, Summer 2003, 123-149. While Imperial magazines like *Queen* and *EDM*, would have been available to some White women in the Colony, most White women however, would have followed the advice offered by 'Belinda's Corner', which was a weekly column published in the *Natal Mercury*.

<sup>19</sup> See also Catherine Hall. *Civilising Subjects: Metropole and Colony in the English Imagination, 1830-1867*. (Chicago: Chicago University Press, 2002), 285-286.



Image 2: The Herbert family at their home in Bangalore, c1910<sup>20</sup>

I'll tell you a very interesting story... the old ayah...this one...she lived in Bangalore and it's a long way from Bombay by train, and she must have heard that her memsahib and sahib were coming back, because when they arrived from England, from Leeds, at Bombay, ayah was waiting. They hadn't written to her or anything but she had found out that they were coming back and she was waiting on the quayside for the ship to come in. She must have heard that they were coming back.<sup>21</sup>

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<sup>20</sup> Images 2 and 4 courtesy of Mr Godfrey Herbert.

<sup>21</sup> Interview with Godfrey Herbert, undertaken at Musgrave, Durban on the 31<sup>st</sup> May 2004. Please note transcript in possession of author.

Indeed, there are in India and Natal alike, many stories like these which illustrate the powerful bonds that developed between colonial families and their servants, but for the most part domestic servants were seen as “superstitious, unintelligent, dirty, lazy and dishonest.”<sup>22</sup> Furthermore, because by the nineteenth century domestic work had been established as primarily women’s work in England, White women in India regarded Indian men who performed household duties as effeminate.<sup>23</sup> Victorian women were portrayed as and expected to be the moral keepers of society, and it was their obligation as “mothers of the [British] race to prevent “cultural contamination” and degeneration and maintain racial dominance.<sup>24</sup> In 1869, with much hostility, Emily Short Wonnacott, wrote to her mother in England from India,

No one must expect to find it an easy matter to manage a number of native servants, who will have different castes, not one of whom have anything in common with their employers, whose ideas of honesty, cleanliness and truthfulness are not merely vague, but do not exist, their delinquencies must be taken philosophically.<sup>25</sup>

In 1870 she wrote again to her mother, this time of her ayah, complaining that “the native women are as a rule very immoral, but then religion encourages them in that, for I

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<sup>22</sup> Nupur Chaudhuri. ‘Memsahibs and their Servants in Nineteenth-century India,’ in *Women’s History Review*, 3:4, 1994, 556.

<sup>23</sup> See Mrinalini Sinha. *Colonial Masculinity: The ‘Manly Englishman’ and the ‘Effeminate Bengali’ in the Late Nineteenth Century*. (Manchester and New York: Manchester University Press, 1995); and Chaudhuri. ‘Memsahibs and their Servants in Nineteenth-century India.’

<sup>24</sup> See Anna Davin. ‘Imperialism and Motherhood,’ in *History Workshop: A Journal of Socialist Historians*, 5, Spring 1978, 13; and Stoler. ‘Carnal Knowledge and Imperial Power: Gender, Race and Mortality in Colonial Asia,’ 72.

<sup>25</sup> Chaudhuri. ‘Memsahibs and their Servants in Nineteenth-century India,’ 557.

have read that the Hindoo religion is nothing else but obscenity from first to last.<sup>26</sup> Memsahibs often thought their servants were highly superstitious and feared that British children who were left in their care would learn these beliefs from their ayahs. Therefore, despite Christian servants posing their own problems, they were preferred to Hindu and Muslim servants. The divide that existed between the colonised and coloniser was drawn closer since as Christians, both mistress and servant would have been on a “similar footing.”<sup>27</sup>

Besides the frequently racist criticism directed at domestic servants, domesticity itself was marked by powerful class and race hierarchies. Writing about England, Leonore Davidoff argues that in addition to being seen as a menial task, domestic work was also associated with the working class who were in turn associated with dirt, pollution, moral degradation and heathenism.<sup>28</sup> In India then, all these different faculties had merged and created significant polarizations between those who were ‘civilised’ and those who were regarded as barbarians.

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<sup>26</sup> Chaudhuri. ‘Memsahibs and their Servants in Nineteenth-century India,’ 557.

<sup>27</sup> Chaudhuri. ‘Memsahibs and their Servants in Nineteenth-century India,’ 552. There have also been similar accounts in the case of Zambia where the social and racial distinctions between White settlers and Christian African domestic workers were often challenged. White Settlers believed that as a result of their Christianity, domestic workers were less respectful to them. See K. T. Hansen. *Distant Companions: Servants and Employers in Zambia, 1900-1985*. (Ithaca and London: Cornell University Press, 1989), 38.

<sup>28</sup> L Davidoff. ‘The Rationalization of Housework’ and ‘Class and Gender in Victorian England: The Case Hannah Cullwick and A. J. Mumby,’ in *Worlds Between: Historical Perspectives on Gender and Class*. (London: Polity Press, 1995), 78.





Image 3: “Empire made me...Eric Blair with his ayah in India,” [George Orwell Archive].<sup>29</sup>

The most striking feature of this image of George Orwell and his ayah, is the darker toned face of the ayah enveloped by her white dupata<sup>30</sup> and juxtaposed against the fairer skinned baby in his white apparel. One of the concerns of Strobel, Stoler, Erika Rappaport and Chaudhuri, in relation to memsahibs and their servants, is the deep impact that the colour of skin of their servants had on their masters and mistresses. Their physical darkness led many British housewives to believe that their servants were unclean, the carriers of diseases and immoral. In her letter dated the 18<sup>th</sup> of April 1870, Emily wrote to her mother “You would never like India I am sure, and the natives are such a strange lot of people, dirty in the extreme and possessed of almost every bad

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<sup>29</sup> Robert McCrum. ‘The Long Reach of the Raj,’ in *The Guardian Weekly*, July 30-August 5 2004, 24.

<sup>30</sup> Scarf or shawl.

quality.”<sup>31</sup> Yet, Godfrey’s recollections resonate with the Janus nature of Colonial society and highlight some of the more positive memories about servants, India and the home. Likewise in *Plain Tales from the Raj*, Charles Allan glorifies the great woman that was the ayah.

The figure of the native nurse dominates the ‘Anglo-Indian’ nursery, usually in sari and blouse and covered in nose-rings with bangles on her wrists and ankles: when she was moving about you could hear her a mile off. Archetypal ayahs are always very gentle, sweet-natured women with beautiful hands, very gentle and beautiful in their movements. They had their own hierarchy, headed by the Madrasi ayah, the cream of ayahs, mission-educated and thus given ‘a good many civilised ideas.’ The virtues of the trained ayah were considerable. They had this capacity to completely identify with the children they looked after and it seemed as if they could switch on love in an extraordinary way. They were so dedicated to their work, in a sense so possessive of their children that it was almost impossible for a good ayah to yield up her charge even for a few hours. One such paragon was Lewis Le Marchand’s ayah in South India: “She was very fat and Madrassi and very, very oily about the hair, her toes were quite enormous and cracked like dry wickets that had had the sun on them for a few days. I didn’t know her name; I called her ayah. Sometimes being a fairly naughty boy, I would anger her, but she’d never show it. She’d turn her back and go and sit down cross-legged on the floor of the verandah and take out her knitting, and the more I called her or the more I was naughty or rude, the more she ignored me, until finally I would come along and say, ‘Ayah, I’m sorry,’ and then all would be well. Ayah ministered after me during the day and very often during the evening, but it was mother’s privilege – heaven knows why – to bath me and put me to bed. Ayah used to wait and, if necessary sleep outside the doors of her children’s room, lying down outside on the mat until such time as my mother would come along and say, ‘You can go, ayah, little master’s asleep’.”<sup>32</sup>

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<sup>31</sup> Chaudhuri. ‘Memsahibs and their Servants in Nineteenth-century India,’ 553-554.

<sup>32</sup> Charles Allen. (ed.) *Plain Tales from the Raj: Images of British India in the Twentieth Century*. (London: Futura, Macdonald & Co., 1983), 21-23.



Image 4: Herbert Family Friends in India:  
Children with Ayah

The layers of pathos, prejudice, intimacy and dependence in Marchand's memory of his ayah leaves the reader with a feeling of disquiet, and a restless image of the ayah lying on the mat outside the bedroom of the child, listening intently, waiting for the child to fall asleep. These Ayahs cared for the children of their masters and mistresses as if they were their own.

Despite the obvious bond between child and ayah, colonial masters and mistresses almost always regarded this care giving as a sign of servitude and not unconditional love that went beyond the call of duty. In the eyes of the child though, the fine line between mistress and servant appeared to be blurred by the love that these women [ayahs] emanated.

In 1806, Martha Conceles Syms of Madras noted to her mother, "If you my dearest mother could but know what wretches these black servants are you would nearly pity one that is plagued with them, they, I nearly believe, think it a merit to cheat you and they will do it, in spite of every precaution."<sup>33</sup> Similar sentiments could be heard throughout Natal

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<sup>33</sup> Chaudhuri. 'Memsahibs and their Servants in Nineteenth-century India,' 554.

in the latter part of the century. Mistresses and masters here were obsessed with cleanliness and more especially the clothes their servants wore. As in Natal, British and European perceptions of nakedness were an additional source of discontent for these memsahibs. When Minnie Woods first arrived in India her immediate dislike of India and Indians, and their nakedness became the key subject of her letters to her mother. “The country round is very pretty,” she wrote, but then she went on to complain that “the Indians and their habits are disgusting. It is not uncommon to see a man stark naked begging, as do boys who run by the side of our carriage.”<sup>34</sup>

On the 3<sup>rd</sup> of January 1900, along with many other adverts for custard powder, cough syrups, clothes, silks, books and various other knick-knacks, the *Times of India* also ran the following advertisement

**WANTED** a respectable and hardworking Ayah to look after Lady’s Dressers. No children. Must have good references. Pay Rs 18 monthly. Also good DOG BOY to take charge of 6 dogs. Pay Rs 6 monthly. Box 378, Advt. Dept., ‘Times of India.’<sup>35</sup>

But what is interesting about this advertisement, is that it clearly states the purpose for which the ayah was to be employed, unlike in Natal, where domestic servants were expected to undertake a multitude of household duties. Bill Freund argues in *Insiders and Outsiders* that it was their “multi-skilling” capabilities that made Indian domestic servants

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<sup>34</sup> Erika Rappaport. “The Bombay Debt’: Letter Writing, Domestic Economies and Family Conflict in Colonial India,’ in *Gender and History*, 16:2, August 2004, 241.

<sup>35</sup> Maharashtra State Archive, Elphinstone College, *Times of India*, Wednesday, January 3, 1900.

in Natal invaluable to White employers.<sup>36</sup> Servants in India attended to all their masters and mistresses personal and professional needs and if it weren't for these servants many of the British would never have survived the harshness of India. There were various types of servants, occupying different ranks and positions but religion and caste were also crucial factors to the manner in which master/mistress/servants relationships played out. Regardless of their income, British families kept very large numbers of servants.

Chaudhuri shows that in one of her letters, Mrs Sherwood who lived in Fort William in Calcutta, wrote that they had fifteen servants while, Emma Walter, in her journal for 1839, recorded that they employed only the servants they required and this numbered nineteen. There were munshis [interpreters], sircars [cashiers], banias [money agents], bhistics [water carriers], dhobis [laundrymen] durwans [doorkeepers], doreahs for walking the dogs, and even hooka-burdars who prepared the hookahs for smoking.

The preparation and service of food seemed to be particularly problematic though, since both Hindus and Muslims refused to touch any beef or pork meats or serve wine. In this regard, settlers had to employ Goanese Catholics or lower caste Hindus, but such was the standard of living of the British in India that many settler families could employ a single servant for each of these tasks.<sup>37</sup> In Natal, however, most colonial families had to settle for the servants that were allocated to them. This naturally resulted in many problems for both settlers and Indian domestic servants who were not accustomed to performing work that was outside their caste and religious sect. There are many complaints against the handling of particular types of food in the Protector's records.

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<sup>36</sup> Bill Freund. *Insiders And Outsiders*, 45.

<sup>37</sup> See James Lawrence. *Raj: The Making of British India*. (London: Abacus, 1997), 159-161, and Chaudhuri. 'Memsahibs and their Servants in Nineteenth-century India,' 551.

Shaik Moideen, who was indentured to David Guthrie of Umgeni, left his master's residence on the 11<sup>th</sup> of October 1903, to lodge a complaint at the Protector's Office about being overworked and having to do kitchen work. His deposition bears testimony to some of the problems that came to be associated with kitchen work. He stated:

I have come to complain that I am made to work from 4am till 9pm in the kitchen with an interval of 30 minutes at 1 o'clock for my dinner. I am unable to do kitchen work. Besides I have sometimes to meddle with pork which is against my religion. I further state that I be given brick work instead of kitchen work. I left the place at 5pm on Sunday night. I asked my mistress for a pass which she refused.<sup>38</sup>

Furthermore, to the same degree that language was a severe problem here in Natal, in India few civil servants or memsahibs could barely speak any of the Indian languages. In India, Chaudhuri writes that as a result of this, memsahibs thought their servants were unintelligent and being insolent.<sup>39</sup> In *The Lion and the Tiger: The Rise and Fall of the British Raj*, Dennis Judd says that servants were "often visited with blows and such abuse as no respectable man will bear, very often too for no other fault than that of not understanding what the master has said, who has given his directions in some unintelligible stuff from ignorance of the language, that no-one could understand."<sup>40</sup> As will be evident in many of the court cases and depositions to follow, the language barrier

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<sup>38</sup> PAR, Indian Immigration Department [hereafter II], 1/121/I2166/1903, Shaik Moideen No 100776 Indentured to David Guthrie of Umgeni: Complains of being overworked; wishes to be given work in the brick works instead of kitchen work, 1903.

<sup>39</sup> Chaudhuri. 'Memsahibs and their Servants in Nineteenth-century India,' 554.

<sup>40</sup> Dennis Judd. *The Lion and the Tiger: The Rise and Fall of the British Raj*. (New York: Oxford University Press, 2004), 57.

often contributed to the misunderstanding and impatience exhibited by masters and mistresses.

One of the issues that the 1872 Report of the Coolie Commission investigated was that of the problematic of language, translation and interpreters in the Colony. Rangasamy, a “coolie” as the report describes him, offers an apt account of some of the dilemma’s experienced by Indians as a result of the lack of interpreters, as well as the levels of incompetence of the interpreters that were appointed by the Civil Service.

In the Magistrate’s Court there are no proper interpreters: they won’t take our depositions properly before the magistrate. In this way:- if we say, “My wife was ill-treated,” he renders it, “My wife was kicked,” in consequence of this interpretation, the magistrates get angry, and says we are liars. I would ask that Colonel Lloyd would speak our language to the magistrate, and then let the interpreter render it in English, and he could then judge. We don’t blame the magistrate, the fault is the interpreter’s. From the sentence the magistrate does not understand. Masters don’t appreciate a good man; they always think us low.<sup>41</sup>

While the Natal and Indian contexts are in some ways strongly analogous, they were also slightly different because Indians in Natal occupied what was arguably, to some extent, a more subjugated position within the system of Indenture, in comparison to Indians in India. In many ways they were far more vulnerable and dependent, and their isolation and distant relationship with their families in India further heightened and soured the complex emotions associated with displacement.

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<sup>41</sup> *Report of Coolie Commission, Pietermaritzburg*: (P. Davis and Sons, 1872). Reproduced in Y. S. Meer *et al. Documents Of Indentured Labourers, 1852-1917*. (Durban: Institute of Black Research, 1980), 139.

## The ol' Sammy's and Mary's<sup>42</sup>

On the 3<sup>rd</sup> of June 1905 Punasamy Odayan signed a deposition at the office of the Protector of Indian Immigrants in Durban asserting that his master assaulted him.

I have come to complain that on Saturday evening at 5 o'clock my master struck me with a stick 8 times on my back because I refused to work on Sundays. No one witnessed the assault I left my masters place the same evening, I did not ask for a pass.<sup>43</sup>

In response to this R. Porrit, Punasamy's master wrote a letter back to the Protector on the 9<sup>th</sup> of June.

This Indian entered my employ from Allnutt Mooi River, later of Hilton Road, on March 24<sup>th</sup> and deserted on April 17<sup>th</sup>, which I reported to you. Never seen him since. Further comment is not necessary. Will you please keep this boy and transfer to some one else. He worked in the kitchen at Allnutt and I never attempted to touch him. Is lying a coolies religion. Hoping you transfer, as I am making arrangements to take over another Indian.<sup>44</sup>

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<sup>42</sup> To thy door each bitter morning  
Cold or hot or wind a-storming  
Comes she with her breath a-panting –  
'Nice fruits, missus, and greens' a-chanting.  
Is she not a blessed fairy  
Dubbed as a Coolie Mary?

BD Lalla. *The Black Coolie*. (Durban, 1940), 7. Initially, Mary was the name used for hawkers of fruit or vegetables, but eventually became a common name for Indian women. Similarly, because so many Indian male names end in 'samy,' such as Ramsamy, Chinnasamy, Rungasamy and so forth, Sammy, just like Mary, became the common and derogatory name for Indian males. This is similar to William and Mary, which were used on slave plantations to refer to African males and females respectively.

<sup>43</sup> PAR, II, 1/136/I1199/1905, Punasamy Odayan No. 86427 indentured to H Porrit complains of assault by his master, 1905.

<sup>44</sup> PAR, II, 1/136/I1199/1905, Punasamy Odayan No. 86427 indentured to H Porrit complains of assault by his master, 1905.



The colonial household and domestic space was far from neutral and produced rigid boundaries, which in most instances could not be cultivated on the sugar, tea and coffee fields. In all the court cases examined in this thesis issues of injustice; labour exploitation; sexuality, physical abuse and familial intimacy in the arena of household work, and the contradictions inherent to all of these emerge. The domestic space was the most perilous environment in which colonial interstices of gender, class, and race could disentangle as well as regenerate. In her doctoral thesis on domestic servants in relation to the Ilbert Bill controversy<sup>45</sup> of 1883, Fae Dussart positions servants as ambiguous entities having as much power as the memsahibs themselves.<sup>46</sup> She says:

Servants, though positioned as subordinates within the Anglo-Indian home, nevertheless had the power to subvert its order and disrupt its sanctity. As such, they were crucial in the uneven and problematic construction of the character of the malicious native that was perceived by the anti-Ilbert Bill movement to threaten the very foundations of the empire.”<sup>47</sup>

While historians like Chaudhuri, Stoler, Davin and Strobel present the servant as far less powerful players within the Empire, Dussart’s argument appears to be strikingly apt in the case of Natal.

As in India relationships between domestic servants and settler families were varied and mottled with moments of warmth and sheer hostility. Some settlers were more

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<sup>45</sup> This Bill was proposed in 1883 with the aim of allowing senior Indian magistrates to preside over cases involving British subjects in India.

<sup>46</sup> For more on the Ilbert Bill Controversy of 1883 and 1884 see Sinha. ‘Chapter One,’ in *Colonial Masculinity*.

<sup>47</sup> Fae Dussart. ‘Domestic Service in the 19th Century: a Comparative Study of England and India.’ Thesis (Ph.D.-History) – University College London, London, 2004.

curious than others, some were more open and paternalistic, as is evident in the reminiscences that follow, but some, sad to say, were completely absorbed by notions of race superiority, race exclusivity, and race subjectivity.

The reminiscences of Mr Cyril Armstrong of the Bluff and the Clarksons of Wentworth are some of the more peculiar memories of this time, and provide nuanced insights into the ways in which memory works.

For lighting we depended upon paraffin lamps and candles. The cooking was done over stoves stoked with firewood; in this connection I remember our Indian cook. A part of his duties was to keep a plentiful supply of wood at hand, which entailed the collection of dried wood from the surrounding bush. He was fearless of any snake and at times would catch barehanded a snake, put it in a bottle and bring it to the homestead where he placed the bottle, with snake, on a shelf in the kitchen. After dinner was over in the evening we young people of the household were invited to come and admire his latest catch. One evening in particular we were informed by him that he had caught a huge snake which we must come and see. We proceeded to the kitchen. He stretched to the shelf, brought down the bottle and exclaimed "Oh, my! Snake run away!" I have never seen a faster exodus from a dimly lit kitchen in all my life!<sup>48</sup>

It was these moments of braveness, and his at times, larger than life persona, that Armstrong remembers most vividly about their servant. But colonial reminiscences were also invariably tainted by more malevolent notions of the 'domestication' of the uncivilised imperial subject.

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<sup>48</sup> Killie Campbell Africana Library [hereafter KCAL], King's Rest Women's Institute, *Bluff Annals* [manuscript], Reminiscences of Mr Cyril Armstrong, 1969.

Francis Clarkson with his wife Hannah (nee Hardesty), their two young sons Robert and Matthew, and Hannah's sister Elizabeth Hardesty landed at the Point, Durban, from the immigrant ship 'Haidee' on the 7<sup>th</sup> October 1850. Francis stood six foot two in his socks, had a lantern jaw and mop of jet black hair. But Hannah, dark haired also, did not reach his out-stretched arm. A photograph shows here with a worried, puckish face and frail physique. Hannah had three [more] children in her colonial home. John Taylor arrived in 1852, Francis II four years later and Hannah Elizabeth soon after that.

One day when Francis II was a baby his father was alarmed to hear his wife screaming: 'Francis! Francis!' Her husband dropped everything and raced towards Hannah. 'Look Father! Look!' she sobbed. 'There's a wild man from the woods!' and a strange apparition certainly filled the kitchen door. He was a lean dark-skinned Indian, clad only in a loincloth. A mane of wavy hair fell to his shoulders. The visitor was Old Sammy, a deserter from a ship. The Clarkson's hid and harboured Old Sammy until his ship had sailed from Port Natal. Old Sammy worked for the family for years, but it was after he had left their employ that he was sent back to India by the Natal Government to persuade Indian coolies to come to Natal to serve as indentured labourers on the extending sugar estates along the North and South Coasts.<sup>49</sup>

The story how the family had saved this 'wild man,' Old Sammy, as the Clarksons knew him, is evoked with much nostalgia. Stories like these are worthwhile in providing anecdotal accounts of settler constructions of Indians in the Colony. However, narratives like these are only a strand of the larger tapestry of colonial domestic life and do not give a sense of the complexity of the master/mistress servant relationship.

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<sup>49</sup> KCAL, King's Rest Women's Institute, *Bluff Annals* [manuscript], Reminiscences of 'The Clarksons of Wentworth', 1969.

**‘the dirt from your boots...’**

Any credibility that the colonising mission may have acquired is dismembered by the violence intrinsic to master-servant relationships. As a result of the society in which they lived, the experiences of violence for both master/mistress and servant had become a model of agency. In nineteenth century Natal, it was acceptable for a man to strike a woman, or a master/mistress, a servant. The reproduction of violence thus was pervasive, but accepted to varying degrees. For instance, on the morning of Monday the 3<sup>rd</sup> of October 1904, Bholā and his wife Mohesia, indentured Indians in Natal, reported to the Protectors office to complain of assault by their mistress and master, CB Lowe of Mid Illovo.

I have come to complain that I was assaulted by my master last Saturday evening at about 7pm. He came to the hut and said why my wife was making noise and I told him that because she was assaulted by you and the mistress and she is crying because it pains her. I further asked him if we were brought here to be beaten like this. He said yes and then kicked me with his feet five times on my back. At the time I was sitting in my hut on the floor. The assault was witnessed by Kharacksing an Indentured Indian. I had also been previously assaulted by my master. I have been only given mealie meal for rations ever since I have been with master. I asked my master for a pass but was refused.<sup>50</sup>

Apparently, early on the Saturday morning Mohesia had been assaulted by her mistress.

At about 7am I was wiping the floor of the kitchen with a piece of cloth and my mistress came inside with cow dung on her feet and pointed out to me on the

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<sup>50</sup> PAR, II, 1/130/I2253/1904, Bholā No. 101968 Indentured to CB Lowe of Mid Illovo, complains of assault by his master, 1904.

floor that I had not cleaned it properly. I said I did wipe it but it is the dirt from your boots. She then kicked me several times all over my body with her feet and I laid unconscious on the floor spitting blood from my mouth and my master saw "Alec" dragged me outside from the kitchen and left me under the trees.<sup>51</sup>

In response to this Lowe wrote back to the Protector discrediting his servants and arguing that it was through some on going feud that they had reported to the Protectors office.

In answer to two depositions, I tell you that there is not any truth in either one of them. There has been a certain amount of friction going on between my wife and the Indian women on account of the women's dirty, thieving habits. She smokes some filthy mixture which had the effect of making her intoxicated and unfit for work. How we know for certain that her stupidity arises from smoking is first thing in the morning she is as silly as possible and looks bad, then as the former advances she gets as right as possible. I had her cautioned at the Magistrates court some months ago. The woman is to blame for the desertion as on Saturday morning the boy got up as usual and was about his work, then she got up and I feel sure coaxed him to go away with her....<sup>52</sup>

Narainsing's story also highlights the intense animosity that some mistresses and masters developed towards their servants.

I have come to complain that about a quarter to two this day I was washing the dishes when Nariansamy a fellow servant gave me a piece of cloth to wash and I put it away with the other clothes as I was busy. Narainsamy went and told my master about it who came out of one of the rooms with a walking stick and

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<sup>51</sup> PAR, II, 1/130/I2253/1904, Bholo No. 101968 Indentured to CB Lowe of Mid Illovo, complains of assault by his master, 1904.

<sup>52</sup> PAR, II, 1/130/I2253/1904, Bholo No. 101968 Indentured to CB Lowe of Mid Illovo, complains of assault by his master, 1904.

struck me three times on the left side of my body. At 2 o'clock after my master had left I asked Narainsamy to get me a pass to go to the Protector's Office. He abused me and struck me with a knife on my left arm.<sup>53</sup>

In light of this it is therefore necessary to ascertain why, so large a group of Indian Domestic Servants were convicted for capital offences (murder, rape, and primarily poison) against their masters and mistresses over the period 1880 to 1920, and how the social space in which they lived and worked became the locus for the execution of these crimes. The actions of these men and women in relation to their attitudes and experiences of their masters and mistresses serves as a window into the particular subjected consciousness of the accused and their insurgency against intolerable labour conditions. What is also very prominent in these various accounts by both settler and servant are issues of masculinity and settler gender dynamics implicated in these incidents that throw a light on wider social dynamics across domestic space in the colony.

In the case of Bhola and Mohesia we see the way Indian female domestic servants dealt with their experiences of power inequity and patriarchy in the course of their indenture and how these women were seen as a threat to the maintenance of the rigid racial and gender boundaries at the heart of colonialism. The intimate and labouring world of domestic service in the Colony not only allows for an exploration of gendered hierarchies and subalternity but also tackles these issues in relation to African male and female domestic servants. More importantly it is from these seemingly 'unimportant' social contexts such as assault and desertion that we can gain access to wider social

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<sup>53</sup> PAR, II, 1/144/I1877/1906, Deposition of Narainsing No. 112175 Indentured to W Colepepper of Durban. Complains of having been assaulted by his master, 1906.

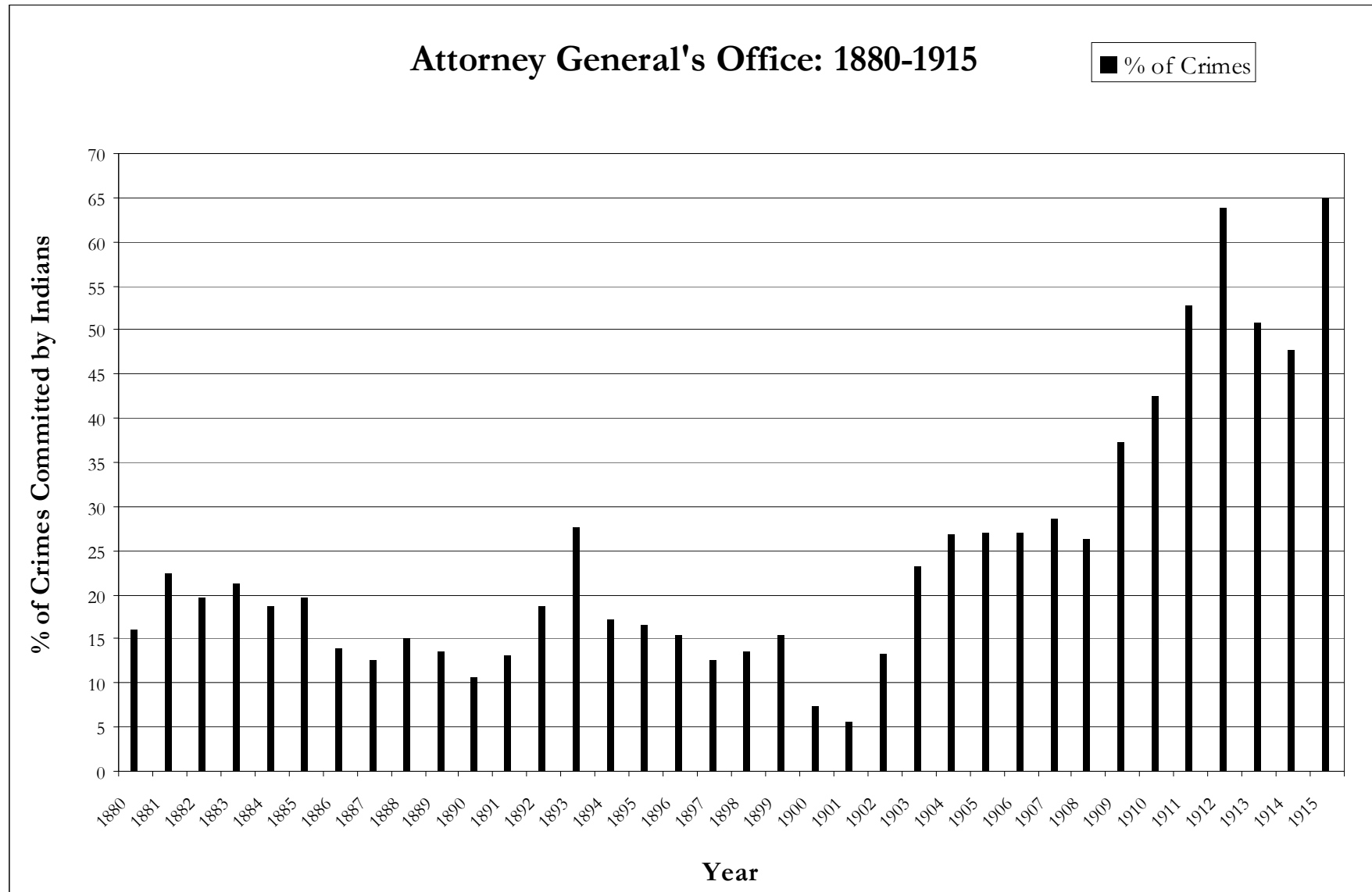
histories of the more intimate aspects of colonial indenture and reasons for behaviour exhibited by Indian, African and White men, women and children.

The following graphs show the total number of crimes committed by Indians during the years 1880 to 1920, expressed as a percentage of the total number of crimes committed within the Colony during this period. The data presented here was collated from the registers of the Attorney General's Office and the Supreme Court<sup>54</sup> and the type of crimes that were brought to trial include, murder, assault, robbery, house breaking, store breaking, infanticide, culpable homicide, falsity, forgery, sodomy, arson, administering poison, rape, bestiality, receiving stolen goods, perjury, and various contraventions of Natal's laws and acts.

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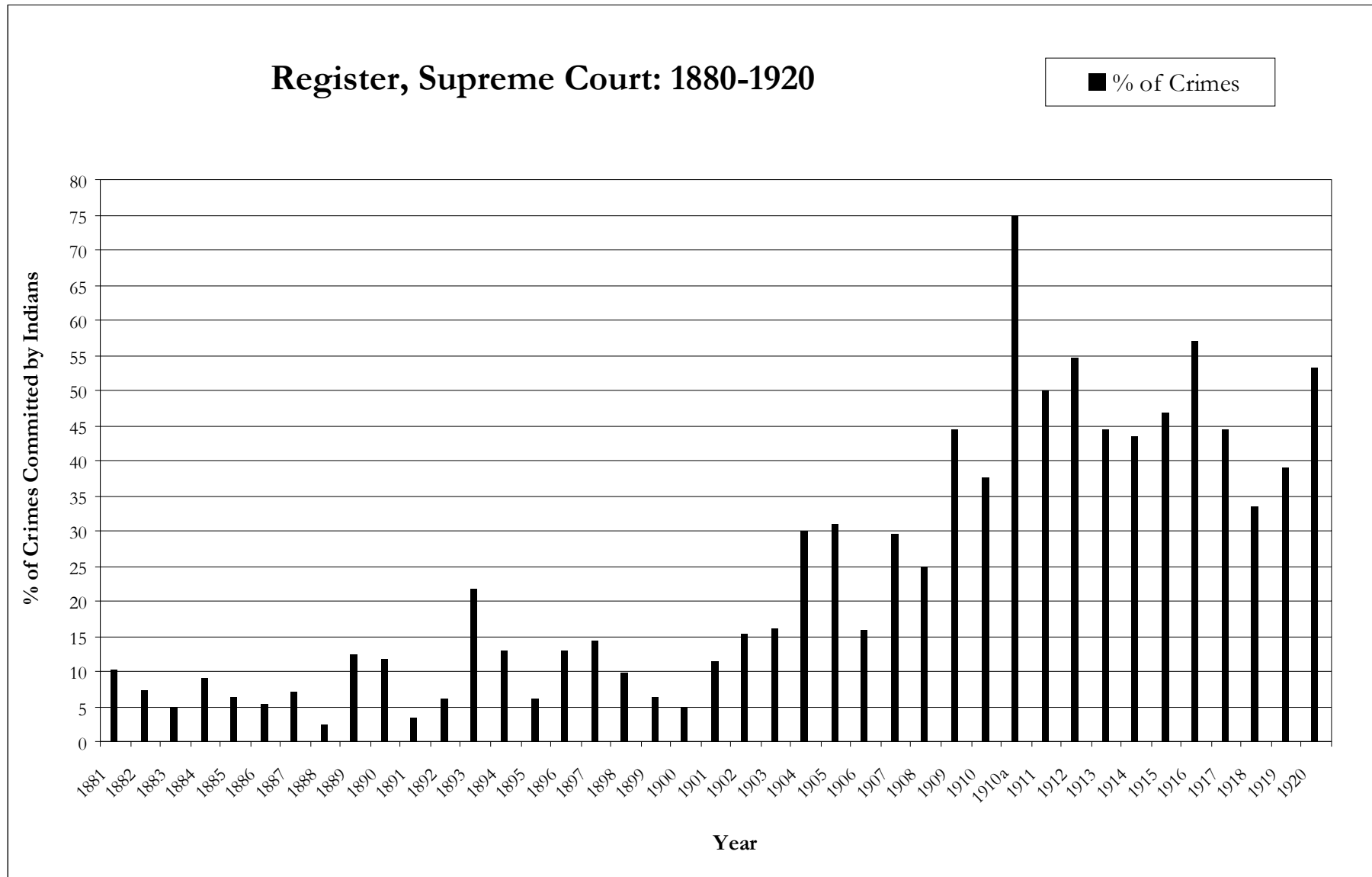
<sup>54</sup> PAR, Registrar, Supreme Court [hereafter RSC], 1/3/1 – 1/3/3, Registers of the Supreme Court, 1873-1954. PAR, AGO, 1/2/1-1/2/5, Registers of and Indexes to Criminal Cases tried before the Supreme, Circuit and District Courts, 1851-1917. See also Appendix Tables 2-3.

Graph 1: No. of Crimes Committed By Indians relative to the Total No. of Crimes in Natal, 1880-1915 [%], as recorded by the office of the Attorney General.





Graph 2: No. of Crimes Committed By Indians relative to the Total No. Of Crimes in Natal, 1880-1920 [%], brought before the Supreme Court.



Looking at the trends in the cumulative percentage there appears to be a significant increase between the periods 1903 and 1920, as shown by the Records of the Supreme Court and the Attorney General's Office. This increase was so dramatic that it was often four to five fold in magnitude in certain years, as compared to the period 1881 to 1902. What is noteworthy is that the trend observed in the data collected from the Supreme Court is mirrored by that of the Attorney General's Office which is indicative of the fact that the Attorney General's Office was responsible for representing the State in all criminal cases and for all prosecutions that took place under its jurisdiction.

To the less discerning eye this trend may suggest a dramatic increase in criminal motivation within the Indian population, however, this dissertation suggests that this increment is the result of a number of varying factors. These include stricter surveillance of criminal activity in the Natal Colony and the Province of Natal after 1910, a better developed legal system, an increase in the populations of the Colony, various economic and political incidents such as the South African War (1899-1902), the Bambatha Rebellion (1906), the formation of Union (1910), the 1913 Natal Indian strike<sup>55</sup> and World War One (1914-1918). On a closer look, from the stacked columns for the years 1903 to 1920, it is evident that the peaks and descents of this graph occur precisely before and after these events. For instance, after the South African War, almost 70% of cases reflected in the registers of the Supreme Court and AGO involved Afrikaans speaking men who were charged with treason. Similarly in 1907, a year after the Bambatha Rebellion, many African men were brought to trial.

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<sup>55</sup> For more on this, see, Maureen Swan. 'The 1913 Natal Indian Strike,' in *Journal of Southern African Studies*, **10:2**, April 1984, 239-258 and JD Beall and MD North-Coombes. 'The 1913 Disturbance in Natal: the Social and Economic Background to 'Passive Resistance,' in *Journal of Natal and Zulu History*, **6**, 1983, 48-81.

The graph of the Supreme Court shows two data points for the year 1910: 1910 and 1910a. With the formation of the Union of South Africa, the registers of the Supreme Court of the Colony became the Register of the Supreme Court of the Province of Natal, and the columns for both these data points are in fact a reflection of the collective number of crimes for the year 1910 and do not necessarily indicate a sudden increase in crimes committed by Indians. Alternatively, the imposition of the £3 tax in 1903, could have served as a catalyst for the dramatic increase in crimes committed by Indians from 1904 onwards. As Maureen Swan argues in her article on ‘Accommodation and Resistance,’ between 1905 and 1913, Indians in the Colony had been severely affected by post-war depression and the annual £3 tax.<sup>56</sup> The relationship between economic pressure and criminal activity is well documented across history, and may be a particularly important factor for explaining the high rate of criminal convictions among Indian immigrants in Natal.

Most cases of assault and conflicts between masters, mistresses and their servants found their way into the Protector’s records by way of default. The complaints prevalent in the Indian Immigrant files in the archives are in fact by Indians who had left the employ of their masters due to instances of altercations and general aggravation, and were subsequently arrested for being without a pass. The Natal Immigration Laws of 1859 clearly stated that any Indian found wandering the streets of the Colony could be arrested and tried by any White member of the Police Department, any Resident

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<sup>56</sup> Maureen Swan. ‘Indentured Indians: Accommodation and Resistance, 1890-1913,’ in Bhana. (ed) *Essays on Indentured Indians in Natal*, 129-132.

Magistrate or any Justice of the Peace.<sup>57</sup> In 1891, this was extended to an African policeman or higher official in the Natal Civil Service. Under Section 30 of Law 25 of 1891, if a labourer was found to be more than two miles from the place of residence of the employer, without written leave and was on his way to lodge a complaint with the Protector, he could be apprehended and arrested by a Black policeman or any other higher official. Under Section 31 he could be arrested as a “deserter” unless he could produce a ‘Pass’ of his ‘Certificate of Discharge,’ which signified that the holder had completed her/his term of indenture and was technically speaking a “free British subject in Her Majesty’s Colony of Natal.”<sup>58</sup>

There were various complaints brought before the Protector of Indian Immigrants as well as the Resident Magistrates of the different divisions in the Colony by Indian domestic servants, most involving cases of assault, but others included protests against working hours especially working on Sundays, food rations, medical costs, and passes. Sithiah’s testimony for example, brings to the fore an instance of assault by a master.

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<sup>57</sup> According to Section 17 and 18 of Law of 1859: 17. It shall be lawful for person entitled to the service of any Coolie immigrant by virtue of an assignment to transfer of such services under this Law, or any servant of such person, or of any constable, to apprehend, without warrant, such Coolie immigrant being found at a distance of more than two miles from the residence of the person in respect of whom his services shall be due, without a written ticket to leave, signed by the master, or by some person duly authorized by him, and to cause such Coolie immigrant to be taken back to such residence. 18. It shall be lawful for the immigration agent, or Resident Magistrate, or other Justice of the Peace, or any police constable, to stop any Coolie immigrant wherever he may find him, and also for the owner or occupier, to the servant of any owner or occupier, of any land or house, to stop any such Coolie immigrant found upon or about such land or house, and if such Coolie immigrant, being so required, shall fail to produce his certificate of residence, or a certificate of his discharge, or a written ticket of leave, signed by his master, or by some person duly authorized by him, to whom his services may be due, to take such Coolie immigrant forthwith enquire into the case; and unless such Coolie immigrant shall make it appear, to the satisfaction of such Resident Magistrate, that he has completed such residences, or obtained such discharge, or that he is absent from the estate or residence of the person in respect of whom his services shall be due, with the leave of his master, or the manager or other person in charge of the estate, then in such case, such Resident Magistrate shall make an order for the immediate committal of such Coolie immigrant to prison, with hard labour, for any term not exceeding fourteen days.

<sup>58</sup> PAR, Natal Colonial Publications [hereafter NCP], 5/2/18, Law 25 of 1891, “To amend and consolidate the Laws relating to the introduction of Indian immigrants into the Colony of Natal, and to the regulation and government of such Indian Immigrants.”

I cleaned by master's boots as usual at 8am yesterday. I kept it in his room. My master when putting on his boots must have got his hands blackened with the blacking which was on his boots. He called me in a room and asked me why did I do this for. I stayed quiet. He then slapped me on my left cheek and chin and scuffed me down, giving me several slaps on my buttocks. I and my mother Subakka left the place this morning, my mother asked the mistress for a pass she refused.<sup>59</sup>

The photograph below shows Dr Addison with other 'Natal Celebrities' and African and Indian servants.



Image 5: "Natal Celebrities In A Small Way, 1. G Russell, 2. Dr Addison, 3. R. Bowlby, 4. GH Galt, In Solemn conclave attended by their Zulu and Indian servants."<sup>60</sup>

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<sup>59</sup> PAR, II, 1/130/I2437a/1904, Sithiah No. 95764 Indentured to FA Smart of Bellair Complains of being slapped by his master, 1904.

<sup>60</sup> KCAL, Album C59, Old Natal, c59-050, Natal celebrities in a small way, 1. G Russell, 2. Dr Addison, 3. R. Bowlby, 4. GH Galt Galb, In Solemn conclave attended by their Zulu and Indian servants.

In 1899, it appears that both Dr Addison's African and Indian servants were involved in some sort of wrangle, which resulted in Dr Addison assaulting his Indian servant Poorun.<sup>61</sup> On the 30<sup>th</sup> of August, Poorun appeared before the Protector and stated that earlier that day Gokool, an Indian servant and an African servant, both in the employ of Dr Addison were fighting. Poorun had apparently tried to separate them but in the process was assaulted by Bassub the African servant. According to Poorun it was only after Bassub lodged a complaint against him, that his master, Dr Addison assaulted him with "two kicks and several strokes with a staff."<sup>62</sup>

Indian domestic servants often complained about the nature of the work that they endured, often claiming that it was beyond their caste to be engaged in kitchen work or that they simply "did not understand the work."<sup>63</sup> In his report for the year ending 1908, the Deputy Protector commented on the situation of discontent among domestic servants. "Many ordinary labourers have been better house servants at an increase of Contract wages, but, as a rule, they do not care for domestic service on account of the longer hours, although the work is lighter."<sup>64</sup> However, when Thara Singh first arrived in the Colony he had requested to be placed as a 'kitchen worker'. Ten months after his arrival though, he complained to the Resident Magistrate of the Camperdown Division

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<sup>61</sup> PAR, II, 1/94/I1419/1899, Poorun No 68599 Complains of assault by kafir fellow servant Bassub and his master Doctor William Henry Addison Of Durban, 1899.

<sup>62</sup> PAR, II, 1/94/I1419/1899, Poorun No 68599 Complains of assault by kafir fellow servant Bassub and his master Doctor William Henry Addison Of Durban, 1899.

<sup>63</sup> PAR, II, 1/121/I2154/1903, Shaik Moideen No 100776 Indentured to D Guthrie of Umgeni: Complains of assault by his master, 1903.

<sup>64</sup> PAR, NCP, 8/2/9, Departmental Reports, Report of the Deputy Protector for Year Ended 31<sup>st</sup> December, 1908.

that he wanted to be transferred as a field labourer owing to his dissatisfaction with kitchen work.

I have come to complain that I am made to work in my master's kitchen. I do not want this kind of work, and ask that I may be sent to work in the fields. I am a brahmin by caste and object to handling beef, carrying slops, and other work generally repulsive to one of my caste. In India I served in my brother's store as an assistant. This is all I have to say.<sup>65</sup>

While some of the individuals chosen for this study reacted in violent and fatal ways to their experiences of life in Natal, whether as a result of indenture or specifically the master-servant relationship, others, like Kanniah, reacted in more creative and manipulate ways. He wrote a letter to his sister in Madras instructing her in turn to write to the Collector at the Customs Office in Madras alerting the officials to the problems he was experiencing with his master, and that if he was not transferred to some other employer or returned to India, he would commit suicide. In his letter, Kanniah said:

I Kanniah respectfully write as follow to my respectable elder sister. The matters specifically in my last letter should be attended to as early as possible, if you will not trouble yourself on my behalf I shall have to end my life and to this Goddess Amalatchiamman will bear witness. You should write thus. "Your honour Sir, my brother Kanniah, son of Appavoo, per SS Umgosha to Natal on Friday the 20<sup>th</sup> December 1901 and to work as a Dhobi and General Servant under Mr Graham of Natal – Paria – on a monthly wage of £2. This gentlemen just as he pleases wants him to do all sorts of dirty work not permitted to our caste rules; that he has so beat him on three occasions if he refuses to do. Once he broke his toe for which he had to remain in hospital for 17 days. After

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<sup>65</sup> PAR, II, 1/182/I409/1912, Magistrate, Camperdown: Indentured Indian, Thara Sing, in the employ of WC Hardman, Umlaas Road, Refuses to work in the kitchen and asks for field labour, 1912.

recovery he went to Court the result that the gentlemen was fined 4 annas.<sup>66</sup> He complained thrice to the Collector of Natal of the maltreatment and prayed for a transfer to some other gentleman but in vain. His master annoyed at the fine, had been harassing him beyond measure. My brother therefore intends suicide. I therefore request that your honour will be graciously pleased either to get him transferred to some other gentleman or send him back to Madras.”

Draw up in English two petitions as above and send one to the Agent Parry and Co. and hand over the other personally to the Collector at the Custom’s Office at 11 o’clock weeping bitterly and beating your breast. You should intimate to me his reply at once. If you do not take so much trouble, it will not be possible for me to return to Madras alive. Believe these as true.<sup>67</sup>

In *Worlds Between*, Davidoff argues that housework becomes part of the culture of any society. This is especially true for South Africa, where one of the few jobs available to a significant proportion of the population is domestic work. By 1909, domestic service comprised the largest occupation in England, but in 1896, on the Witwatersrand, the number of ‘house servants,’ were startling at a time “when the demands of a powerful mining industry for labour seemed insatiable.”<sup>68</sup> Throughout much of the twentieth century, as Jacklyn Cock shows, one of the largest sectors of employment in South Africa was domestic service.<sup>69</sup> The following graphs give some indication of the gender and racial breakdown of men, women and young boys and girls employed as domestic

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<sup>66</sup> One-sixteenth of a rupee.

<sup>67</sup> PAR, II, 1/116/1276/1903, Protector of Indian Immigrants, Durban: Deposition of Kanniah No 90775 Indentured Indian Immigrant No 90775. Complaining of assault by his master GL Graham, Berea, Durban - Also of being made to empty night soil buckets and chambers, 1903.

<sup>68</sup> Charles van Onselen. ‘The Witches of Suburbia: Domestic Service on the Witwatersrand, 1890-1914,’ in *Studies on the Social and Economic History of the Witwatersrand, 1886-1914, Vol. II*. (Johannesburg: Ravan Press, 1982), 2.

<sup>69</sup> See Cock. *Maids and Madams*. When a survey of Central Johannesburg was completed in 1896, it revealed that there were 3 253 African domestic servants, 3 054 White and Coloured servants, 402 White cooks, 345 Coloured laundresses, 341 White waiters, 235 White housekeepers, 219 nurses, 165 grooms, 146 ‘houseboys,’ 106 ‘kitchenboys,’ 84 coachmen, 8 stable keepers, 5 charwomen, 5 stewards, 4 mother’s help, 3 valets, and 1 page. Considering the population size of Natal, the numbers according to the 1904 Census were relatively comparable with these. See van Onselen. ‘The Witches of Suburbia,’ 2-3.

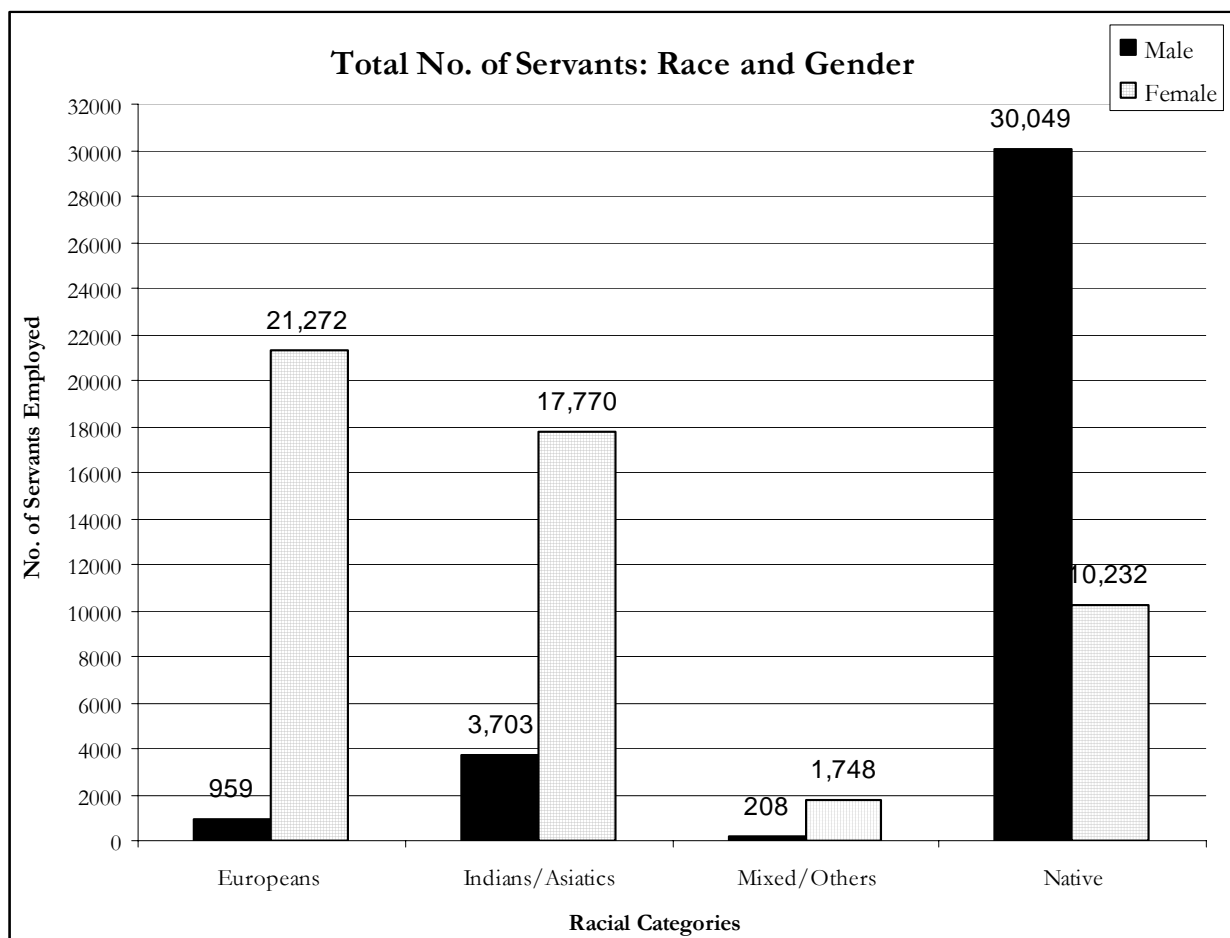


servants in the Colony, as well as a numerical description of the various domestic duties that Indians performed.

Table 1: The approximate proportion % of persons of each race, engaged in Domestic Occupations.<sup>70</sup>

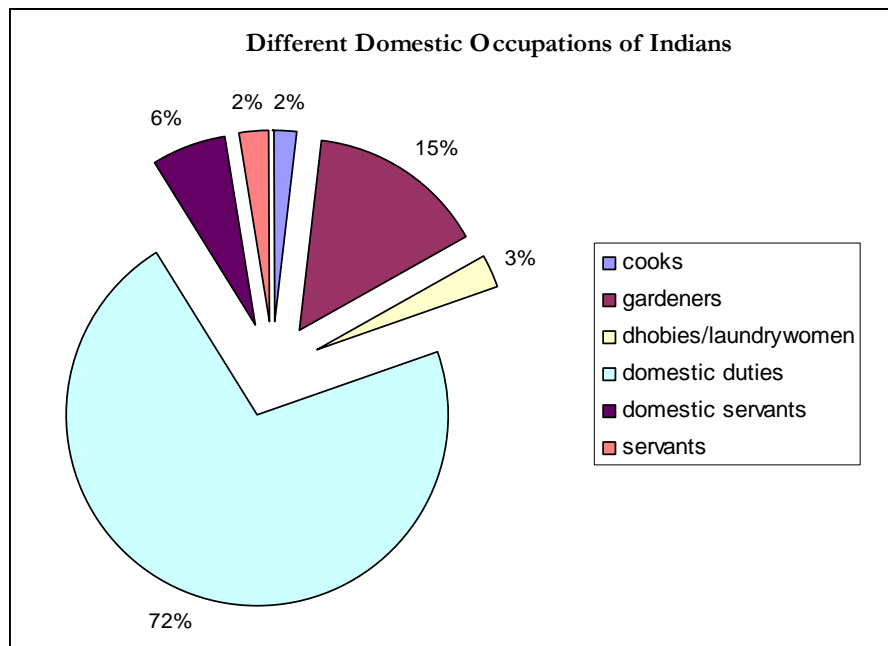
	Males	Females
Europeans/Whites	1.69	52.72
Indians/Asiatics	5.83	47.49
Mixed/Others	5.76	56.83
Native	7.04	2.14

Graph 3: Total Number of Servants employed in the Colony, showing racial and gender breakdown, 1904.



<sup>70</sup> Data for Table 1 and Graphs 3-4, were taken from the *Census Report of the Colony of Natal 17<sup>th</sup> April 1904*.

Graph 4: Breakdown of Different Domestic Duties performed by Indians, 1904.



While the 1904 census data shows that there were substantially more Africans employed as servants as compared to Indians, it must be taken into account that the data reflects employment for the entire Colony including districts in what was formerly known as Zululand, where the Indian population was miniscule.

But by 1887, there was a slow shift in preference by White settlers to employing Indians as domestic servants. Prior to this, as many researchers have shown, African male servants were predominantly engaged as workers in the home. There are a multitude of reasons for this shift, foremost being Natal's Rape Scare in 1886.<sup>71</sup> The availability of Indian labour and the fact that by 1897, Indentured Indians could be

<sup>71</sup> See Jeremy C. Martens. 'Settler Homes, Manhood and 'Houseboys': an Analysis of Natal's Rape Scare of 1886,' in *Journal of Southern African Studies*, 28: 2, June 2002, 379-400.

employed as house servants added to the ease of procuring Indians for domestic duty. Various reports from the Protector of Indian Immigrants Office attest to the popularity and demand of Indian domestic servants.

Departmental Report, 1887: The younger members of families find ready occupation as waiters and house servants, and their native quickness and intelligence makes them valuable for such offices. I am unable to ascertain or compute with accuracy the number of Indians employed in Natal in domestic service. It must be very great; and, excepting for the fact that they require slightly higher wages than do Natives in the same capacities, will, I think, increase. The demand for Indian house servants is always constant, and hotel-keepers frequently apply to me, as do private residents, for cooks, waiters, dhobis etc.<sup>72</sup>

Departmental Report, 1888: The demand for Indians for domestic service in Natal has been very great throughout the year, and this demand has been greater than usual, because a larger number of Indians who have gone to the Gold Fields have been of that class. I am told that the wages for good Indian cooks at the centres of the mining industries range from 5 pounds to ten pounds per month with everything found, and they are proportionally higher than for Dhobies.<sup>73</sup>

Departmental Report, 1889: The want of domestic servants, through the exodus of numbers of our best men, has been severely felt, so much so that many of the hotels and clubs, and indeed private householders, have been compelled to apply for the introduction of special servants from Madras to take their places.

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<sup>72</sup> PAR, NCP, 7/2/2/4, Supplement to the Blue Book for the Colony of Natal, Departmental Reports, 1887.

<sup>73</sup> PAR, NCP, 7/2/2/5, Supplement to the Blue Book for the Colony of Natal, Departmental Reports, 1888.

Several of these 'specials' have already arrived in the Colony, and so far applicants have been very well pleased with them.<sup>74</sup>

In 'So Destructive of Domestic Security and Comfort,' Jeremy Martens examines the 1886 Rape Scare in relation to the creation and implementation of various government laws that sought to control the movement of African men in the Colony. A point of concern that he raises, and one that is a recurring theme throughout this thesis is that of masculinities. Put rather crudely, in Natal, there were three sets of intersecting notions of masculinity: the colonial settler, the "indigenous native"<sup>75</sup> and the immigrant Indian. As Martens shows in the case of Natal, and Jock McCulloch for southern Rhodesia, many White settler men were extremely threatened by the supposed sexual prowess of African men and thus demeaned their work as domestic servants. Martens states that "at the heart of white fears about black rapists was uncertainty about the implications of black men performing what was considered 'women's domestic work in settler homes.'<sup>76</sup> An interesting point that Martens does make, which seems to differ from both Robert Morrell's and Charles van Onselen's arguments, is that African men themselves did not find domestic work demeaning and in fact actively sought these positions. This applied most especially to isiZulu speaking men who returned to Natal, after working on the mines in the Transvaal. In the case of Indians, there were only a few instances where they complained about specific chores that were forbidden by religious and cultural practices,

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<sup>74</sup> PAR, NCP, 7/2/2/6, Supplement to the Blue Book for the Colony of Natal, Departmental Reports, 1889.

<sup>75</sup> This phrase is used here purely as an illustrative technique to elucidate how African men were seen by White settlers and Indian Immigrants in nineteenth century Natal. This also applies to other terms, such as 'houseboy,' kitchenboy,' 'Coolie,' 'Kaffir,' milkboy,' etc.

<sup>76</sup> Jeremy C. Martens. "So Destructive of Domestic Security and Comfort": Settler Domesticity, Race and the Regulation of African Behaviour in the Colony of Natal, 1843-1893. Thesis (PhD-History) – Queen's University, Kingston, 2001, 200.

such as the handling of beef and pork by Hindu and Muslim servants in food preparation. There were even fewer complaints about the nature of the work as women's work and therefore unbecoming of their manliness. As chapter three will further extrapolate, White men projected their own sense of masculinity against Indian and African men as well as White women.

By the end of 1886 however, White anxieties over the dangers posed by the African male domestic servant was becoming increasingly widespread and with the amendments of earlier laws relating to vagrancy, White settlers began engaging both re-indentured and free Indians who were living in the colony, as domestic servants.<sup>77</sup> Natal's newspapers also played a huge role in influencing settler homes to appoint Indians. On the 20<sup>th</sup> of December 1886, a woman describing herself 'Anglo Indian Mother' posted a letter to the *Times of Natal*, writing that "in India 'a man servant is never allowed on any pretence whatever in the ladies' bedroom. She found it alarming that in Natal 'little children were carried about in the arms of big hulking Zulu boys', and advised against white women ever employing black men as servants."<sup>78</sup>

Another possible reason for the shift towards increased employment of Indians as domestic servants could be attributed to the emergence of the *Amalaita* gangs in Durban after the turn of the century. The *Amalaita* gangs were a youth organisation that existed primarily as a challenge to the authorities. They were comprised mainly of African domestic servants who had previously worked on the Witwatersrand, and after the South

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<sup>77</sup> For more on the Natal's Vagrancy Laws see Jeremy Martens. 'Polygamy, Sexual Danger, and the Creation of Vagrancy Legislation in Colonial Natal,' in *The Journal of Imperial and Commonwealth History*, 31:3, September 2003, 24.45.

<sup>78</sup> Jeremy C. Martens. "'So Destructive of Domestic Security and Comfort,'" 207.

African War moved to Durban in search of employment. According to van Onselen, the *Amalaita* “dressed in distinctive wide-bottomed trousers of many colours and paraded through the streets playing music that was ‘generally a strange combination of complicated Dutch, English and Native’ tunes,” and this they did usually after 9 o’clock.<sup>79</sup> They did this in protest against vagrancy Law 15 of 1869, which enforced a 9pm curfew in the Durban Borough. The *Amalaita* mostly acted against government control of workers as implemented through passes, housing compounds and beer halls. In response to this they fought battles against other gangs, in the form of stick fights as a means of creating a disturbance.<sup>80</sup> Newspapers were of course rampant with reports warning White settlers of the dangers and criminal activities of the *Amalaita*, most especially since they ‘moonlighted’ as domestic servants during the day. In 1900, the report of the Superintendent of the Durban Police department deplored the activities of the *Amalaita* and warned the settler community that “daring young thieves ... have started their games in Durban. I sincerely hope the community will be more careful whom they employ as domestic servants.”<sup>81</sup>

An interesting case involving the Chief Staff Clerk of the General’s Manager’s Office at the Railway Department in Johannesburg, is illustrative of some of the views held by White settlers in relation to Indian and African servants. On the 15<sup>th</sup> September 1910, Mr Turnbull, appealed to the Secretary of the Indian Immigration Trust Board in Durban to

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<sup>79</sup> See both van Onselen. ‘The Witches of Suburbia: Domestic Service on the Witwatersrand;’ and Paul la Hausse. ‘The Cows of Nongoloza’: Youth, Crime and *Amalaita* Gangs in Durban, 1900-1936,’ in *Journal of Southern African Studies*, **16**:1, March 1990, 79-111.

<sup>80</sup> la Hausse. ‘The Cows of Nongoloza’, 84.

<sup>81</sup> PAR, Superintendent of Police Report Books [PRB], 6, 6 March 1900, as cited in la Hausse. ‘The Cows of Nongoloza’, 83.

permit his indentured Indian Teerthigiri, to take up residence with him in Johannesburg. In his letter he said: "I am desirous of having this 'boy' here, if possible, as I have found him to be an excellent servant in every way."<sup>82</sup> After not hearing anything from the authorities with regards to his request for months, in February the next year, Mr Turnbull wrote again, this time to Mr Dick of the Harbour Board Office in Natal. In the letter of the 1<sup>st</sup> of February, he wrote:

Dear Mr Dick, I do not know whether you have seen the correspondence with reference to my Indian. I am most anxious that I should be able to retain the services of this particular boy as he is a very excellent servant, and as you are no doubt aware we have considerable difficulty and annoyance with the class of kaffir working on the Rand.<sup>83</sup>

However, a month later, Mr Turnbull received a reply from Mr Dick informing him that despite all the efforts by Mr Turnbull, his servant had been influenced by his friends in Durban and declined to be re-indentured and asked instead to be returned to India. In his final letter to Mr Dick, Mr Turnbull again emphasised his dissatisfaction with having to employ African servants. He wrote: "He [Teerthigiri] faithfully promised to return here but I had a suspicion that he would be influenced by friends in Durban to return to India, and his having done so, necessitates my reverting to the undesirable (in Johannesburg) Kafir."<sup>84</sup>

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<sup>82</sup> PAR, II, 1/176/I2131/1910, WE Turnbull, South African Railways, General Manager's Office, Johannesburg. Applies for permission to transfer his indentured Indian Servant Teerthigiri No. 118938 from Pietermaritzburg to Johannesburg, 1911.

<sup>83</sup> PAR, II, 1/176/I2131/1910, WE Turnbull, South African Railways, General Manager's Office, Johannesburg. Applies for permission to transfer his indentured Indian Servant Teerthigiri No. 118938 from Pietermaritzburg to Johannesburg, 1911.

<sup>84</sup> PAR, II, 1/176/I2131/1910, WE Turnbull, South African Railways, General Manager's Office, Johannesburg. Applies for permission to transfer his indentured Indian Servant Teerthigiri No. 118938 from Pietermaritzburg to Johannesburg, 1911.

The reminiscences of R. Silburn, however leave a very sweet after taste and encapsulates a very satisfying view of the more happier moments that filtered through the lacunae of colonial life.

I am pleased to say, that my parents' attitude to our African and Indian servants was far more pleasant and humane than that of the average white South African. They treated them as people and we youngsters learnt to do the same. It is this, no doubt, which leaves me with such cold scorn for the present colour bar and the laws governing the native people to-day in that unhappy country. But let us have no more politics. The first of these servants, whom I can recall, was a family of Indians. The father was a tall austere man, named Dada. He was cook to the household. We as children were rather overawed by him. His wife, Mary and their daughter Fatima, were employed as nursemaids and with the not infrequent arrival of new children was very necessary. They were both loving and gentle creatures and we in turn were very fond of them both. But this was in my very early years and it is all somewhat vague in memory. My clearest recollection of them is of sitting in their quarters and watching Mary preparing their food. Although Dada was cook to our family, it was always Mary who prepared their food and I remember sitting and chatting to her while she and to me it seemed for hours, patiently ground and mixed the curry paste that was to flavour their meal in a small pestle and mortar. There were also two sons in the family, but they were not employed by us, although they too lived in the servants quarters on the top levels of our grounds. They were young men named Abdulla and Cassim. Abdulla the elder of the two boys was a strikingly handsome man. He was a policeman and it was said that because of his looks he was regularly on duty, controlling the traffic in the Town Centre. But Dada and his family left us in time to return to their former employers, who had been away in Europe for some years. They were replaced by Bantu servants. The first was Dada's successor as cook and house-boy. He was an elderly African known to us as Dick. He was a small rather shrivelled-up man without many teeth. He would never permit us to enter his kitchen and I can remember frequent occasions, when we did so, just to annoy him. He would drive us out in front of sharp stinging flicks from his tea-cloth against our bare legs. For all that he was a



friendly man and we would often sit with him and the other “boys” sharing their pot of putu.

It is clear from the opening lines of these memoirs that they were written at a time and place far removed from Colonial Natal. Despite this distance, it is evident that his paternalistic attitudes towards his family’s servants maintained its grip. Nonetheless, he undoubtedly recognised the overriding power of affection and love in spite of racial boundaries in the home.

But my most distinct memory of him is this. The servants worked a long week. It was the accepted thing. But on Sunday afternoons they were free. Now Dick, I am sorry to say, was an addicted smoker of hemp. He grew the plant himself in the back garden and his method of smoking it was quite unusual. Jack and I would watch him quite fascinated. His pipe was an ox-horn about a foot long. He would stuff the top of tin full of the dried leaves and set them alight, puffing through a small hole he had opened at the tip of the horn. He had beside him a jug of water and a long thin stem of bamboo which had been punctured into a pipe. Having got the herb really alight he would inhale a deep breath of smoke. Holding it for some time in his lungs, he would then take a mouthful of water and slowly get rid of it through his bamboo pipe on to the ground outside. He would do this a dozen or so times with smoke trickling through his nostrils. Then donning his Sunday clothes and seizing a pair of sticks, he would saunter off on his jaunt, as I realize now, obviously in search of some amorous adventure. The second person I can clearly remember, was one of my nursemaids, Martha. She was a young Zulu woman, small and neat of stature. With so many young boys and babies in the household, at least one nursemaid was required in addition to the indefatigable Too-Ah. I know that I became Martha’s chief responsibility. I also remember that I soon became devoted to her. But there are no special incidents to mention, except my bitter grief when she left to return to her kraal in a nearby Native Reserve. But about a year later, she re-appeared on afternoon on a visit. I can remember my little heart almost bursting with emotion as I clung to her skirts while she, mother and Aunt Olive

set gossiping in the kitchen. I think this shows that a child has no inborn feelings of colour prejudice or racialism. He will react with affection to the care and protection he received, no matter who gives it.<sup>85</sup>

The remainder of this thesis shows how such nostalgic and positive memories, were the exception rather than the rule to the relationships between servants and masters/mistresses in Natal. The following chapters, in detailing crimes of physical assault, rape and poisoning' will bring to the fore the intrinsically violent nature of the colonial domestic domain. As Chapter Two will show, crimes of physical assault were the result of a number of significant factors that, when woven together, produced reactions that were fostered by passion, impulse and frustration.

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<sup>85</sup> PAR, Accession Papers, A 1579, Reminiscences and notes on the Hartley, Dawney and Silburn family, 37-39.

*Chapter Two*

**Have I been indentured to this Colony to be thrashed or to work?**

Mistress was drinking coffee on the day in question, I was under the influence of *dakka*. I went to take the cup as I was near her, my shoulder touched her and then she pushed me and I fell down then she called out, the *kaffir* and [Phorboo] came – but I went to wash the plates and other things in the kitchen. Mistress ordered the *kaffir* to strike me and then I ran away to complain to Master in town as I knew he went to town – I came to the town and could not find master, and I went to the Railway Station and took a ticket to Fox Hill and then I was arrested by mistress's father.<sup>1</sup>

The point of intersection between the master/mistress and servant becomes a significant site for raising questions on representation, violence, power and historicity. This site is also responsible for perpetuating inequitable relations that are used as an instrument for appropriating, controlling and assimilating the 'other.' This chapter explores the ways in which violence came to occupy a central place in the interactions between domestic servants and their employers. Drawing on theories of violence developed by Frantz Fanon, Allen Feldman and Mahmood Mamdani, it traces the avenues through which violence became a shared language within this particular context.

In 1884, during the month of April, at the height of the Black Peril scare that was sweeping across Pietermaritzburg, Muttai, an Indian 'kitchen boy,' was charged with

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<sup>1</sup> Pietermaritzburg Archives Repository [hereafter PAR], Attorney General Office [hereafter AGO], I/1/91/40, Supreme Court Criminal Case. Regina Versus Muttai. Charged With Assault, Deposition of Muttai, 1884.

assault by his mistress Elizabeth Fotheringham.<sup>2</sup> The actual incident had taken place on Saturday, the 15<sup>th</sup> of March, and from the depositions presented at the Resident Magistrate's office, it is difficult to ascertain exactly what the events of that day were. According to Mrs Fotheringham, Muttai first "pushed rudely against" her, and after she had asked him not to do so, he followed her into the pantry and "shut the door."<sup>3</sup> He then apparently caught hold of her around her waist and tried to force her down to the floor. She struggled with him for some time and managed to resist his overpowering strength by holding on to a table and shelves. She called out for help, but it was a long time after, that Umakubalo another servant, came to her "assistance."<sup>4</sup> Before this Umakubalo had been busy fetching water to cook porridge for the "native servants." When he got back to the servant's quarters, which was about thirty to forty yards from the main house, he began washing the pot. While he was doing this, "Parboo, an Indian, came and asked [him] for fire," but "before he could take the fire", they heard the screams coming from the house and Umakubalo's name being called.<sup>5</sup>

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<sup>2</sup> PAR, AGO, I/1/91/40, Supreme Court Criminal Case. Regina Versus Muttai. Charged With Assault, Deposition of Muttai, 1884. John Fotheringham and his wife Elizabeth, owned a farm in Fox Hill called Fotheringham. By 1885, John was finding it very difficult to repay the instalments on the farm and it appears from the records that he eventually sold the farm to W Mileman, Mrs Fotheringham's father, in 1897. See PAR, Surveyor General's Office [hereafter SGO, III/1/117/SG1681/1897, W Mileman: Occupation of the farm "Fotheringham", 1897; and PAR, SGO, III/1/58/SG193/1887, John Fotheringham of Foxhill, Farmer, States his inability to pay the 2nd instalment on the farm "Fotheringham" and asks for an extension of time to pay, 1885-1887. However, very little is known about their eventual whereabouts, or that of Muttai's.

<sup>3</sup> PAR, AGO, I/1/91/40, Supreme Court Criminal Case. Regina Versus Muttai. Charged With Assault, Deposition of Elizabeth, 1884.

<sup>4</sup> PAR, AGO, I/1/91/40, Supreme Court Criminal Case. Regina Versus Muttai. Charged With Assault, Deposition of Elizabeth, 1884.

<sup>5</sup> PAR, AGO, I/1/91/40, Supreme Court Criminal Case. Regina Versus Muttai. Charged With Assault, Deposition of Umakubalo, 1884.

They both immediately ran to the pantry and when they got there, they saw Mrs Fotheringham struggling with Muttai who had hold of both her legs. Umakubalo said that both he and Parboo called out to Muttai and it was only then that he let go of her, but according to Parboo when he got to the pantry he had to first seize hold of Muttai and push him aside in order to free Mrs Fotheringham from his grip. Moreover, Umakubalo also declared that after Mrs Fotheringham returned to the house, and he had returned to the “kaffir kitchen”, both the Indians had made their way back to the “Coolie huts.”<sup>6</sup> In his recollection of the events, however, Parboo remained adamant that Muttai “went to the kitchen and commenced to wash the plates and cups.”<sup>7</sup> He also added that his mistress then asked him to take Muttai to the stable and lock him in. Muttai then responded: “if you assert me or touch me I will kill you.”<sup>8</sup> During this episode, Mr Fotheringham and Elizabeth’s father Mr Milemen, were in town, but when they returned to the farm, Mrs Fotheringham had related the days events. Mr Mileman then went in search of Muttai and found him at Fox Hill Station, on his return from town. It is striking that he had gone in search of Mr Fotheringham, his master in order to complain about what had transpired with his mistress. Mr Mileman arrested Muttai and handed him over to the City Police.<sup>9</sup>

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<sup>6</sup> PAR, AGO, I/1/91/40, Supreme Court Criminal Case. Regina Versus Muttai. Charged With Assault, Deposition of Umakubalo, 1884.

<sup>7</sup> PAR, AGO, I/1/91/40, Supreme Court Criminal Case. Regina Versus Muttai. Charged With Assault, Deposition of Parboo, 1884.

<sup>8</sup> PAR, AGO, I/1/91/40, Supreme Court Criminal Case. Regina Versus Muttai. Charged With Assault, Deposition of Parboo, 1884.

<sup>9</sup> PAR, AGO, I/1/91/40, Supreme Court Criminal Case. Regina Versus Muttai. Charged With Assault, Deposition of Mr William Mileman, 1884.

In 1907 the residents of Pietermaritzburg were shocked by the murder of the well-respected Mrs MacDonald of Loop Street. Mrs MacDonald had lived in the colony for more than 17 years and worked for several years as a Matron at Greys Hospital.<sup>10</sup> After her retirement due to ill health, she, like many other settler women during this time, ran a very small and quaint boarding lodge. But on the 10<sup>th</sup> of May 1907, the attack and her death sent waves of fear and disbelief through the colony and both the *Natal Mercury* and *The Natal Witness* reported daily on the development of the case.<sup>11</sup> Since the rape and murder of young colonist Mary Ellen Murphy in 1883 very few incidents thereafter had aroused such public attention, panic and media frenzy.<sup>12</sup> Through careful analysis of this particular case and others, this chapter will attempt to show that there was something inherently violent about the master-servant relationship, specifically with the household as the centre piece, and that as the power relations between mistresses, masters and servant were juggled, would lead to such intemperate behaviour as violent assaults and murder.

### **State vs Madho, an Indian**

Mr WB Turner of Kingthorpe Thorny Bush, Camperdown worked as an Engineer and owned his own farm. From the Protector's records it would appear that the first time the Turner's Indentured Indians had absconded was in 1902. Madho, Tula, Durga,

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<sup>10</sup> PAR, Colonial Secretary Office [hereafter CSO], 612/1877/3616, Elizabeth Macdonald Applies for the appointment of Matron Grey's Hospital, 1877; PAR, CSO, 718/1902/9500, Mrs. MacDonald, Matron, Grey's Hospital, Pietermaritzburg. Applications of EM Edgar, Hr Morkel and M McGill for admission to examination for trained nurses to be held in January, 1903; PAR, Natal Treasury [hereafter NT], 99,T608/1905, Chairman, Grey's Hospital, Pietermaritzburg, 9th February 1905. Reports that Mrs. Macdonald, Matron, has resigned her office on the grounds of ill health, 1905.

<sup>11</sup> See the *Natal Mercury*, and *The Natal Witness*, May – July 1907.

<sup>12</sup> J Riekert. "Race, Sex and the Law in Colonial Natal," in *Journal of Natal and Zulu History*, 6, 1983, 84.

Jhoori, Surga and Janki, all aged between 19 and 25, had been arrested in Pietermaritzburg, and brought before the Resident Magistrate of the Umgeni Division and had to endure seven days in goal. This would seem to be the first time that Turner comes into conflict with his indentured Indians, but in his letter to the Protector it is not the desertion that is his primary concern but rather he seemed to have been more worried about the cost of medical fees.<sup>13</sup>

In 1903, two of the servants that had previously deserted, again left the Turners and went to the Protector to complain, this time with the sole purpose of being transferred.

15<sup>th</sup> January 1903

Tula No 76756

On Monday night I slept outside on account of feeling very warm in the house. I got up early in the morning and went to work in the kitchen leaving the blanket outside. While working I saw my master setting fire to the blankets. I went there and asked my master why. He said he didn't want me to sleep outside. I told him because it is very warm and lot of mosquitoes were biting me in the house. He then gave me a slap on my face. I am made to work from 4am till 9pm every day including Sundays. I am only paid 2/ extra for doing kitchen work.<sup>14</sup>

Durga No. 84560

I have come to complain that on Monday night at 7 o'clock I and the other Indians were sitting in my house and passing our time by singing songs. My master came to the house and took the drum away from me and dropped it on the ground. When it didn't break he went and brought an axe and chopped it

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<sup>13</sup> PAR, Indian Immigration Department [hereafter II], 1/107/I672/1902, Letter and Telegram from WB Turner Re Desertion of Indians, 1902.

<sup>14</sup> PAR, II, 1/166/I277/1903, Tula No 76756 Indentured to WB Turner of Howick states that his Master set fire to his blankets, 1903.

into four pieces. This he did without giving any reason. I am only allowed 20 minutes time for each meal during the day.”<sup>15</sup>

Turner’s response to the Protector brings to the fore numerous comments on relationships between Indian servants, African and Indian Servants, as well as the Colonial State, and White Settlers in relation to the Indian Immigrants.

Howick Rail, February 12, 1903

The Secretary, II Trust Board

I have to acknowledge your letter of the 10<sup>th</sup> inst. Re deposition for Durga No. 84660. With regard to the drum, it was broken by me a twelve month ago, because they would not stop playing and singing all night after repeated warnings, I had to do it, consequently they ran away and did not come to you, but stayed in Pietermaritzburg a week and it was only after I reported the matter to the police they were caught. I considered the matter done with. Now, with regard to the Tula No 76756, for some time I have had reason to complain about some one sleeping inside my donkey cart and have repeatedly taken out a blanket, I have asked, first one and then another of the Coolies, who belonged the blanket but no one would act on. I called and told them all that if I found another blanket in, I would burn it – never mind who it belonged to, consequently on the morning I found the blanket inside I asked Madho who belonged to this blanket, he said I do not know. I told my boy to burn it directly after Tula came and put it out. He never said anything, neither did I to him, I did not hit him and my son was there and saw the whole thing neither was the other coolie near. It is a compounded lie and he cannot prove it. I am telling you this, that you may hear my tale, but the matter has already been settled before the Resident Magistrate at Howick. I have had cause to complain about this man Tula for some time, he smokes “Insango” to such an extent that he does not know what he is doing, yet I can never catch him at it and although he never refuses to do his work, he does it in such a manner as to make me feel as if to kick him well.

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<sup>15</sup> PAR, II, 1/166/I277/1903, Tula No 76756 Indentured to WB Turner of Howick states that his Master set fire to his blankets, 1903.



Here we see an instance where Turner attempts to justify his behaviour. This letter, like many others written to the Protector, reflects the attitudes of masters towards disciplining their servants and shows how violence was intrinsically linked to this. It is also suggestive of the unexpectedly pervasive violent nature of domestic service. He goes on to say,

In the regard to Tula's work. I admit he works in the kitchen and he gets 2/- more for so doing, he never puts in more than 9 hours now in Summer. In Winter he does not do that. He always gets pass every other Sunday and once every 2 or 3 months. Mrs Turner gives him a pass to Pietermaritzburg to buy clothes and tobacco and because he says Howick stores are too dear. If I were to put this man on to the land to work I should never dare to leave home, he never goes over a week without falling out with some of the others and invariably end up with me having to make third man. I trust this matter will satisfy you during the time I have my first and second batch of coolies, we got on famously. I think perhaps if I pay them and feed them and let them lie down all day perhaps I might be a very good boss. I should esteem it a great favour if ever you have any of my Indentured Indians down in Durban, if you would retain them and send me word at once, then if you found the complaint frivolous, to punish them.

I am, Yours faithfully

WB Turner.<sup>16</sup>

In 1904, Madho re-appears in the records of the Protector and for reasons that are two-fold. Firstly, because he had been assaulted by Mr Turner for no apparent reason, and secondly because a women who appears to be his wife, Janki and their child had been ill-treated by the Turners.

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<sup>16</sup> PAR, II, 1/166/I277/1903, Tula No 76756 Indentured to WB Turner of Howick states that his Master set fire to his blankets, 1903.

In Janki's deposition on the 7<sup>th</sup> January 1904, she stated,

I have to complain that I am made to work in the house and kitchen from 6am to 7pm everyday including Sundays. I am only allowed time for food once a day that is sometimes at 2 or 3pm in the afternoon. I am not allowed to leave to give milk to my child which is only 1½ months old. Whenever I do go my mistress calls me back to work and tells me to leave the child alone, let her die I don't care. I left my masters place early this morning and I did not ask for a pass."<sup>17</sup>

Madho's complaint also suggests that they had been arrested in Durban as a result of desertion and not being in the possession of a pass.

I have come to complain that Thursday last about eight days ago I was assaulted by my master in the evening at about seven o'clock. When I went to tie the horses in the stable. He gave me two or three slaps on my face without any reason. There was no one to witness the assault by me. I left my masters place early this morning. I did not ask for a pass."<sup>18</sup>

In a letter to the Protector on the 7<sup>th</sup> of January 1904, Turner asked that they be returned to him and that this was the fourth time that both Madho and Janki had deserted. And again on the 8<sup>th</sup> of January 1904, Mr Turner wrote to the Protector, this time thanking the Protector for returning Madho and Janki to him, and confirming payment to the Protector's messenger for the delivery of his servants.<sup>19</sup>

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<sup>17</sup> PAR, II, 1/124/I47/1904, Protector of Indian Immigrants, Durban: Depositions of Madho 76682 Indentured to Mr. WB Turner, Camperdown; and Janki 84559, 1904.

<sup>18</sup> PAR, II, 1/124/I47/1904, Protector of Indian Immigrants, Durban: Depositions of Madho 76682 Indentured to Mr. WB Turner, Camperdown; and Janki 84559, 1904.

<sup>19</sup> PAR, II, 1/124/I61/1904, WB Turner, Kingthorpe: Reports that both Madho No. 76682 and Janki No. 84559 (woman) absconded, 1904.

During the afternoon of the 4<sup>th</sup> of July 1905, his wife Caroline Turner, heard their children crying outside in the yard where she had left them to play. Cecil, the Turner's eldest son, came into the house and told Mrs Turner that Madho, the 'kitchen boy', was hitting him and his younger brother with a yoke skei.<sup>20</sup> According to Mrs Turner, she had previously spoken to Madho about this type of behaviour and picked up the sjambok and went outside to see what had happened. However, when she got out he had gone round the kitchen with a sack of mealie cobs. She then went to him and said "What have you been doing?"<sup>21</sup> He had apparently picked up the yoke skei and as she began moving in his direction toward the dining room she caught her foot on her dress and stumbled in the veranda. She tried to keep him off with the sjambok, but he caught her on the head with the yoke skei, and after that she remembered "becoming senseless and nothing more."<sup>22</sup>

At the Supreme Court trial on the 18<sup>th</sup> of September 1905, two months after the incident, where Madho represented himself, Mrs Turner stated that she believed he struck the children out of revenge simply because she had previously warned him against such conduct and that some weeks prior to the event in question she had "boxed his head with her hand."<sup>23</sup> Madho had worked for the Turners for nearly seven years and

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<sup>20</sup> According to the Oxford English Dictionary, this is a piece of wood that is fastened over the neck of two animals and attached to a cart to be pulled. The South African English Dictionary defines it as a yoke pin with the transliteration being jukskei. Jukskei is a game played with yoke pins: skittle-type pegs and has its origins in the days of the Voortrekkers. See Jean Branford and William Branford. *A Dictionary of South African English*. (Cape Town: Oxford University Press, 1991), 389.

<sup>21</sup> PAR, Registrar, Supreme Court [hereafter RSC], 1/1/86/43/1905, Supreme Court Criminal Cases. Rex Versus Madho. Charged with assault with intent to commit murder, 1905.

<sup>22</sup> PAR, RSC, 1/1/86/43/1905, Supreme Court Criminal Cases. Rex Versus Madho. Charged with assault with intent to commit murder, 1905.

<sup>23</sup> PAR, RSC, 1/1/86/43/1905, Supreme Court Criminal Cases. Rex Versus Madho. Charged with assault with intent to commit murder, 1905.

during that time there had been minor altercations as well as an instance of desertion, but nothing as severe as this. Dr Evans, who was at the time District Surgeon at Camperdown examined both Madho and Mrs Turner and concluded that the injuries sustained by both parties were fatal.

Two African servants in the employ of the Turner's, Jantoni and Nomadina, aged seventeen and nineteen respectively, were also present at the time of this dispute.<sup>24</sup> Jantoni, who had worked for the Turner's for a period of five months, had always believed that Madho and their Mistress got on very well and that he had never "seen any trouble between them," nor had he seen the accused being punished by the mistress. However on the day in question, he remembered seeing his 'missus' running towards the kitchen, but by the time he got there, she was lying at the door of the dining room and bleeding. Jantoni then got a hold of Madho and "struck him on the chin with [his] fist."<sup>25</sup> When Nomadina arrived, they tried to seize hold of Madho. Apparently, Madho then retaliated and said "Leave me first I want to strike the Missus."<sup>26</sup> Jantoni and Nomadina then got a sjambok and 'thrashed' him with it. At this point Mrs Turner asked them to take Madho to the stables to tie him up till their master arrived. Before asking Jantoni to let him free, Madho supposedly exclaimed that "he was going to get a knife and cut her [Mrs Tuner] throat and his own."<sup>27</sup>

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<sup>24</sup> PAR, AGO, I/1/292/120/1905, Supreme Court Criminal Case. Regina Versus Madho. Charged With Assault with Intent to Commit Murder, 1905.

<sup>25</sup> PAR, RSC, 1/1/86/43/1905, Supreme Court Criminal Cases. Rex Versus Madho. Charged with assault with intent to commit murder, 1905.

<sup>26</sup> PAR, RSC, 1/1/86/43/1905, Supreme Court Criminal Cases. Rex Versus Madho. Charged with assault with intent to commit murder, 1905.

<sup>27</sup> PAR, RSC, 1/1/86/43/1905, Supreme Court Criminal Cases. Rex Versus Madho. Charged with assault with intent to commit murder, 1905.

According to Nomadina, on that Tuesday afternoon, he was in the shed shelling off seeds mealies. Lance, Cecil, Norman and Alwyn, (the Turner's four sons) were also in the shed with him. Madho had come to the shed to fetch some mealie cobs. The boys had apparently started playing with him, and threw mealie cobs at him. Madho joined in their play, but after a while went outside and returned with the yoke skei and struck Alwyn, the youngest son on the head. Alwyn started to cry and when Cecil asked him why he had done it, Madho chased him outside and "struck him on the buttock."<sup>28</sup> This was when Cecil returned to the house to call his mother.

When Mr Turner arrived home, he found his wife covered in blood, sitting on the floor at the entrance to the dining room and delirious. He had asked her who was responsible for the attack, but she was in a semi-conscious state, and could not answer him. She also had a long cut on the left side of her head and her cheek was swollen. She could not see out of her left eye and her spectacles were broken. On taking off her clothes, Mr Turner found that her left leg from the hip to the knee was a "mass of bruises," and the skin was slightly broken in one spot. When he found out that Madho had assaulted Caroline, he went to the tool house and asked Madho why he had assaulted his wife. "[Madho] immediately picked up a long iron spanner about 2 foot 6 inches long and weighing about five pounds which he attempted to strike [Mr Turner] with."<sup>29</sup> After hitting him with a sjambok, Mr Turner tied Madho and left him in that condition until eight o'clock that evening when he was found by the police.

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<sup>28</sup> PAR, AGO, I/1/292/120/1905, Supreme Court Criminal Case. Regina Versus Madho. Charged With Assault with Intent to Commit Murder, 1905.

<sup>29</sup> PAR, AGO, I/1/292/120/1905, Supreme Court Criminal Case. Regina Versus Madho. Charged With Assault with Intent to Commit Murder, 1905.

After hearing this evidence, the jury retired at 12. 40 on the 18<sup>th</sup> of September. Within 6 minutes they returned to the courtroom and decided eight to one that Madho was guilty of aggravated assault with intent to do “some grievous bodily harm,” and that his sentence was four years imprisonment with hard labour and fifteen lashes.<sup>30</sup> Despite the fact that there were five other Indians living and working on the farm, none of them were asked to submit an affidavit to the Attorney General, nor were any of them called to give evidence in court. Furthermore, Madho did not have any legal representation throughout the court case nor did he have any representative witnesses. In his closing statement to the jury, Madho asked:

Have I been indentured to this Colony to be thrashed or to work? The Government have not given orders for me to be sent here to be undressed and thrashed on my buttocks. On two occasions, in Howick Mr Turner thrashed me, and twice in Camperdown in the presence of the engineer who works the engine at Mr Turner’s. We have been indentured by the Government of India to work in this Colony, but not to be ill-treated. On one occasion [Mrs Turner] slapped my face, and on the second occasion she struck me with her hands. When Mrs. Turner struck me I said “Be careful and be mindful that I am a man and you are a woman. You ought not to strike me. If you want me to do anything command me to do it, and if I do not carry out your orders, then you can have me imprisoned”. This is not the yoke skei that I struck the lady with, I struck her with another one. Mrs. Turner struck me first. On being struck I opened the window of the kitchen and sprang out. Mrs. Turner sprang through the same window after me, and then, in self-defence I was compelled to strike her. I have nothing more to say.<sup>31</sup>

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<sup>30</sup> See, PAR, AGO, I/1/292/120/1905, Supreme Court Criminal Case. Regina Versus Madho. Charged With Assault with Intent to Commit Murder, 1905; and PAR, RSC, 1/1/86/43/1905, Supreme Court Criminal Cases. Rex Versus Madho. Charged with assault with intent to commit murder, 1905.

<sup>31</sup> PAR, RSC, 1/1/86/43/1905, Supreme Court Criminal Cases. Rex Versus Madho. Charged with assault with intent to commit murder, 1905. This is Madho’s closing statement to the Jury.

By July 1906, Mr Turner had settled all of the expenses that he incurred through Madho, which included medical fees and payment to messengers. He did this by selling off all of Madho's belongings, which included two old saucepans, for which he got £3. He also asked the Protector to find Madho a new employer because he did not want him to return to the house, because "the fright he would give [his] wife would be terrible."<sup>32</sup>

In 'Motive for Murder: A Servant's Life in Virginia, 1678,' Breen, Lewis and Schlesinger, present an analysis of a forty page pamphlet written in 1860 entitled, '*The Vain and Prodigal Life, and Tragical Penitent Death of Thomas Hellier.*' Hellier was an indentured servant to Cuthbert Williams and his 'ill-tongued' mistress, and after an altercation, murdered both his mistress and master with an axe and ran away. The night before his execution he had spent hours talking with an Anglican clergyman, and the pamphlet was a product of that conversation. Breen *et al.* argue that the mental and emotional tensions prevalent within the master-servant relationship and the "exercise of domination over other human beings bred tyranny," such that the system inevitably "brutalized" the master and servant, slaveholder and slave.<sup>33</sup> One of the pertinent points that emerges from the pamphlet is that the conditions and type of work that Hellier had been promised before he left England was nothing compared to the work he endured at Williams Plantation which was ironically called 'Hard Labour.' Similarly, Turner's letter to the Protector on the 7<sup>th</sup> of September 1910 in response to a complaint made by one of his "kitchen boys" Jey Singh, regarding the nature of his work, explicitly shows how

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<sup>32</sup> PAR, II, 1/144/I1980/1906, WB Turner, Kingthorpe, Umlaas Road. Forwards cheque to the value of \$4-10-0 being instalment on Duya, Medical Fees for 3 months and saucepans sold belonging to Madho No. 76682, 1906.

<sup>33</sup> T. H Breen; James H Lewis; Keith Schlesinger. Motive for Murder: A Servant's Life in Virginia, 1678. *The William and Mary Quarterly*, 3rd Ser., 40:1, January, 1983, 110.

many Indians who came to Natal were misinformed about the type of work that they were engaged for and how it had become a manifestation of much larger and deeper anxieties.

Kingsthorpe

Umlaas Road

7 September 1910

The Secretary, II Trust Board

If you will kindly turn up my indent paper you will find that I wrote on, wanted for kitchen purposes or something to that effect, to which I got a reply that you did not indent the Indians specially for kitchen. I was to take one of the ordinary boys brought out, and of course I have got one and knowing as you did, that he was required for kitchen purposes he ought to have been told. My intention from today is to refuse all permits to him, excepting one or two to go to the store monthly. I will not have strange coolies on my farm, they only make the coolies up to all sort of mischief and if every farmer would only do the same, we should have less trouble with them. This man comes to you with his tale, how badly he is treated, what about me, who will repay me for the last time. He has been several days running about the neighbourhood before he went to Durban. I think the time has arrived when we should have some returns for this time wasted especially considering the money we have to pay. However, this boy is in the kitchen and he will have to stay there until I chose to put him outside. That maybe when I get other Indians. The only thing that I am afraid is he may have much harder work after this than what he has been doing and he may keep running away awhile he tires of it.

Yours faithfully, WB Turner

PS. This boy has had a pass every other Sunday and when it was his Sunday to be off work, he was told to stay indoors, hence his running away. I may mention he had his full rations and also money up to pay. Naturally I want a bit of work for it. Should this man ever appear before you again I should esteem it a favour if you would forward him to Camperdown to be dealt with?



The previous day, on the 6<sup>th</sup> of September 1910, Jey Singh went to the Protector's office in Durban and stated:

That I came to this colony as a field labourer and I wish to be employed as such. I do not want to work in the kitchen, because I am not given time to go out and my friends are not allowed to visit me. I am willing to work for my master if I am given field work.<sup>34</sup>

In Chapter One, it was argued that relations between colonial settlers and their bonded labourers were highly contested sites of struggle and emotionally charged, as both masters/mistress and servants struggled to own, shape and define the power relations between them. Cases of assault, physical abuse and ill treatment were played out with much energy and the circumstances surrounding the murder and death of Mrs Macdonald by one of her servants, Sheik Ramthumiah highlights how incidents of murder, assault poisoning, rape and other crimes between masters and mistresses were often the result of compounding conflicts between the mistress/master and servant, as had been the case with Madho.

### **118 Loop Street**

Description of an Indian wanted for murder of Mrs Macdonald, late of Greys Hospital, name Sheik Ramthumiah, No. 115627. Arrived per S.S. Umlazi on the 25<sup>th</sup> October 1905, from Madras. Male. 23 years. Mahomedan. Height 5ft-5in. Clean-shaven. Light complexion. Scar below right nipple. Last seen wearing a loin cloth.<sup>35</sup>

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<sup>34</sup> PAR, II, 1/176/I2039/1910, Protector, Indian Immigrants, Durban: Complaint of Jey Singh No. 142361, Indentured to Mr. WB Turner, Umlaas Road, 1910.

<sup>35</sup> PAR, II, I/151/I1157/1907, Letter from the Sergeant of the Criminal Investigation Department [Durban] to the Protector of Indian Immigrants, description of the Sheik Ramthumiah, 1907.

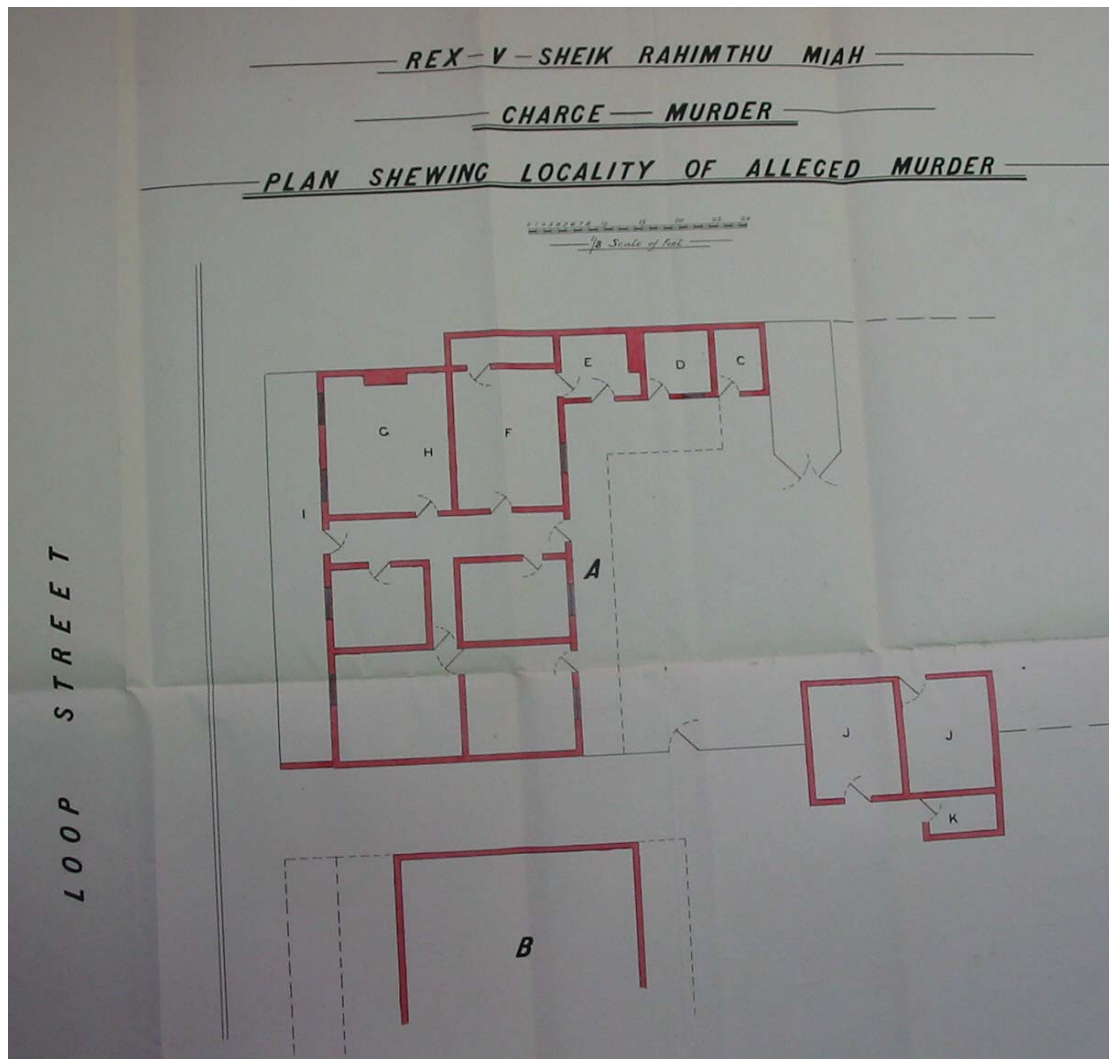


Image 6: Map of Murder<sup>36</sup>

At some time between the seventh and tenth days of May in 1907, and at or near Loop Street of Pietermaritzburg, Vellappa Gounden was charged with “wrongfully, unlawfully and wickedly inciting, soliciting, encouraging, endeavouring and persuading”

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<sup>36</sup> PAR, RSC, 1/1/95/19/1907, Supreme Court criminal cases. Rex versus Vellappa Gounden. Charged with inciting to commit the crime of murder, 1907.

Sheik Ramthumiah to kill and murder Elizabeth MacDonald and Jessie Francis.<sup>37</sup> Sheik Ramthumiah lived at 118 Loop Street<sup>38</sup> as a domestic servant to Mrs. MacDonald and had been in her employ for about a year and a half. Jessie Francis was also a domestic servant in the household, but appears to have been on much better terms with Mrs. MacDonald. Vellappa Gounden lived next door to Sheik, Jessie and Mrs. MacDonald, at 106 Loop Street<sup>39</sup> and he was a domestic servant to Elizabeth J. Mary Behrens. The whole affair had apparently started on the Tuesday of that week, with a quarrel between Jessie and Sheik, the ripple effects of which resulted in the murder.

The quarrel was over a vase of flowers that Jessie had upset by moving around just after Ramthumiah had tidied up “the place” and the fact that she had ordered him to re-sweep the dining room.<sup>40</sup> Ramthumiah was carrying a bucket of water in each hand and when Jessie ordered him, he struck her with one of the buckets. He was then taken to gaol by Mrs. MacDonald and fined £5 for assault. At the gaol he met Vellappa, and after telling him what happened Vellappa said, “not to work any longer in that house, that [he] was to go away as [his] mistress was a bad woman, and the other woman was a bad woman also.”<sup>41</sup> For some time after this Ramthumiah would frequently visit Vellappa who would read to him from an Indian storybook he had purchased from Bombay storekeepers in Durban. Ramthumiah stated that it was Vellappa who had stirred his

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<sup>37</sup> PAR, RSC, 1/1/95/19/1907, Supreme Court criminal cases. Rex versus Vellappa Gounden. Charged with inciting to commit the crime of murder, 1907.

<sup>38</sup> See Reference A on map.

<sup>39</sup> See Reference B on map.

<sup>40</sup> PAR, RSC, 1/1/95/19/1907, Supreme Court criminal cases. Rex versus Vellappa Gounden. Charged with inciting to commit the crime of murder, 1907.

<sup>41</sup> PAR, AGO, I/1/322/373/1907, An Indentured Indian Ramthumiah charged with murder, 1907.

anger up, by reading from this book and made him believe that if he killed his mistress then he would not have to complete his indenture and could return to India. According to Ramthumiah the story was:

about a rich man having some servants. It was about a man who was sent to get some money, and he said he would get it, and then there was a quarrel over that. The Nawab got very angry with this man and they sent some soldiers. Then a letter was sent to a friend of his, and then there was a wedding, and leaving the wedding he went to the battle. There was one man named Mohab who annihilated the Nawab's soldiers. Then when he saw that his friend had been killed in battle, he said that he would go and have vengeance on him. He asked the horse which friend it was that had been murdered and the horse showed him. When he saw that his friend had been murdered he took a grave and buried him. And then he killed the horse with his sword. Then he came back and spoke to his father's sister; and then he told the Nawab that his friend had been murdered; "and because your wife had been born on a Friday, don't you go to battle today." And the Nawab did not die, but all his soldiers died. They were all annihilated."<sup>42</sup>

In a deposition given by Jessie Francis, she recalls how Ramthumiah had murdered Mrs MacDonald.

This morning about half past seven I was in and out of the kitchen several times to get breakfast ready. The Indian Ramthumiah was in the kitchen cleaning knives. He left for the dining room setting the breakfast table. I went again into the kitchen, he came out of the dining room behind me and while I was stirring the porridge on the stove he stabbed me once on my left shoulder with a big butcher knife. I screamed and rushed into Mrs. MacDonald's room. She came out of the room to meet me opening the door I ran in. The Indian was in the

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<sup>42</sup> PAR, RSC, 1/1/95/19/1907, Supreme Court criminal cases. Rex versus Vellappa Gounden. Charged with inciting to commit the crime of murder, 1907.

passage. She tried to protect me and the Coolie flew at her. She tried to push him away from me. He stabbed her three or four times. I could not say where he stabbed her. I tried to pull her away and he stabbed me again in my right shoulder. Mrs. Macdonald fell on the floor very heavily, bleeding profusely. The Indian ran away up Temple Street. The knife he used I saw on the front verandah.<sup>43</sup>

An Indian Interpreter to the Supreme Court Chelivum Stephen was called upon to translate the text and give evidence in court to show whether any connection could be established between the murder and the story. The verdict for Vellappa's case was not guilty, but Ramthumiah was sentenced to death and it was eventually proven that the reason Ramthumiah had murdered his mistress was not because of the story read to him by Vellappa but because three days prior to the murder he was fired from his job as her domestic servant. Stephen however, remained an integral element in the proceedings since it is from his ability to interpret and read the Tamil language that Vellappa's charges were dropped. However, interpretation and the role of interpreters in Natal, was not always as proficient and reliable as has been the case with Vellappa. There were numerous complaints made to the Protector of Indian Immigration on the nature of interpretation in the colony. This proved to be a serious problem, most especially when cases involving Indians were brought to court.<sup>44</sup>

In 1885-1887, the Indian Immigrants (Wragg) Commission enquired into the situation of Indians in Natal and reported on the complaints made about Indian

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<sup>43</sup> PAR, AGO, I/1/322/389/1907, An Indian Vellappa Gounden charged with inciting to murder, 1907, Deposition of Jessie Francis and PAR, RSC, 1/1/95/19/1907, Description Supreme Court criminal cases. Rex versus Vellappa Gounden. Charged with inciting to commit the crime of murder, 1907.

<sup>44</sup> For more on this see, P. Badassy. 'Turbans and Top Hats: Indian Interpreters in the Colony of Natal, 1880-1910.' Thesis (BSocSc – Honours) – University of Natal, 2002.

Interpreters in Natal. Many of the Magistrates “felt uncomfortable and uneasy with the levels of interpretation and when deciding Indian cases burdened with a conflict of interest.”<sup>45</sup> There were some cases where the interpreter attached to the Resident Magistrates courts were familiar with one or more dialects of the north which included Hindi, Urdu, Bengali, Panjabi, Kashmiri, Gujarati, and Marathi<sup>46</sup> but they were often unacquainted with Tamil which was the language spoken by the majority of Indians in the Colony, who were from Madras and other parts of south India. As a result, when there were witnesses from both Northern and Southern India, the “interpretation [became] broken, disjointed and unreliable.”<sup>47</sup>

The report also stated that in one instance at a Circuit Court, the interpreter was well versed in Hindustani but the witness was Tamil speaking. He apparently had a “rudimentary acquaintance” with Tamil but half an hour into the case, the judge discovered that the interpreter was intimidating the witness to force him to state that he preferred to give his evidence in Hindi. In other instances where the interpreters had a very inadequate knowledge of English, they conveyed the grievances and complaints of Indians in ‘Pigeon English’, which was “absurd in its sound and ludicrous in aspect when recorded.”<sup>48</sup> Furthermore, the report stated that in the Supreme Court there was no

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<sup>45</sup> *Report to the Indian Immigrants (Wragg) Commission 1885-1887*, Chapter X: Indian Interpretation Pietermaritzburg: P. Davis and Sons, 1887, Reproduced in Y. S. Meer *et al. Documents Of Indentured Labourers, 1852-1917*. (Durban: Institute of Black Research, 1980), 285-286.

<sup>46</sup> Rajend Mesthrie. *Language in Indenture - A Sociolinguistic History of Bhojpuri-Hindi in South Africa*. (Johannesburg: Witwatersrand University Press, 1991), 10.

<sup>47</sup> *Report to the Indian Immigrants (Wragg) Commission 1885-1887*, Chapter X: Indian Interpretation, 285-286.

<sup>48</sup> *Report to the Indian Immigrants (Wragg) Commission 1885-1887*, Chapter X: Indian Interpretation, 284-286. The report also comments on the lack of interpreters in gaol and other areas of administration and the inconvenience caused by this. It gives the example of Kurampillei who suffered from severe heart disease. Owing to the fact that there was no interpreter on the prison staff, he could not inform the officials of his sickness and had to continue with ‘arduous labour.’ On the morning of the 30<sup>th</sup> of

proficient interpreter in Tamil and so language became dependant upon chance interpretation and interpreters were difficult to obtain. The report also asserted that in 1886 the Legislative Council struck the item “200 pounds for Tamil Interpreter to the Supreme Court,” out of the supply bill and that failure to reinstate this amount would result in difficulties and miscarriages in Tamil cases of the gravest nature.<sup>49</sup>

It then went on to recommend that the only feasible approach to this problem was to employ two interpreters at every Court, for the Northern and Southern dialects respectively, which would save the hassle of waiting for interpreters and putting cases on hold due to the absence of a Government interpreter.<sup>50</sup> One of the major problems faced by this Indian diaspora was the difficulty of communicating with the Colonial State, and perhaps one of the reasons for this was the lack of an organized system of education. One of the ways the report sought to redress this problem was by inaugurating a system through the Indian Immigrant School Board where some of the teachers were educated in the Tamil and English languages. Thereafter candidates for appointments as Interpreters were to be examined by a competent Board of Examiners and an annual salary of £200 was to be made available for a Tamil Interpreter to the Supreme Court. The problem came in actually trying to implement a system such as this, and in particular finding appropriate teachers. This scheme never worked though, partly because until

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September the guard found him in a ‘dying condition’ but before the doctor arrived, Kurampillei died. See also Rejend Mesthrice. ‘New Lights from Old Languages: Indian languages and the experience of Indentureship in South Africa,’ in Surendra Bhana. (ed.) *Essays on Indentured Indians in Natal*. (Leeds: Peepal Tree Press, 1990), 189-208.

<sup>49</sup> *Report to the Indian Immigrants (Wragg) Commission 1885-1887*, Chapter X: Indian Interpretation, 285.

<sup>50</sup> In *Voices from Indenture: Experiences of the Indian Immigrants in the British Empire*, Marina Carter states that in Mauritius, the courts were only allowed to employ one interpreter who had to be proficient in both Tamil and Hindi. See Marina Carter. *Voices from Indenture: Experiences of the Indian Immigrants in the British Empire*. (London, New York: Leicester University Press, 1996), 8.

1889, Indian schools only taught till Standard Seven and most schools were mission schools under the able guidance of Rev. Booth, which meant that education was Christian based and there would have been very little facilitation in the Indian languages.<sup>51</sup> In his *Collected Works*, Gandhi speaks at length about the mechanisms of the court and how the lack of skilful interpretation often led to discrimination against those Indians that could not speak English.

They are very much misunderstood; in the first place, because they cannot speak the English language, and secondly because the interpretation is very defective through no fault of the interpreters. The interpreters are expected to perform the Herculean task of interpreting successfully in four languages, viz., Tamil, Telegu, Hindustani and Gujarati. The trading Indian invariably speaks Hindustani or Gujarati. Those who speak Hindustani, only speak high Hindustani. The interpreters, with one exception, speak the local Hindustani, which is a grotesque mixture of Tamil, Gujarati, and other Indian languages, clothed in extremely bad Hindustani grammar.

Very naturally, the interpreter has to argue with the witness before he can get at his meaning. While the process is going on, the Judge grows impatient, and thinks that the witness is prevaricating. The poor interpreter, if questioned, true to human nature, in order to conceal his defective knowledge of the language, says the witness does not give straight answers. The poor witness has no opportunity of setting himself right. Indeed, it speaks volumes for the acuteness of the interpreters in extracting even the sense from a forest of strange words. But all the while the struggle is going on, the Judge makes up his mind not to believe a word of what the witness says, and puts him down for a liar.<sup>52</sup>

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<sup>51</sup> C. G. Henning. *The Indentured Indian in Natal (1860-1917)*. (New Delhi: Promilla, 1993), 159-170.

<sup>52</sup> Mahatma Gandhi. *The Collected Works of Mahatma Gandhi*. (Government of India, Delhi, 1959), Volume I, 157-159 in Burnett Britton. *Gandhi Arrives in South Africa*. (Canton, Maine: Greenleaf Books, 1999), 139-140.



The problems surrounding illiteracy and English become evident as many of the depositions given in court, apart from being translated into English by these interpreters, had to be written by them as well. Moreover, the Indians were heavily dependent on interpreters since they had no other official means whereby their complaints and depositions could be recorded. Language after all was “the perfect instrument of the empire,” since it was this aspect that served as the ideal conduit between the colonizers and the colonized.<sup>53</sup> Language, translation and interpretation have always been, as Douglas Robinson states, “an indispensable channel of imperial conquest and occupation.”<sup>54</sup> Conscious of the fact that many depositions were produced by coercion, in the opening statement of his deposition to the Attorney General, Vellappa makes the point of emphasising that he was not coerced into making the statement and then continues to provide his account of what happened on the day of Mrs MacDonald’s murder and the days leading up to the 10<sup>th</sup> of May 1907.

I wish to say something. I wish to say it voluntarily; nobody has made me say anything. The magistrate has warned me that I need not say anything now, unless I wished so, he also warned me that it would be put in writing and used against me at the trial of this case. But I wish to say something.

On Thursday night about 8 o’clock Ramthumiah came to my house. I was washing my clothes. We had a little talk together, Ramthumiah then went to my room and lay on my bed. I was still washing clothes outside. Half an hour after I came into the room. I sat on a base and took a book called Krishna Velarum. About 10 minutes after 9 o’clock pm I asked him to go home as I wanted to go to sleep. Then he took away the clock which he had brought with him and before leaving the room he told me that he was going to be transferred and he

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<sup>53</sup> Douglas Robinson. *Translation and Empire. Postcolonial Theories Explained*. (Manchester: St Jerome Publishing, 1997), 60.

<sup>54</sup> Robinson. *Translation and Empire*, 10.

said he saw another Indian talking to his mistress, but he Ramthumiah was not seen then by the mistress when she talked to the other Indian. He also saw that the mistress had told the other Indian to come back in three days time. He said that he had found out that his mistress was not going to keep him and that she was going to transfer him. Ramthumiah always reads the book "Thesingaraj." He being a Mahomedan was very fond of that book because it speaks of the bravery of Nawab, a king who waged war against Thesingaraj, on the evening in question that is Thursday last, he was not reading it. I did not touch that book that night, neither did he. He used to visit me every night for the last 4 or 5 months. Before he left me that evening, I told him that he would have to work wherever he goes. He then went away. The book Krishna Velarum refers to the birth and life of Krishna which is our "Christ." He had not been to my place several days before the murder. I used to see him passing by to a neighbour's servant to smoke hemp. On the Thursday he came to my house and lay down. I was ironing my clothes and after washing he stayed there about an hour altogether. I did not see Ramthumiah at all on Friday morning. I saw the coloured woman Jessie come to Mrs Behrens. I did not go to Mrs MacDonald's house. When the coloured woman came to our house I was going to my room to get chillies she said she had been stabbed by Ramthumiah and when my mistress Mrs Behrens wanted to go to Mrs MacDonald I stopped her or tried to stop her and said: "Don't go! You might be stabbed to!" I prevented her from going by closing the door of the dining room. When the Police came I gave them all the places where I knew Ramthumiah to visit. Both books mentioned by me are in the Tamil language. I used to teach Ramthumiah in that language. He could not read Tamil and Telegu. He could speak Telegu and Hindustani and a little Tamil. I speak Tamil and a little Telegu. I never saw Ramthumiah at all on Friday last.<sup>55</sup>

Vellappa is somewhat an exceptional case in that not only was he able to buy these books, but he could read the language as well. This put Vellappa in a much better social position as compared to other Indentured labourers in the Colony. In the Attorney

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<sup>55</sup> PAR, AGO, I/1/322/389/1907, An Indian Vellappa Gounden charged with inciting to murder, Deposition of Vellappa Gounden, 1907 and PAR, RSC, 1/1/95/19/1907, Supreme Court criminal cases. Rex versus Vellappa Gounden. Charged with inciting to commit the crime of murder, 1907.

General Office records where evidence for the same case is located, there is a letter from Ramthumiah's father in India, who wrote to Ramthumiah regarding his problems with his mistress, and to inform him of the sorry situation of the family back home. One of the roles that interpreters were able to fill was that of letter writers, but the problem with this was that many would charge Indians an exorbitant amount, which very few could afford considering their economic conditions. The interaction that existed between South Africa and India during Indenture has received minimal attention, and the failure of the historiography to address these connections in anything more than a sentimental, rudimentary fashion could be partly due insufficient communication between families and individuals as well as the absence of private letters in the archival sources. The letter from Ramthumiah's father offers valuable evidence of some of the problems faced both by Indians in the colony and in India, especially with regards to the postal service and the standard of living in India. More importantly however, this letter gives us a window into the social worlds Ramthumiah occupied and of the links he maintained with an Indian past; a world that existed outside the boundaries of his life at 118 Loop Street.

My dearest son Sheik Ramthumiah

I your father Sheik Allie Said write to inform you that all of us here are well and hope to hear the same from you.

I am in receipt of your letter of 4<sup>th</sup> March 1907 and learnt the contents thereof. I am sorry to hear from your letters that there had been a quarrel between your self and your mistress and that you are going to another place to work, we are troubled in mind since we heard of it, for you have written some time back that your mistress was very kind and like your mother. Let me know the cause of your quarrel at once, you wrote also that you have not hard work to do but to attend watering gardens and were happy. You now write to say that you would either go to Sugar Estate or Coal Mines, if this is true I would miss your address and there will be some delay in answering your letter.

Your sister is suffering from carkeides [sic] under the arm pit and it would take three months before she is cured, we are all troubled about it consequently we could not attend to answering your letter, she is now a trifle better. I and your brother and others are anxious to see you, and we constantly are thinking of you. I your father, is blind in one eye. The other one is not so bad as the other. If my eyes are better I would be able to see you when you return home. I am getting anxious about my eyes. Our cows and heifer have died. I am stricken with poverty by God I am sorry to say.

There is famine in this country. I could not work for any length time my age being against me. The necessaries of life are very dear, the price of rafee (grain) is 3 ½ measures, mealies 3 measures and paday (unchafed rice) 4 measures per rupee. The tank is dried up. Our little children do not obey me properly. You are my good son, but the children at home are very disobedient and wicked.

We have to use a measure of corn and every meal at home I am unable to provide the necessary food at home however hard I might labour we would be glad to get a little help from you I am forced to seek this help from you. Your younger brother Khader Hoosain left house and staying with one Ali Hoosain at Gani Uncle's house. You are always in my mind. The closing of foreign mails being irregular in this part of the country delays our letters considerably but we get your letters in time.

I do not think I would live to see you where you when you return after your completing your time with your present mistress. I am anxiously looking forward to your return. If you wish to open a store here you should have sufficient capital to make it profitable.

I am sending you vegetable seeds, let me know you have received these or not. Nothing more to say.

Accept blessings

Your able father

Sheik Alli Said<sup>56</sup>

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<sup>56</sup> PAR, AGO, I/1/322/276/1907, With reference to translation of an Indian letter, attached. 1907. Underlined in original.

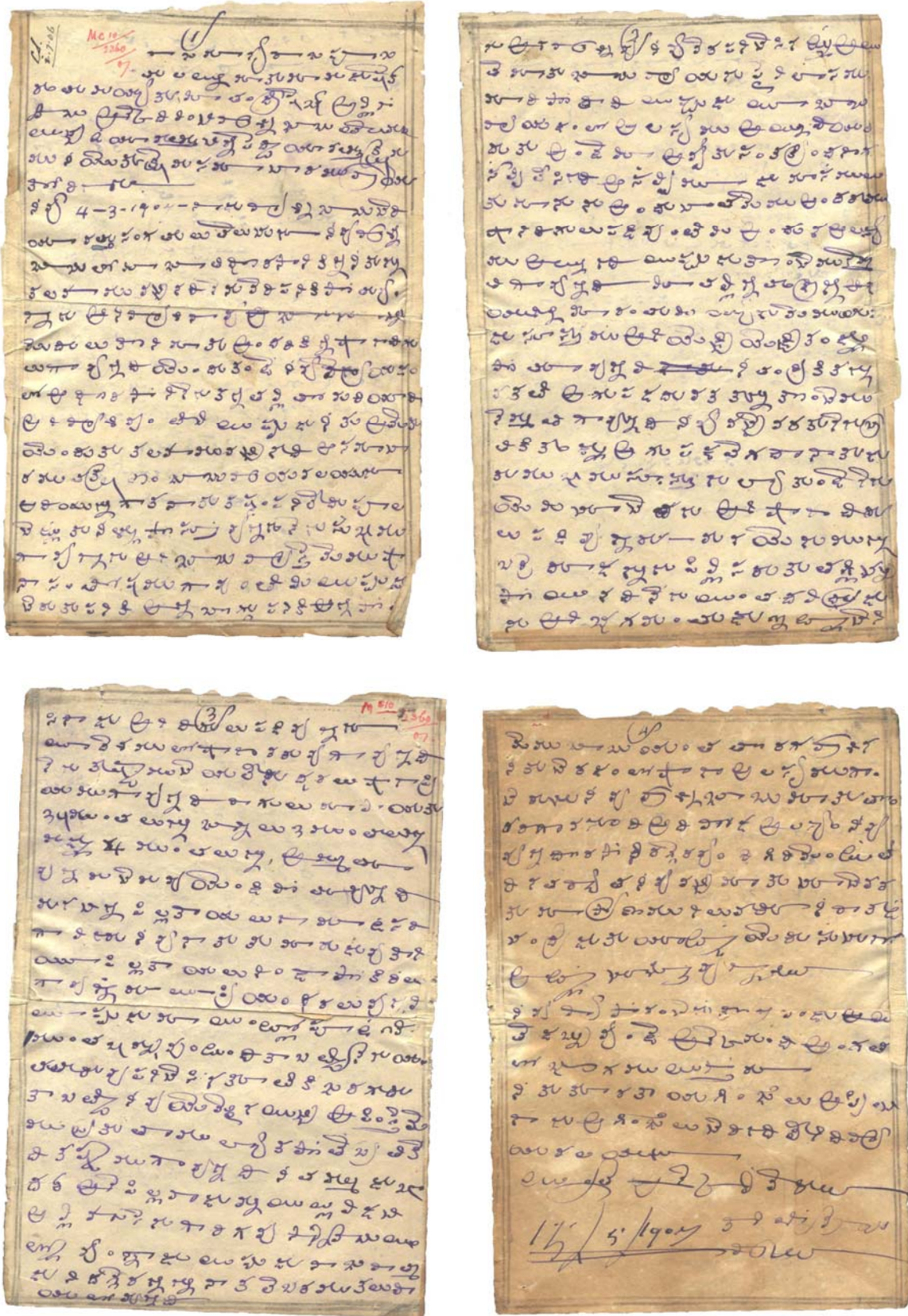


Image 7: Letter from Sheik Ramthumiah's Father, Sheik Alli Said.

Besides the richness of description that this letter provides, perhaps one of the most pertinent points that it raises, is that of the nature of work in relation to the behaviour of indentured and enslaved people across the globe. His father writes “you wrote also that you have not hard work to do but to attend watering gardens and were happy.”<sup>57</sup> For Ramthumiah, the letter represented a reminder of the world that he had left behind and to which he longed to return, but for the colonial state it was used as evidence in proving his motive for killing his mistress. The underlined sentence contains that motive, but besides implicating Ramthumiah it also points us toward the capricious nature of relationships between masters/mistresses and servants. From the cases of Madho and Durga, Tula and Janki, it is strikingly clear that their protests against their masters and mistresses was not connected to their household tasks and responsibilities, but arose out of moments and acts of degradation and dehumanisation imposed on them by their masters and mistresses. It was inexplicable to Ramthumiah’s father that his son’s relationship with his mistress could have soured so suddenly, as Ramthumiah had given the impression that he did not have “hard work to do but to attend [to] watering gardens and [was] happy.”<sup>58</sup> It was the stripping away of their personal freedom and individual liberties and the penetration of what little private space they possessed that caused these instances of insurgency.

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<sup>57</sup> PAR, AGO, I/1/322/276/1907, With reference to translation of an Indian letter, attached. 1907. Underlined in original.

<sup>58</sup> PAR, AGO, I/1/322/276/1907, With reference to translation of an Indian letter, attached. 1907. Underlined in original.

During the court case, in an attempt to defend Ramthumiah's action, Mr Paton called David Vinden<sup>59</sup> to the stand. Vinden was an interpreter at the Pietermaritzburg City Court and had been responsible for transcribing Ramthumiah's deposition the day of the altercation against Jessie. One of the things that Mr Paton tried to prove was that because Jessie was a Colonial Born Indian, she thought herself to be better than Ramthumiah. Mr Paton called Vinden to testify because of his long standing relationship with various Indians in the colony and his position as an interpreter which would have allowed him the opportunity to develop an understanding of the relationships and differing attitudes of Indians in the Colony. In the cross-examination, Vinden stated: "I have noticed a vast difference in the general attitude of a Colonial Indian towards an indentured Indian when working side by side. It takes a long time to get on well. The Colonial Indian thinks he is a great deal better than the indentured man and has very little respect. If the Colonial Born is given the opportunity, they lord it over the indentured."<sup>60</sup> From his responses in court, Ramthumiah believed that Jessie had a very low opinion of him and that she was in fact a great annoyance and would constantly complain to their mistress about him. While he did admit to wounding Jessie, he could not remember what had happened after that.

I lit the fire in the kitchen. Then I took some hot water to Mr Bird who was boarding with Mrs MacDonald at 6.30 and another can to Mrs MacDonald. After taking the bath water I attended to the table in the diningroom for breakfast. There were not enough knives for the table and I went for some, and I saw Jessie at the stove. She was cooking porridge. While I was collecting the

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<sup>59</sup> For a further discussion on David Vinden, see P. Badassy. 'Chapter Two: David Vinden (1859-1919),' in 'Turbans and Top Hats: Indian Interpreters in the Colony of Natal, 1880-1910.'

<sup>60</sup> PAR, RSC, 1/1/98/23/1907, Supreme Court criminal cases. Rex versus Ramthumiah and Vellappa Gounden. Charged with murder, 1907.

knives one of them fell down, and Jessie said “You are destroying all my mistress’ property, and I will complain against you.” I said, “I did not do it purposely, it slipped down from the table, if you like to complain you can.” She was annoyed at my remark. While she was stirring the porridge at the fire she had her back turned to me. She turned around and gave me a kick on my posterior and said “I will go and complain to the mistress.” I was very much enraged and gave her a blow. As soon as she received the blow she screamed, and I turned around and saw some blood on her and I was dazed. I do not know what I did. I came out of the kitchen. I went into the kitchen again and found Jessie was not there. I do not know what I did afterwards, I was afraid.<sup>61</sup>

Using Ramthumiah’s statement as a point of leverage, Mr Paton pushed his defence further by trying to prove with the help of Dr Ward and Herbert Wynne Cole, that Ramthumiah had in fact exhibited a short-lived moment of homicidal mania and temporary insanity. Dr Ward the District Surgeon for Pietermaritzburg, who did not “like Indian servants well enough” and was of the opinion that Indians were ‘more excitable and have less power of self control than Europeans,’ had kept Ramthumiah under his strict supervision for a period of two weeks leading up the court case.<sup>62</sup> During this time, Dr Ward could not find any signs of insanity and found that this case could not be attributed to that of homicidal mania since there was nothing that indicated the ‘mental deficiency’ of Ramthumiah. Mr Paton then tried to convince the jury that it could have been possible that Ramthumiah had for a moment on that morning, lost his sense of self-control, thereby committing the acts of assault by calling Mr Wynne Cole to the stand. During 1907, Wynne Cole had worked for the Criminal Investigation Department but

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<sup>61</sup> PAR, RSC, 1/1/98/23/1907, Supreme Court criminal cases. Rex versus Ramthumiah and Vellappa Gounden. Charged with murder, 1907.

<sup>62</sup> PAR, RSC, 1/1/98/23/1907, Supreme Court Criminal Cases. Rex versus Ramthumiah and Vellappa Gounden. Charged with murder, 1907.



later that year moved to the Indian Immigration Department.<sup>63</sup> Furthermore, he had spent some time in India and Mr Paton was interested in his knowledge of the Indian ‘character’ and of Indians ‘running amok.’ When asked about some of the cases that he had seen, Wynne Cole said:

I remember one case of a man who ran amok in the bazaar at Madras. An Indian, after having what is called run amok, if he once draws blood seems to have the feeling that a wild animal does to want to go on. I have seen that occur. Because he does not stop at the first person whom he has assaulted. He will generally assault anybody who comes in his path.

However, Mr Bigby, the attorney for the Crown, presented an excellent closing statement to the jury that invalidated all of Mr Paton’s attempts at proving that it was homicidal mania. The first point Mr Bigby’s raised concerned the question of motive. He argued that in order for this act to be reduced to manslaughter and homicidal mania, the crime would have had to have been committed without a motive, while in this case there was clear evidence that Ramthumiah was vengeful towards both Mrs MacDonald and Jessie. According to Ramthumiah, Mrs MacDonald had ill-treated him and wrongfully taken him to goal to be charged with assaulting Jessie. Secondly, Mr Bigby argued that Ramthumiah would have to have shown signs of insanity, and that there should have been some history of insanity in his family, for instance “an uncle who suffered from epilepsy,” or an aunt who had been admitted to an asylum.<sup>64</sup> But Dr Ward had found none of these in his observations. Mr Bigby’s third and most important point which

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<sup>63</sup> PAR, II, 1/154/I2151/1907, Chief Commissioner of Police, Pietermaritzburg:- Transfer of Detective Wynne Cole From Criminal Investigation Department to Indian Immigration Department, 1907.

<sup>64</sup> PAR, RSC, 1/1/98/23/1907, Supreme Court Criminal Cases. Rex versus Ramthumiah and Vellappa Gounden. Charged with murder, 1907.

seemed to have successfully convinced the jury related to the weapon of choice and how this choice was an indication of intent. He argued that if Ramthumiah had chosen to assault Jessie with a broom, then it would be possible to assume that he had not intended to murder per se, but since his choice of weapon was a knife, there was no doubt that his intention was to cause the death of Jessie and Mrs MacDonald. My Bigby ended his summation by pointing out to the jury, that if Ramthumiah had no intention of killing Mrs MacDonald on the 10<sup>th</sup> of May; he also would not have stabbed her three times. On the 22<sup>nd</sup> of August at 12.40pm, the court case came to an end and the jury retired to consider their verdict. At 12.45pm they returned and with a unanimous verdict found Ramthumiah guilty of “wilful murder.”<sup>65</sup> Ramthumiah had come to this Colony with the hope of earning enough money to support his family back in India. From the letter his father had sent him, the pain and suffering and anguish that they experienced was swathed over with the hope they placed in the hands of Ramthumiah. Little did his family know that his death certificate would eventually read “dislocation of the neck.”<sup>66</sup>

One of the key elements in this analysis of why these domestic workers committed these acts of aggressive and physical assault is the question of motive. Part of the understanding lends itself to the psychological degradation and dehumanisation of the individual’s body and most importantly the sense of humanness that allows for the outburst of the violent reactions. In Madho’s case it is apparent that his attack on his mistress was firstly as a result of her striking him and secondly, because one of the sons of his master and mistress showed cheeky disrespect towards him and he felt that

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<sup>65</sup> PAR, RSC, 1/1/98/23/1907, Supreme Court Criminal Cases. Rex versus Ramthumiah and Vellappa Gounden. Charged with murder, 1907.

<sup>66</sup> PAR, II, 10/1/9/I2080/1907, Deceased Estate. Sheik Ramtumiah. No. 115627, 1907.

because of his age they had no right to reprimand him. However, what does seep through the holes in the court transcription is that it is quite possible that the interaction between the children and Madho was of a playful nature. If this were an accepted scenario, then Mrs Tuner had no just cause to sjambok Madho, which may have further enraged him and caused him to react in the manner in which he did. As with most slave/colonial settler societies, the relationship between the mistress/memsahib and the male servant/slave is one that has not only been highly theorised about but also one that has emphasized hierarchies, imbalances, fears and misconceptions within colonial settler societies. The work of Jeremy Martens and Robert Morrell focusing on gender and masculinity in Natal show how irrational fears and concerns about the native man exhibited by colonial men further entrenched notions of superiority among White women.<sup>67</sup> As a result, White men needed to assert their authority over both White women and native men, which in turn made White women become increasingly zealous in their control over native and Indian men. Furthermore, the colonial state's interventions in this context invariably occurred with the intent of legitimising British rule in the colony and the system of Indenture.<sup>68</sup>

In *Maids and Madams*, Jacklyn Cock ascertains that in a society, such as South Africa that is exceedingly unequal, domestic workers remain the most exploited group. She goes further to state that these servants are situated at a locus of three converging lines of

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<sup>67</sup> See for instance, Jeremy C. Martens. "Settler Homes, Manhood and 'Houseboys': an Analysis of Natal's Rape Scare of 1886," in *Journal of Southern African Studies*, 28:2, June 2002, 379-400, and Robert Morrell. 'Of Boys and Men: Masculinity and Gender in Southern African Studies,' in *Journal of Southern African Studies*, 24:4, December 1998, 605-631.

<sup>68</sup> For more on this see Durba Ghosh. 'Household Crimes and Domestic Order: Keeping the Peace in Colonial Calcutta, c.1770-c.1840,' in *Modern Asian Studies*, 38:2, 2004, 599-623.

exploitation: class, race and sex.<sup>69</sup> However, what is unique to Indian domestic servants in Natal, is that they were also constituted as immigrants. And it was this sense of displacement that in fact had the greatest impact on shaping the master/mistress-servant relationship in Natal.

There have been two recurring elements in all cases presented in this chapter. The first, that all the victims were the mistresses of the home and the accused, male domestic servants. And the second, that all accused were either under the influence or thought to be under the influence of dakkha. In her closing statement to the Resident Magistrate, Mrs Fotheringham stated: “[Muttai] was in an excited state all the morning. I have found he smokes dakkha.”<sup>70</sup> Muttai, also admitted to being under the influence at the time. The use of dakkha had become a point of concern for the colonial state such that in the 1885-1887 commission on Indian Immigrants in the Colony, an entire chapter was dedicated to the use of hemp. Under Section 70 of Law 2, 1870 the Governor was given the power to pass laws that would prohibit the smoking, use or possession and sale of the hemp plant for which the penalties would be a fine of 2 pounds.<sup>71</sup> But by 1884, there was no law in place in Natal, and the authorities believed that it was a mixture compounded of tobacco, opium, hemp and brown sugar, which was extremely “injurious to the constitution of the Indians.”<sup>72</sup> The commissioners report went on to say that the

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<sup>69</sup> Jacklyn Cock. *Maids and Madams: A Study in the Politics of Exploitation*. (Johannesburg: Ravan Press, 1984), 5.

<sup>70</sup> PAR, AGO, I/1/91/40, Supreme Court Criminal Case. Regina Versus Muttai. Charged With Assault, Deposition of Elizabeth, 1884.

<sup>71</sup> PAR, Natal Colonial Publications, 5/2/5, Law 2 of 1870, “To amend and consolidate the Laws relating to the introduction of Coolie Immigrants into this Colony, and to the regulation and government of such Coolie Immigrants.”

<sup>72</sup> *Report to the Indian Immigrants (Wragg) Commission 1885-1887*, Chapter II: Dakkha – Law No. 2 of 1870, Section 70, 256.

excessive use of the plant among Indians had caused, “dementia,” “unsteadiness in the performance of work, heart disease, asthma, retention of urine, night blindness and amaurosis, incoherent speech, mental imbecility, hallucinations, suicides, [and] death.”<sup>73</sup>

An aspect of the report of relevance to Ramthumiah’s case was its statement that “homicides are committed by men rendered furious by its toxic properties.”<sup>74</sup>

The formation and execution of violence and violent attacks have been widely written and theorised about, especially within the context of the master-servant relationship. For instance, Allen Feldman proposes in his study of political violence that within the domain of a particular act of violence the body becomes reconstructed as a political agent. It is through specific methods of repression that essential ideas about resistance emerge. He further argues that it is through the agency of the body that understanding, the formation, transformation, and reproduction of violence can be determined and disaggregated. Feldman states emphatically that violence itself creates meanings and awareness, redefines subjectivities and positions of subservience, and repositions bodies and individuals.<sup>75</sup> It is quite evident from the various depositions presented here and elsewhere in this thesis, against Mr Turner and other colonial settlers, that the body became the vehicle through which forms of both resistance and repression were exercised. Much of Feldman’s analysis on the uses and meanings of violence revolves around the anthropology of the body. From the cases of both Madho and

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<sup>73</sup> *Report to the Indian Immigrants (Wragg) Commission 1885-1887*, Chapter II: Dakkha – Law No. 2 of 1870, Section 70, 257.

<sup>74</sup> *Report to the Indian Immigrants (Wragg) Commission 1885-1887*, Chapter II: Dakkha – Law No. 2 of 1870, Section 70, 257.

<sup>75</sup> Allen Feldman. *Formations of Violence: The Narrative of the Body and Political Terror in Northern Ireland*. (Chicago: University of Chicago Press, 1991).

Vellappa, what remains common between both their experiences is that it is through some form of degradation to their bodies and their individual embodiment of masculinity that the physical assaults against their mistresses were produced. In his closing statement to the Jury, Madho empathically stated that one of the reasons he struck Mrs Turner back was that she had struck him first. He also added that if she wished for him to do something she should “command” him to do it and also to “be careful and be mindful that [he is] a man and [she is] a woman. [She] ought not to strike [him].”<sup>76</sup> This remark is highly indicative of the role of gender in shaping acts of violence. These acts were evidently not instrumental but ideological, imbued with symbolic significance and “an institution possessing [their] own performative autonomy”<sup>77</sup>

In *The Wretched of the Earth*, Fanon argues that “violence is a cleansing force. It frees the native from his inferiority complex and from his despair and inaction; it makes him fearless and restores his self-respect.”<sup>78</sup> It was at that exact moment of assault that their sense of self-respect was restored and in the cases of Madho and Vellappa, it was these injuries that fuelled the violence of these men.<sup>79</sup> Violence, as Mamdani argues was integral to the imperial project as “violence was central to producing and sustaining the relationship between the settler and the native.”<sup>80</sup> The significance of coercion and violence as manifested by the administrative order and enforced by the colonial state

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<sup>76</sup> PAR, RSC, 1/1/86/43/1905, Supreme Court Criminal Cases. Rex Versus Madho. Charged with assault with intent to commit murder, 1905. Madho’s closing statement to the Jury.

<sup>77</sup> Feldman. *Formations of Violence*, 21.

<sup>78</sup> Frantz Fanon. *The Wretched of the Earth*. (London: Penguin Books, 1967), 74.

<sup>79</sup> Mahmood Mamdani. *Good Muslim, Bad Muslim: America, the Cold War and the Roots of Terror*. (New York: Pantheon Books, 2004), 10.

<sup>80</sup> Mamdani. *Good Muslim, Bad Muslim*, 9. See also Vijay Naidu. *The Violence of Indenture in Fiji*. (Fiji: Fiji Institute of Applied Studies, 2004), Preface-vii.

contributed to the entrenchment of the dialectical language of force. Fanon evinces the argument that colonialists came to understand that the only language the native understood is that of force and therefore decided to “give utterance by force.” In turn, the ‘native’ came to absorb and comprehend that the behaviour exhibited by his/her master/mistress points to the realisation that the “colonialist understands nothing but force.”<sup>81</sup> The men presented here in this chapter can be identified as the poster men for Fanon’s most pertinent statement: that “the colonized man liberates himself in and through violence.”<sup>82</sup>

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<sup>81</sup> Fanon. *The Wretched of the Earth*, 66.

<sup>82</sup> Fanon. *The Wretched of the Earth*, 68.

*Chapter Three*

**A Tissue of Lies:**

**Crimes of Unlawful Carnal Knowledge and Indecent Assault –  
The Cases of Masilamey Mudali, Duba, Mtonga and Venakaya**

As an index of colonial and social hierarchical tensions, rape and acts of indecent assault between men of colour and White women can be seen as a metaphor for these power imbalances. They are also more importantly, usually an act of violence by men against women. In Colonial Natal this further displaced the power imbalance and complicated the master servant relationship. In this context, it is very difficult to ‘read’ evidence as proof of guilt or innocence. The following court case reproduced here to some detail, is illustrative of the often seemingly rehearsed nature of testimonies and the theatrical elements which emerge as a result. Underlying all this is the centrality of sexual power and tensions, which were so prevalent in this colonial society.

Wednesday, 4<sup>th</sup> Sept. 1907.

In the Supreme Court of the Colony of Natal,

Before Mr Justice Broome,

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Rex

Vs

MASILAMEY MUDALI,

an Indian charged with the Crime of indecent assault,

Plea: Not guilty.

Mr Bigby for the Crown,

Prisoner undefended.

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Thursday, 10<sup>th</sup> Sept. 1907,

Before Mr Justice Beaumont and a jury.

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NELLIE MAUD AMELIA WATTS, called and sworn: -

(Examined by Mr Bigby)

Q. You live with your husband at Balgowan.

A. Yes

Q. The accused is your indentured coolie.

A. Yes

Q. Do you remember the 18<sup>th</sup> June.

A. Yes.

Q. Your daughter Gladys came into the house about what in the afternoon.

A. Between 4 and 5.

Q. What did she do.

A. She sat on the sofa and buried her face on the cushion.

Q. What did you say to her.

A. I asked her what was the matter and she would not speak. Then she told me her clothes were wet.

Q. What clothes were they.

A. Her drawers.

Q. Did you change her clothes.

A. I simply gave her a clean pair and told her to change them herself.

Q. What became of the pair she took off.

A. I went in afterwards and found them lying on the floor partly wet.

Q. What is her age.

A. She was six in January.

Q. Did you notice what her clothes were with.

A. Semen.

Q. You kept that pair of drawers and gave them to Dr. Lawrence.

A. Yes.

Q. Did she tell them what happened to her.

A. Not for a long time after. I had often threatened to beat her if she followed the boys about.

(By the Court)

Q. What do you mean by some time after.

A. When I went in the evening to put her to bed.

Q. What did she say.

A. She told me she followed the boy to the coolies quarters, and he told her to undo her clothes, and she told him to go away and pushed him on the chest.

(resuming.)

Q. Did she say what he had done to her.

A. Yes, she said he tried to put something in her.

Q. Have you every noticed anything before with regard to the accused.

A. No, I have always found him a good boy and truthful.

(By the Court)

Q. Did she say which boy it was.

A. Yes, she told me his name directly afterwards.

Q. Did you send for him

A. My husband went out to him.

DOORSAMY, an Indian constable, called and sworn: -

(Examined by Mr Bigby)

Q. You are an Indian constable at Nottingham Road.

A. Yes.

Q. Do you remember arresting the accused.

A. Yes.

Q. What did you say to him.

A. I told him if he were to speak they would write it down.

(By the Court)

Q. Did you tell him that he was charged with.

A. I did.

Q. What did you tell him he was charged with.

A. I told him I heard that he did something to a white girl.

(Examined by Mr Bigby)

Q. Did Trooper Nicol speak to him subsequently.

A. Yes, and after I took the accused to the Camp.

Q. Did you interpret for Trooper Nicol.

A. Yes.

Q. Before you began to interpret for Trooper Nicol what was the first thing you said to him. What did Trooper Nicol tell you to interpret first.

A. He asked me to interpret these words “Whatever you say it will be taken down in writing and it may go against you or in your favour at the trial.”

Q. What did he say after that caution had been administered to him.

A. He said “ I was cleaning my master’s boot in the kitchen. My master’s daughter came into the kitchen and called me. The girl at this time was sitting on a sack of mealies. She lifted up her dress and said in the Kaffir language “Kumula buluka, genisa pakati.” I said to the girl she must clear away from the kitchen, that she was too small a girl to use such an expression and I would not do such a thing to a child like that, and if I were caught I should be killed by the girl’s parents. Then the girl said “Do it, I won’t say anything about it.” She lifted up her dress and called me again to do it. I went up to her and put my penis on her drawers. About eight o’clock that same night my master and a friend of his tied me up and beat me severely, and brought me to the station and locked me up.”

Prisoner’s statement read and put in.

Mrs. WATTS recalled.

(Examined By the Court)

Q. Can you tell me what is the date of this boy's indenture.

A. I believe he started with us on the 1<sup>st</sup> April, I am not sure.

Q. He hadn't been very long with you, then.

A. A little over two months.

Q. Did he come out from India to you.

A. No, he served his time at a farm.

Q. How long has he been in the neighbourhood, or in Natal.

A. A little over five years.

CASE FOR PROSECUTION CLOSED

THE ACCUSED MASILAMEY MUDALI elected to give his own evidence

on oath, and was duly sworn.

Statement: I was under the influence of ganga. I don't know what took place and what I said. I don't remember anything. I don't know what I

have said to the Indian policeman I know I was severely thrashed by my employer. I was tied up before I was assaulted. That is all I know. I was taken to the police station about two in the morning.

(By the Jury)

Q. Are you married.

A. No.

Q. Have you ever known children to ask you to do such a thing before this.

A. No.

Verdict: Unanimous verdict of Guilty. Sentence: Two years' imprisonment with hard labour, and 20 lashes.<sup>1</sup>

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<sup>1</sup> Pietermaritzburg Archives Repository [hereafter PAR], Registrar, Supreme Court [hereafter RSC], 1/1/98/28/1907, Supreme Court Criminal Cases. Rex Versus Masilamey Mudali. Charged with Indecent Assault, 1907.

Alan Lawrence, a Medical Officer at the Sanatorium, Nottingham Road, was called by Mrs Watts the day after the incident to her home in Balgowan to examine her daughter, Gladys Maud. She also requested him to examine the clothes she had worn the previous day to ascertain whether there were ‘any marks of violence on the girl’ and whether there were any ‘stains of blood or semen on her pair of drawers.’ Dr Lawrence confirmed that “all the parts were intact,” meaning that there was no physical evidence to show that she had been ‘interfered’ with, but that there was “one clot” on her drawers which showed that there had been emission of semen.

However when Frederick Nicol, a trooper in the Natal Police and stationed at Nottingham Road was called to the stand, his rendition of the statement made by Mudali to him the morning after he was arrested, was slightly different:

Last Monday I was cleaning my master’s boots in the kitchen. My master’s daughter came in and sat down in front of me on a sack and pulled up her clothes. She said in kitchen kaffir that I was to open my trousers and put my person into her. I took out my person and put it into her undergarment and emitted my semen on her garments. Then I came back to the kitchen. The girl told me to say nothing to her parents about it, or they would be angry. When I was sleeping in my hut that night my master and his friend came in and thrashed me and tied me up with a rope. My master then took me to the station and sent for the police.<sup>2</sup>

What is peculiar about this court case is that Thomas Watts, the father to the girl, was never called to stand, and he did not make a deposition regarding the case, despite the fact that he was responsible for assaulting Mudali. It becomes difficult to determine his

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<sup>2</sup> PAR, RSC, 1/1/98/28/1907, Supreme Court Criminal Cases. Rex Versus Masilamey Mudali. Charged with Indecent Assault, 1907.

version of the events as well as his views on the matter. However, between August and September of that year, several letters were passed between himself, the Protector as well as the Deputy Protector with regards to a complaint made by one of his Indian servants, Hargayan, from which it is possible to gauge his views and attitude towards Indians generally.<sup>3</sup> In his deposition on the 27<sup>th</sup> of August, Hargayan complained to the Protector that on the 3<sup>rd</sup> of August at around 7 o'clock in the evening, his master "struck" him "several blows on both sides of his body without any reason" and that he wished to be transferred because he could not "bear the illtreatment any longer."<sup>4</sup>

In his reply to the Protector about the complaint, Watts begged for Hargayan's return (for his own 'personal satisfaction'), insisting that the assault was in fact an accident. It clearly points to the attitude that the majority of settlers in the Colony held: that these Indians were mere chattel belonging to the Empire, helots and commercial assets that needed to be worked to their fullest capacity.<sup>5</sup> His letter read:

On the evening that he complains of, I was taking some letters to the post, I stepped out of a lighted room and knocked against this boy coming up the stairs. He gave me a fright and I warded him off with the side of my arm. He then called out its me Hargayan boss, I never touched the boy again. This happened on the 12<sup>th</sup> of July and the boy left here on the 4<sup>th</sup> of August. I am sorry that the boy refuses to come back but seeing that he has no real grounds of complaint, I must insist on his being sent back. If Indians are allowed to

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<sup>3</sup> See, PAR, Indian Immigration Department [hereafter II], 1/154/I2116/1907, Indian Hargayan No. 105023's Complaint of Assault - Indentured to TJ Watts of Balgowan, 1907; PAR, II, 1/153/I1795/1907, TJ Watts, Balgowan Writes about Indian Harigayan's complaint, 1907.

<sup>4</sup> PAR, II, 1/154/I2116/1907, Indian Hargayan No. 105023's Complaint of Assault - Indentured to TJ Watts of Balgowan, 1907.

<sup>5</sup> H.S.L. Polak. *The Indians in South Africa, Helots within the Empire and How They Are Treated*. (Madras: G.A. Natesan and Co., 1909), 6.

dictate their own terms and allowed to go where they please in the way this Indian has done, it will be goodbye to Indian labour. It is perfectly evident that the boys are encouraged in this sort of thing and the inconvenience and expense that we are put to over them is not in any way considered. I have been amongst Indians and handled them for 20 years and I have never come across one yet that could speak the truth and tell the same story twice.<sup>6</sup>

Mrs Florence Sophia Grantham and Walter Lewis Grantham who was a Civil Engineer<sup>7</sup> lived at 167 Burger Street in Pietermaritzburg with their two boys Walter Valentine Louis and Charles Edward. At 3 o'clock on the morning of December 10<sup>th</sup> 1903, Verbena Holliday, a boarder with the Granthams, was startled by a noise she heard in the passage way. She had initially thought it was a cat after hearing a hissing noise, but when she turned on the light, she saw Duba, Mrs Grantham's cook standing in the doorway. Verbena Holliday was 26 years old and a music teacher in the borough of Pietermaritzburg.<sup>8</sup> She had one sister, Lizzie Holliday who married Walter Lindup,<sup>9</sup> and she had five brothers, John, Ernest, Frank, Ralph, and Rupert Holliday.<sup>10</sup> Duba, who had been with the Granthams for three years at the time, was charged with wrongfully and unlawfully entering the bedroom of Verbena Holliday with the intent "to wit, or commit

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<sup>6</sup> PAR, II, 1/154/I2116/1907, Indian Hargayan No. 105023's Complaint of Assault - Indentured to TJ Watts of Balgowan, 1907.

<sup>7</sup> PAR, Master of the Supreme Court. Estates [hereafter MSCE], 5906/192, Grantham, Walter Lewis. (S SP Grantham, Florence Sophia), 1921.

<sup>8</sup> PAR, MSCE, 41/199, Holliday, Verbena, 1911.

<sup>9</sup> PAR, MSCE, 2672/1958, Lindup, Lizzie. Born Holliday. Born in Pietermaritzburg, Natal. PR/SP Lindup, Walter. Estate No. 1153/1947. Deceased Estate, 1958-1959.

<sup>10</sup> Both Frank and Rupert seemed to have been admitted to the Mental Hospital in Pietermaritzburg. PAR, MSCE, 9590/1924, Holliday, Frank. (Not Date of Death Date Admitted to Mental Institution), 1924; and PAR, MSCE, 2383/1918, Holliday, Rupert. (Spouse Olive) Not Deceased received into Mental Hospital, Pietermaritzburg as a patient, 1918-1924.

some crime of the unknown.”<sup>11</sup> It was only on the 2<sup>nd</sup> of May 1904 that the case was brought to trial and in the evidence that was lead there were traces of inconsistencies and contradictions.

At the court case Duba elected to give his own evidence and was represented by Mr Cecil Yonge. Gustave Aristide de Roquefeuil Labistour together with Mr Vaughan-Williams represented the crown. Jack Smith, a detective in the Police force and a surveyor was the first witness called to the stand. He was responsible for preparing a plan of the Grantham’s home. The architect of the house was integral to this case, because of the disparities that arose out of different versions of the story. The location of Ms Holliday’s room in relation to the dining area, passage way and Mrs Grantham’s room, as well as the positioning of the electric light switches and bed in Ms Holliday’s room were crucial in understanding what exactly happened the morning of the 10<sup>th</sup>.<sup>12</sup> Along the hallway, Ms Holliday’s room was directly opposite the dining room and Mrs Grantham’s room was further down the passage and at the front end of the house.<sup>13</sup> On the night in question, Ms Holliday decided to leave the door to her room slightly ajar, because it had been intensely hot the night before. When asked about what had happened after she heard the hissing noise and something at her feet, she said:

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<sup>11</sup> PAR, RSC, 1/1/79/15/1904, Supreme Court Criminal Cases. Rex Versus Duba. Charged With Wrongfully Entering A Bedroom With Unlawful Intent, 1904.

<sup>12</sup> PAR, RSC, 1/1/79/15/1904, Supreme Court Criminal Cases. Rex Versus Duba. Charged With Wrongfully Entering A Bedroom With Unlawful Intent, 1904.

<sup>13</sup> For more on the architecture and floor planning of colonial bungalows and country houses and their relationship to the employment of servants, see William J Glover. “A Feeling of Absence from Old England:” The Colonial Bungalow,’ in *Home Cultures*, 1:1, 2004, 61-82; and Jill Franklin. ‘Troops of Servants: Labour and Planning in the Country House, 1840-1914,’ in *Victorian Studies*, 19, December 1975, 211-239.



I am naturally nervous and got up immediately and turned on the light. Then I saw Duba standing at the side of my bed near the foot. I immediately called out for Mrs Grantham. Duba did not say anything but gave a swift glance around at the door. He was standing between me and the door. He did not say anything but made something between a groan and a hiss, and then simply bolted from the room. I went into Mrs Grantham's room and related what had occurred.<sup>14</sup>

Mrs Grantham then went out to the back veranda and called for Duba several times. Miss Holliday noted that when Duba did finally come back to the house, he was dressed in the same manner as when he was standing at her doorway; in his shirt, trousers and turban. Mrs Grantham then asked Duba what had happened and to return his duplicate key to the house, which he possessed so that he could come into the house early in the morning to clean up and set the breakfast. Duba was also responsible for making the morning coffee, which he used to place on a table in the passageway. On three occasions Duba had taken the coffee into Ms Holliday's room but Mrs Grantham had reprimanded him about it, and since then had not done it again.

According to Duba, he had "never entered" Ms Holliday's room that morning, and had only gone into the house at four o'clock, which he sometimes did "when there was a great deal to do."<sup>15</sup> When asked if he could offer any reason as to why Ms Holliday would bring such a charge of unlawful intent against him, Duba expressed:

I cannot state anything further than this, -- that on one occasion I was rather late in giving Miss Holliday her one o'clock tea, and she was vexed with me for

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<sup>14</sup> PAR, RSC, 1/1/79/15/1904, Supreme Court Criminal Cases. Rex Versus Duba. Charged With Wrongfully Entering A Bedroom With Unlawful Intent, 1904.

<sup>15</sup> PAR, RSC, 1/1/79/15/1904, Supreme Court Criminal Cases. Rex Versus Duba. Charged With Wrongfully Entering A Bedroom With Unlawful Intent, 1904.

being late, and asked me how it was. I said the kettle was not boiling, and on account of the delay she was angry with me. Whether it is on account of that, that she has brought this case, I do not know.<sup>16</sup>

Duba's work continued as per normal for the next couple of days until Tuesday the 15<sup>th</sup> of December, the day after Ms Holliday had left the Grantham's to go live with her brothers. At around 9.45pm on the Tuesday evening, Sooka, the nephew of Duba, was returning home from a hotel in Longmarket Street, in Pietermaritzburg, and found his uncle covered in blood, lying on his bed unable to speak.<sup>17</sup> At about eight o'clock that evening, Ralph, Ernest and Frank had entered the Grantham's premises with the sole purpose of injuring and beating Duba. At this point Mrs Grantham was in the dining room with her son, Louis and Mr Bradford, a boarder, when they heard a shriek. They immediately went into the yard, but could not see very clearly, and Bradford returned to the house to get a candle. During this time, Mrs Grantham recognised the voices as being those of the Holliday brothers. She recognised Frank and Ernest but could not distinguish if the third was Ralph or Rupert. When Bradford returned with the candle, she saw Duba lying on the floor but could not see what they were striking him with. Bradford then spoke to the men and tried to persuade them to stop beating the 'coolie,' but it was only after Bradford had sent young Louis for the police that they let Duba be. All four men then returned to the veranda, where Mrs Grantham was standing and the brothers told her that they had assaulted Duba because he had entered their sister's bedroom. After the brothers had left, and Duba and his nephew had spoken to the

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<sup>16</sup> PAR, RSC, 1/1/79/15/1904, Supreme Court Criminal Cases. Rex Versus Duba. Charged With Wrongfully Entering A Bedroom With Unlawful Intent, 1904.

<sup>17</sup> PAR, Attorney General's Office [hereafter AGO], II/1/3/CPM380/1903, Magistrate City: Rex on Complaint of Duba Versus R, E, and F Holliday Charge:- Assault With Intent To Do Serious Bodily Harm, Deposition of Sooka, 1903.

Constable, Mrs Grantham sent for Dr Woods. When Dr Woods arrived, Duba was lying in the 'coolie hut' and was dazed but conscious. On examining him, he found that Duba was suffering from a scalp wound on the back of his head and that this may have been caused by some blunt instrument, and had him sent immediately to Grey's Hospital.

In a letter to de Roquefeuil Labistour, Mr Vaughan-Williams informed the Attorney General, about the details of the case.

The motive for the assault appears to have been that the three accused imagined that the Coolie whom they assaulted entered their sister's room on one night some time previously. There appears to be no proof of this. The assault is a most serious one and if Bradford had not appeared on the scene as he did it is most probable that the Coolie would have been killed. The Doctor reported the next morning that his condition might at any time become critical. But there appears to be no absolute proof that the Coolie was the man who entered Miss Holliday's room.<sup>18</sup>

Miss Holliday's testimony in court appears to have been poorly constructed and the inconsistencies and contradictions discredited her version of the events of that morning. On his discharge from hospital, Duba immediately laid a complaint with the Resident Magistrate on the 23<sup>rd</sup> December 1903, and it appears that it was only as a result of this charge that Ms Holliday accused Duba with unlawful entrance into her bedroom. The first point of divergence in Ms Holliday's testimony related to the actual time of the incident. She stated it was at around twenty minutes to three, but "that may not have

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<sup>18</sup> PAR, AGO, II/1/3/CPM380/1903, Magistrate City: Rex on Complaint of Duba Versus R, E, and F Holliday Charge:- Assault With Intent To Do Serious Bodily Harm, Letter from Vaughan-Williams to the Attorney General, 1903.

been quite right.”<sup>19</sup> Also, when asked if she was still in the lodgings of the Grantham’s she told the court, “No, I left her about 9 days after this occurred. I left her because I was too nervous to stay in the house. I did not like being in the same house with a man like Duba. I left the day previous to the day the boy had been thrashed.”<sup>20</sup> When asked why her brothers had assaulted Duba and why there was such a long delay in reporting the case, she replied:

Mrs Grantham did not wish me to speak about the affair. She said, of course I should leave as soon as I could, although she would have liked me to stay to the end of the month. She did not want it known that such a thing had occurred. He was a valuable boy to her. In deference to her wishes I told her I would try and stay on to the end of the month, but I found that was quite impossible. I came away about 9 days afterwards. This was on account of my nervous state. I could not sleep. When I came away I told my people and my brothers what had occurred and next evening they went.<sup>21</sup>

However, when Mrs Grantham was asked why the matter was kept quite for such a long time, she asserted that it was Ms Holliday who did not want to bring it to court and that she in fact did not mind at all.

I advised her to take it up. I said, “Do take it up.” I did not tell her to do otherwise. I left the matter to Miss Holliday to do as she liked. Duba was an indentured servant. I did not think it was incumbent on me to bring the matter to the notice of the authorities. Miss Holliday said she did not like to become public. I did not say I would not like to make the matter public. I did not say I

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<sup>19</sup> PAR, RSC, 1/1/79/15/1904, Supreme Court Criminal Cases. Rex Versus Duba. Charged With Wrongfully Entering A Bedroom With Unlawful Intent, Testimony of Ms Verbena Holliday, 1904.

<sup>20</sup> PAR, RSC, 1/1/79/15/1904, Supreme Court Criminal Cases. Rex Versus Duba. Charged With Wrongfully Entering A Bedroom With Unlawful Intent, 1904.

<sup>21</sup> PAR, RSC, 1/1/79/15/1904, Supreme Court Criminal Cases. Rex Versus Duba. Charged With Wrongfully Entering A Bedroom With Unlawful Intent, 1904.

would not like the matter dragged into court. I think now I ought to have reported it but I left it to Miss Holliday who is not a child.<sup>22</sup>

She also contradicted herself in her claim that she had stayed with Mrs Grantham until Monday the 14<sup>th</sup>, and not left the Grantham's 9 days after, as she had stated twice during the trial. Despite all the evidence, in particular, the medical reports, and the possibility that Duba may have just been walking past the bedroom, or that he may not have been in the house at all, he received fifteen months imprisonment. Of the Holliday brothers, only Ernest was found guilty, and his punishment for almost beating a man to death was a fine of £10, or if he preferred, a week's imprisonment.

McCulloch, Martens and Riekert, along with many other historians have written about the 'black peril,' rape scares, and the emphasis on White virtue as well as the moral panics that pervaded many British colonial societies from the 1880s up until the 1930s.<sup>23</sup> The Black Peril Mania as outlined and analysed by McCulloch in *Colonial Zimbabwe* brings to the fore the fixation of White men's paranoia and obsession with both White

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<sup>22</sup> PAR, AGO, II/1/3/CPM380/1903, Magistrate City: Rex on Complaint of Duba Versus R, E, and F Holliday Charge:- Assault With Intent To Do Serious Bodily Harm, Deposition of Florence Sophia Grantham, 1903.

<sup>23</sup> See for instance, Jock McCulloch. *Black Peril, White Virtue: Sexual Crime in Southern Rhodesia, 1902-1935*. (Bloomington and Indianapolis: Indiana University Press, 2000); Norman Etherington. 'Natal's Black rape scare of the 1870s,' in *Journal of Southern African Studies*, **15**, 1988, 36-53; Jeremy C. Martens. "'Foul Deeds of Unparalleled Atrocity": Colonial Legislation and Natal's 19th Century Rape Scares.' Paper presented at the Department of Historical Studies, University of Natal, Durban: History and African Studies Seminar, 11<sup>th</sup> August 1999; J. Riekert. 'Race, Sex and the Law in Colonial Natal,' in *Journal of Natal and Zulu History*, **6**, 1983, 82-97; Jeremy C. Martens. 'Settler Homes, Manhood and 'Houseboys': an Analysis of Natal's Rape Scare of 1886,' in *Journal of Southern African Studies*, **28**:2, June 2002, 379-400; Robert Morrell. 'Of Boys and Men: Masculinity and Gender in Southern African Studies,' in *Journal of Southern African Studies*, **24**:4, December 1998, 605-631; Pamela Scully. 'Rape, Race and Colonial Culture: The Sexual Politics of Identity in the Nineteenth Century Cape Colony, South Africa,' in the *American Historical Review*, **100**:2, April, 1995; J. Pape. 'Black and White: The "Perils of Sex" in Colonial Zimbabwe,' *Journal of Southern African Studies*, **16**:4, December 1990, 699-720. Charles van Onselen. 'The Witches of Suburbia: Domestic Service on the Witwatersrand, 1890-1914,' in *Studies on the Social and Economic History of the Witwatersrand, 1886-1914, Vol. II*. (Johannesburg: Ravan Press, 1982).

female and African male sexuality. McCulloch argues that most of the legislation that was passed was in fact borne out of this black peril, and most significantly that these acts and laws were not aimed specifically at Black men but rather at perturbing and controlling the supposed sexual impulses of White women.

At the turn of the century, many victims of rape in the metropole did not expose their ordeals nor did they prosecute their offenders. British society did not view rape as serious an offence as many of the colonies did, as Scully, Stoler and McCulloch have shown for the Cape, British India and present day Zimbabwe.<sup>24</sup> By McCulloch's account of southern Rhodesia there were more than two hundred Black men found guilty on the charge of sexual assault during the period 1902 and 1935, of which twenty were executed and the others imprisoned. However, McCulloch advocates that many of those convicted "were at worst guilty of petty theft or common assault," and that none of them received what he thought to be a fair trial.<sup>25</sup> Similarly, in Natal, neither Duba nor Mudali had any supporting witnesses in their court cases. Moreover, just as McCulloch shows for the Rhodesian context, "few charged with such crimes gave evidence in their defence. They were tried in a foreign language under a belittling nickname and spent most of their trial silent and probably uncomprehending at the ritual being played out."<sup>26</sup> McCulloch, Scully and Martens assert that in settler societies anxieties about race, gender and sexuality were inevitable and that as a result this led to an exaggerated construction of the sexuality of

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<sup>24</sup> Of interest to this is Susan Newton-King's paper on same-sex rape and cases of sodomy in the Cape during the control of the Dutch East India Company. 'For the love of Adam: two sodomy trials at the Cape of Good Hope.' Paper presented on the 14<sup>th</sup> of May 2003 at the Department of Historical Studies, University of Natal, Durban: History and African Studies Seminar.

<sup>25</sup> McCulloch. *Black Peril, White Virtue: Sexual Crime in Southern Rhodesia*, 185.

<sup>26</sup> McCulloch. *Black Peril, White Virtue: Sexual Crime in Southern Rhodesia*, 27.

both the colonised and colonising male and female. Such was the paranoia in southern Rhodesia that in 1903, the colonial legislature passed a Black-peril law making attempted rape punishable by death, because, as McCulloch contends, the Black-peril assaults “were perceived not just as an attack upon the body of a woman but as an attack upon the white community itself.”<sup>27</sup>

In Natal, as Robert Morrell has shown, White men projected their own sense of masculinity firstly against White females, and then men of colour, and would therefore diligently uphold and protect their status as the guardians of a supposedly moral and ‘civilised’ British society. These rape cases, as McCulloch highlights, speak volumes on the pervasive fears of these settler men and were in fact more about controlling and regulating the sexuality of White women, than about the sexuality of African men. According to McCulloch, the 1903 law was the only one that directly related to offenders; other legislation focussed on White women and legally forbade White women from having consensual sexual intercourse with Black men.<sup>28</sup> For instance the Immorality and Indecency Suppression Ordinance stated that any White woman who “by words, writing, signs, or suggestion enticed a native to have illicit sex” would be imprisoned for two years.<sup>29</sup>

Martens’ doctoral thesis on the attempts of White Natalians to regulate the behaviour of Black labourers in the Colony, traces the development of laws and legislation that relate to rape and sexual assaults after the 1886 rape scare, in relation to Natal’s vagrant

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<sup>27</sup> McCulloch. *Black Peril, White Virtue: Sexual Crime in Southern Rhodesia*, 4.

<sup>28</sup> McCulloch. *Black Peril, White Virtue: Sexual Crime in Southern Rhodesia*, 5.

<sup>29</sup> McCulloch. *Black Peril, White Virtue: Sexual Crime in Southern Rhodesia*, 5.

laws that were passed in 1869, that were used to curtail the movement of urban Black men and thereby reduce the number of rape and sexual assault incidents against White women.<sup>30</sup> At the opening of the Legislative Council in 1869, it was proposed that “[w]hereas assaults on women and female children in this colony are of frequent occurrence, and it is expedient to make the punishment for such crimes more notorious and deterring.”<sup>31</sup> The virtue and honour of White women had to be enforced because the sexual proclivities of Black and Indian men were dangerous and could not be trusted. The sexuality of White male settlers was not viewed with the same concern by the colonial authorities; it was only female sexuality which was perceived as a problem in the face of the sexual danger posed by the colonial other. But as McCulloch clearly shows from his use of the Attorney General files, and the number of rape cases for the years 1883 to 1886, this period was nothing more than a public display of anxieties over settler masculinity and the preservation of White Rule. As Anne Stoler has argued:

the rhetoric of sexual assault and the measures used to prevent it had virtually no correlation with actual incidences of rape of European women by men of colour. Just the contrary: there was often no *ex post facto* evidence, nor any at the time that rapes were committed or that rape attempts were made ... This is not to suggest that sexual assaults never occurred, but that their incidence had little to do with the fluctuations in anxiety about them.<sup>32</sup>

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<sup>30</sup> Jeremy C. Martens. “‘So Destructive of Domestic Security and Comfort’: Settler Domesticity, Race and the Regulation of African Behaviour in the Colony of Natal, 1843-1893. Thesis (PhD-History) – Queen’s University, Kingston, 2001.

<sup>31</sup> Jeremy C. Martens. ‘Polygamy, Sexual Danger, and the Creation of Vagrancy Legislation in Colonial Natal,’ in *The Journal of Imperial and Commonwealth History*, **31**:3, September 2003, 28.

<sup>32</sup> A. L. Stoler. ‘Carnal Knowledge and Imperial Power: Gender, Race and Mortality in Colonial Asia,’ in Di Leonardo, M. (ed.) *Gender at the Crossroads of Knowledge: Feminist Anthropology in the Postmodern Era*. (Berkeley: University of California Press, 1991), 68.



The “concern over protection of White women intensified during real and perceived crises of control,” and in Natal, as Martens’ and Etherington’s studies show, shortages of labour, the suspension of Indian Immigration and the gradually worsening economic depression were important factors in heightening social tensions in this regard.<sup>33</sup>

By March 1887, after many hours of debating at the Natal Legislative Council, Law 27 of 1887 was passed which regulated and defended the punishments for the crimes of Rape and Assault with intent to commit rape and of indecent assault.<sup>34</sup> In his proposal to the Natal Legislative Council, Mr John Robinson, who was the editor of *The Natal Mercury* at the time, argued that:

I do not think that any member of this House needs to be convinced of the fact that as a community we labour under a form of social terrorism which has no counterfeit in any other Colony under the British Crown. From time to time in this Colony we have been, and we are being, horrified by instances of assault upon protected children, which cause the blood of the community to curdle, and cause every heart to boil with indignation and horror that such things are possible in a British community claiming to be civilised... What is the condition of life here? Here is a country in which a man cannot leave his home unprotected by any male occupant without an amount of anxiety, and apprehension that I would not like to describe, a country in which you cannot allow your women and young children to go out even in the broad street in the glare of daylight without masculine protection, a country in which females live in a state of constant terrorism.<sup>35</sup>

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<sup>33</sup> Stoler. ‘Carnal Knowledge and Imperial Power,’ 68.

<sup>34</sup> PAR, Natal Colonial Publications [hereafter NCP], 5/2/15, Law 27 of 1887, Punishments for the Crimes of Rape and Assault with intent to commit rape and of Indecent Assault.

<sup>35</sup> J. Rieckert. ‘Race, Sex and the Law in Colonial Natal,’ in *Journal of Natal and Zulu History*, 6, 1983, 85-86.

This law made rape a capital offence and assault with intent to rape punishable by transportation for a minimum of fifteen years and a maximum of the prisoner's natural life, or a minimum of ten years' imprisonment with hard labour, public flogging and solitary confinement. Prisoners who were found guilty of indecent assault were imprisoned for a maximum of two years with hard labour and thirty-six lashes. But by 1889, as the fear characteristic of the Rape Scare subsided, transportation as punishment for assault with intent to rape was abolished and according to Act 22 of 1898, the death sentence for prisoners found guilty of rape became optional.<sup>36</sup> Act 37 of 1899, "For the better protection of Women and Children," extended Law 27 to include girls under the age of fourteen.

Any person unlawfully carnally knowing a girl under the age of fourteen years shall be guilty of the crime of Rape, and any person attempting to unlawfully carnally know a girl under the age of fourteen years shall be guilty of the crime of Assault with Intent to Commit Rape. In either of such cases the consent of the girl shall be immaterial and of no avail to an accused person.<sup>37</sup>

It is Section Four of this Act however, that is most intriguing.

It shall not be lawful for any person to publish in writing or in print or the like any of the evidence or proceedings in a court of law, whether at the trial of preparatory examination, in any case of rape, incest, seduction, stupration, or indecent assault, or indecency, or to so publish any précis or other account of any such proceedings or evidence in any such case, except by leave of the Judge or Magistrate, signified in writing by the Registrar or Clerk of the Court:

Provided that this section shall not be deemed to prevent a publication of the

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<sup>36</sup> See PAR, NCP, 5/3/6, Act 22 of 1898, and Riekert. 'Race, Sex and the Law in Colonial Natal,' 86-87.

<sup>37</sup> PAR, NCP, 5/3/7, Act 37 of 1899, For the Better Protection of Women and Children, 128-129.

fact of the trail and the issue thereof. Any person contravening this section shall be liable to a fine not exceeding Fifty Pounds Sterling.<sup>38</sup>

This may be part of the reason why from 1900 onwards, newspapers appear to comment very little on rape cases, as opposed to cases of murder and poisoning. As in Natal, most of the Black-peril cases were against Black male domestic servants, yet McCulloch advances an argument that couples these Black peril cases and moral panics with the labour shortage present at the time, and the sense of powerlessness feared by White men. “Black Peril,” he concludes, “was a rich metaphor. It symbolized the erosion of white male authority over women, it was an emblem of racial pollution, and it suggested that cities were unsafe.”<sup>39</sup> However, McCulloch fails to highlight the domestic space as a sphere of intimate and personal contact between the domestic servant and her/his mistress. This failure means that we are presented with a one-dimensional picture of interactions between servants and masters/mistresses which is devoid of human moments of interaction and affection.

But this Black Peril did not necessarily exclude Indian men, bearing in mind that Indian men came to the Colony with their own burdens of being stereotyped as the ravenous Oriental.<sup>40</sup> After all, the 1857 Mutiny had taken place only a few years prior to

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<sup>38</sup> PAR, NCP, 5/3/7, Act 37 of 1899, For the Better Protection of Women and Children, 129.

<sup>39</sup> McCulloch. *Black Peril, White Virtue: Sexual Crime in Southern Rhodesia*, 83.

<sup>40</sup> See specifically, Nancy L. Paxton. *Writing Under the Raj: Gender, Race and Rape in the British Colonial Imagination, 1830-1947*. (New Brunswick, New Jersey, London: Rutgers University Press, 1999), 9; but also Erika Rappaport. ‘The Bombay Debt’: Letter Writing, Domestic Economies and Family Conflict in Colonial India,’ in *Gender and History*, **16**:2, August 2004, 233-260, Jenny Sharpe. ‘The Unspeakable Limits of Rape: Colonial Violence and Counter-Insurgency,’ in *Genders*, **10**, Spring 1991, 25-46, Ann L. Stoler. ‘Making Empire Respectable: The Politics of Race and Sexual Morality on 20<sup>th</sup> Century Colonial Cultures,’ in *American Ethnologist*, **16**:4, November 1989, 634-660 and Mrinalini Sinha. ‘Giving Masculinity a History: Some Contributions from the Historiography of Colonial India,’ in *Gender and History*, **11**:3, November 1999, 445-460; Mrinalini Sinha. *Colonial Masculinity: The ‘Manly Englishman’ and the ‘Effeminate*

the immigration of the first batch of Indians to Natal. In her analysis of colonial violence and counter-insurgency, one of the points that Jenny Sharpe raises, is that discontinuous histories of conquest, slavery, and imperialism have not only led to the elaboration of ideas of the uncivilised 'other' but have also subjectified women and 'made them rapable.'<sup>41</sup> Narratives of the Mutiny, both personal and public, were not about the subalterns and the sepoy, but rather were filled with gruesome accounts of assaults on women and children, but as Sharpe reiterates, "these tales of terror," have "little or no historical basis," and "the sexual nightmare of rape and mutilation remained fixed within the British imagination throughout the nineteenth century, forming an historical memory of 1857 as the savage attack of brown-skinned fiends on defenseless women and children."<sup>42</sup>

The abundance of court records dealing with rape at the Pietermaritzburg and Durban Archives is indicative of the significance of these crimes in this region. Ideologies of race, sexuality, masculinity and femininity have produced and shaped particular types of colonial narratives, vis-à-vis India, the Caribbean, much of Africa as well as the Americas, not only about the colonial settler but of the slave, the indentured and the servant. These ideologies have been borne out of uncomfortable situations of intense moments of confrontation between the master and the servant. The confluence of sexuality, gender and race, on Natal's colonial stage, highlighted and revealed very

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*Bengali' in the Late Nineteenth Century.* (Manchester and New York: Manchester University Press, 1995); and Nancy L. Paxton. 'Mobilising Chivalry: Rape in British Novels about the Indian Uprising of 1857,' in *Victorian Studies*, 36:1, Fall 1992, 5-30.

<sup>41</sup> Sharpe. 'The Unspeakable Limits of Rape,' 30.

<sup>42</sup> Sharpe. 'The Unspeakable Limits of Rape,' 31,37.

explicit and entrenched notions of the colonial master and mistress and the colonial 'other.'

In looking at the case of Mtonga who was a domestic servant in the home of the Dempsters who lived in Richmond, Julian Riekert traces a similar set of events to Duba's case. On Christmas Day in 1906, at around eight o'clock in the evening, Mrs Dempster put her daughter, who was four years old, to bed. Mtonga had worked for the Dempsters for about ten months without giving them any serious problems. On the night in question, the little girl was clothed in a flannelette nightgown and was covered with a sheet, a blanket and "a coverlet."<sup>43</sup> After tucking her daughter into bed, Mrs Dempster left her in the charge of Qebeni, "a native girl," who also worked in the house and continued to the dining room where she joined Mr Pare, an old family friend and Miss Dempster, her husband's sister. Ten to fifteen minutes later, Mrs Dempster returned to her bedroom, and found Mtonga holding up what Mrs Dempster claimed was a towel and what he asserted was a child's shirt.<sup>44</sup> Mrs Dempster also found that Qebeni was no longer in the room, and that on entering the room, there was an overwhelming smell, "which she described as a 'horrible odour,'" and maintained was the distinct smell of seminal fluid.<sup>45</sup> Realising instantly that a criminal assault had been committed to the girl, she ordered Mtonga to leave the room and on shutting the door, proceeded to inspect the girl and her cot without anybody else being present. "She found the child fast asleep

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<sup>43</sup> PAR, Government House [GH], 1185, Report of Puisne Judge J C Dove Wilson to Governor, 26.3.07, as cited in Riekert. 'Race, Sex and the Law in Colonial Natal,' 90.

<sup>44</sup> PAR, GH, 1185, Report of Puisne Judge J C Dove Wilson to Governor, 26.3.07, as cited in Riekert. 'Race, Sex and the Law in Colonial Natal,' 90.

<sup>45</sup> PAR, GH, 1185, Report of Puisne Judge J C Dove Wilson to Governor, 26.3.07, as cited in Riekert. 'Race, Sex and the Law in Colonial Natal,' 90.

but lying on its face and not on its side as she had left it, and she says that the bedclothes were disarranged as if the coverings of the child had been removed and thereafter laid upon the child again.”<sup>46</sup> Moreover, the blankets and bed sheets were not tucked in and the cot had been moved from its original position. When Mrs Dempster removed the child’s clothing, she found that the girl’s nightdress was drawn up to her shoulders and wet stains that clearly smelled and looked like seminal fluid.

It was only after the inspection that Mrs Dempster called Qebeni and her “kitchen boy,” Manunu to scrutinize the wet stains in the presence of Mtonga. Manunu had been working for the Dempsters for a period of ten years and when he appeared in court, he stated that the stains in his opinion “were simply a result of a urinary discharge.”<sup>47</sup> When Mr Dempster arrived twenty minutes later, he confirmed that the liquid was in fact seminal discharge and that the skin on the little girl’s inner thighs was red. After his examination of the cot and child, Mr Dempster apparently “seized his sjambok and went in search of [Mtonga],” but without any success.<sup>48</sup>

According to Mtonga, the morning after the incident, on the 26<sup>th</sup> of December, he returned to the house and Mr Pare had called him into his room to brush his boots. After he picked up the boots, Mr Pare got out of bed and locked the bedroom door. A short while after, there was a knock on the door, and when Mr Pare opened the door, Mr

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<sup>46</sup> PAR, GH, 1185, Report of Puisne Judge J C Dove Wilson to Governor, 26.3.07, as cited in Riekert. ‘Race, Sex and the Law in Colonial Natal,’ 89.

<sup>47</sup> PAR, GH, 1185, Report of Puisne Judge J C Dove Wilson to Governor, 26.3.07, as cited in Riekert. ‘Race, Sex and the Law in Colonial Natal,’ 89.

<sup>48</sup> PAR, GH, 1185, Report of Puisne Judge J C Dove Wilson to Governor, 26.3.07, as cited in Riekert. ‘Race, Sex and the Law in Colonial Natal,’ 90.

Dempster came in with a sjambok, a rope and two reins. They then caught a hold of Mtonga and without any resistance Mtonga said to Mr Dempster that instead of tying him with the rope, he should rather take him to Court. Instead Mr Dempster and Mr Pare led Mtonga to the cellar, booting and striking him on the way there. They tied Mtonga to the posts and gagged him with a piece of cloth to prevent him from calling out for help. Mr Dempster then nailed the door shut and said to Mtonga that he was off to have his breakfast and “would return to castrate him.”<sup>49</sup> At around 9 o’clock later that morning, Mr Dempster returned with Mr Pare, Mr Campbell, Mr Mackenzie and Mr Morgan. They took Mtonga off the posts and led him to the bathroom, where they made him lie on the ground and forced a sack over his head. In his deposition Mtonga related in graphic detail to Puisne Judge J C Dove Wilson, what Mr Dempster and his friends did to him.

One sat on my chest pressed me, while others separated my legs; they then cut my testicles off. Before they cut them they first tied them with a string tight, that I felt I was in a fair way of being killed today. I was also burnt with a hot iron as one would do to a horse after castrating it, and also put sheep dip, they dressed me with my trousers and they seated me up again, and they took the sack off from my head and loosened the rope as they taken off the sack from my head I saw my testicles on the floor, Mr Pare covered them with the sack, Mr Dempster caught hold of my right arm and lifted me up, I could hardly stand so Mr Pare assisted him caught hold of my left arm, they took me out Mr Guy Mackenzie told me to run to my home to Epateni, that if I don’t run I will die on the way, as I went out at the gate I turned my face I saw Mrs Dempster standing under the verandah looking at me, laughing with others.<sup>50</sup>

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<sup>49</sup> PAR, AGO, 1/1/313, as cited in Riekert. ‘Race, Sex and the Law in Colonial Natal,’ 91.

<sup>50</sup> PAR, AGO, 1/1/313, as cited in Riekert. ‘Race, Sex and the Law in Colonial Natal,’ 91.

The Dempsters laid charges of indecent assault against Mtonga, and at the request of the Attorney General, sent the bed linen to the Government Analyst, Dr W Watkins Pitchford, for forensic examination as had happened in the case of Watts and Mudali. In his report, Pitchford confirmed that the stains had not been caused by seminal fluid, because the size of the stains was so large but had not stiffened the linen; there were no distinct odours present and there were no signs of albumen and spermatozoa.<sup>51</sup> More importantly, he also added that he had found the “larval form of a parasitic worm, *oxyuris vermicularis*, which he had known, if present in large quantities, to cause restlessness and involuntary urination in children.”<sup>52</sup>

Both Qebeni and Manunu, had been called in to give evidence. The Resident Magistrate at Richmond found Qebeni’s deposition wholly unreliable, but he found Manunu’s to be sound and in favour of Mtonga. Manunu stated that he also examined the linen and found that the stain on the sheet was urine. Mtonga was tried on the 4<sup>th</sup> of March 1907, and despite the overwhelming evidence which clearly pointed to Mtonga’s innocence, the jury found him guilty, eight to one and he was sentenced to two years’ imprisonment with hard labour.<sup>53</sup> Mtonga then submitted a petition to the Governor, Sir Henry McCullum, in which he appealed for “a pardon or a remission of sentence.”<sup>54</sup> McCullum requested a report from the presiding judge and fervently stated that this was

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<sup>51</sup> PAR, RSC, 1/1/94/7/1907, Supreme Court Criminal Cases. Rex Versus Mtonga. Charged With Indecent Assault, 1907.

<sup>52</sup> PAR, RSC, 1/1/94/7/1907, Supreme Court Criminal Cases. Rex Versus Mtonga. Charged With Indecent Assault, 1907, as cited in Riekert. ‘Race, Sex and the Law in Colonial Natal,’ 92.

<sup>53</sup> PAR, RSC, 1/1/94/7/1907, Supreme Court Criminal Cases. Rex Versus Mtonga. Charged With Indecent Assault, 1907.

<sup>54</sup> PAR, GH, 1185, Petition to Sir Henry McCullum, 14.3.07, as cited in Riekert. ‘Race, Sex and the Law in Colonial Natal,’ 92.



an “imprudent miscarriage of justice.”<sup>55</sup> He went on to say, “I do not know by what process of reasoning – if any – they arrive at it, but I am inclined to suspect that they were influenced, at any rate to some extent, by a feeling that a verdict in favour of accused might have an adverse affect to the persons are to be tried for castrating him.”<sup>56</sup> As Peter Spiller has shown, in his study on the District and Supreme Courts of the Colony of Natal, juries were extremely racially biased and were most often uninterested in cases where the accused were Indian or Black and most importantly, they resented the fact that their time was taken up by sitting in on these cases, especially since verdicts were predetermined by the powerful influence of settler racism.<sup>57</sup>

By 1828, the Cape Colony authorities had adopted a trial by jury system as a general move towards adopting an English system of Law. When Natal was annexed in 1844, this system was adopted despite the fact that English settlers constituted only a small percentage of the population. To be able to serve as a Juror, one had to be male, between the ages of twenty-one and sixty years and possess or rent immovable property of a certain value. While government and legal officials, advocates, attorneys and doctors were excluded, Law 10 of 1871 and Law 14 of 1883 also barred African and Indian men from serving on juries. The consequences of which meant that Indian and African men and women were tried by White men who “did no understand “questions of Native

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<sup>55</sup> PAR, GH, 1185, Petition to Sir Henry McCullum, 14.3.07, as cited in Riekert. ‘Race, Sex and the Law in Colonial Natal,’ 92.

<sup>56</sup> PAR, GH, 1185, Petition to Sir Henry McCullum, 14.3.07, as cited in J. Riekert. ‘Race, Sex and the Law in Colonial Natal,’ 92-93.

<sup>57</sup> Peter R. Spiller. ‘The Jury System in Colonial Natal, 1846-1910,’ in *Journal of Natal and Zulu History*, **11**, 1986, 1-11. For more on this please see Chapter One in this thesis and P. R. Spiller, *A History of the District and Supreme Courts of Natal, 1846-1910*. (Durban: Butterworths, 1986).

language, customs, motives and feelings.”<sup>58</sup> Furthermore, as Riekert argues, White juries “sometimes did not address their minds properly even to cases where their verdict carried the death sentence.”<sup>59</sup> In December of 1869, the *Natal Mercury* published an article in which a local Magistrate offered a very scornful description of jurymen in the Colony. The article read:

These individuals hold the plough, wield the hammer or the hatchet, or carry on some other useful and respectful occupation for six days in the week. Their muscular systems are in constant exercise, but their brains are rarely called on for any great exertion. They are not accustomed to read beyond the bible and an occasional newspaper. They are still less in the habit of thinking.<sup>60</sup>

Verdicts handed down by juries were dependent upon and influenced by a number of factors: the address by the judge in summing-up, newspaper reports, public opinion and sentiment, the characteristics of both the accused, the complainant, and most importantly the racial and gender categories of individuals concerned with the case. Racially biased juries operating within the small White Natal community where public sentiment against Indians and Africans was ubiquitous, often resulted in prejudiced and wrongful verdicts of guilty.<sup>61</sup>

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<sup>58</sup> This was a statement made by Mr Justice Henry Connor, a puisne judge from 1858 to 1874 and Chief Justice of Natal from 1874 to 1890, in an article in the *Times of Natal*, as cited in Spiller. ‘The Jury System in Colonial Natal,’ 2.

<sup>59</sup> Spiller. ‘The Jury System in Colonial Natal,’ 2.

<sup>60</sup> *Natal Mercury*, 2 December 1869, as cited in Spiller. ‘The Jury System in Colonial Natal,’ 11.

<sup>61</sup> Spiller. ‘The Jury System in Colonial Natal,’ 4.

Mtonga was released from gaol on the 11<sup>th</sup> of April 1907 and in May 1907, Dempster Pare, MacKenzie, Campbell and Morgan stood accused of assault with intent to cause grievous bodily harm. Manunu and some of the other house servants had given evidence on Mtonga's side, but the only witness on the side of the defence was Qebeni whose evidence was so unreliable that she had to be removed as a hostile witness. Two hours into the court case, the jury was unable to reach a verdict and was discharged. The following day a new trial began and the witnesses were the same as the day before, but Morgan, one of the accused, chose to speak. He stated that no assault had taken place in his presence, and he didn't know of any that had happened on the day in question. On the 8<sup>th</sup> of May, the jury reached a verdict of not guilty much to McCullum's puzzlement. During the month of July in 1907, Mtonga had instructed his attorney's to claim a settlement for the sum of £600 from the five accused, which he only received part of in September that year.<sup>62</sup>

Here is another example of the iniquitous operation of the Natal legal system; despite the evidence presented in court, including important medical forensic information, Mtonga was found guilty, while the men responsible for his castration were cleared of all charges. In *The White Women's Protection Ordinance*, Amirah Inglis characterises this type of injustice as being a reflection of the "sexual self-doubts of the colonial male."<sup>63</sup> A pertinent point that Riekert makes regarding this case, is that he suspects some of the fears of the White settler community may have been further intensified by the Bambatha Rebellion in 1906, which began with the murder of two White policemen in the

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<sup>62</sup> Riekert. 'Race, Sex and the Law in Colonial Natal,' 95.

<sup>63</sup> Riekert. 'Race, Sex and the Law in Colonial Natal,' 95.

Richmond area.<sup>64</sup> As will be shown in the next chapter, 1907 was a formidable year for crimes committed by servants against their masters and mistresses and convictions by jurors would have no doubt been influenced by the social politics prevalent in the colony during this time. These instances of colonial miscarriages of justice reflect the desire of White colonialists to maintain power through the enforcement of the boundaries between the master and servant, the coloniser and the colonised. Riekert cites John Kaplan who has noted,

The observed high rate of conviction in the South [of the United States] of Negroes for crimes against white persons may be explained not only by the typical white Southern juror's view that the white complainant is always telling the truth, but also by his low estimate of ... the disutility of convicting an innocent Negro, and his high estimate of ... the disutility of letting a guilty Negro 'get away' with something.<sup>65</sup>

Hendry Millar, A. McLaughlin, J Weddell, F G Anley, M Geshan, R York Worthington, J B Ashby, W Balfour and T Jeffs were the jury impanelled for the case of *Rex vs Venakaya*.<sup>66</sup> Venakaya, a 32 year old domestic servant, was charged with the crime of Rape as well as contravening Section 16 of Act 31 of 1903 against Ms Stella Mary Mack, aged eighteen and a half. The case was first brought to trial on the 12<sup>th</sup> of June 1918, but the first jury was unable to make a decision and was subsequently discharged. Then, on Tuesday the 25<sup>th</sup>, the trial was resumed before the honourable Justice Carter.

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<sup>64</sup> Riekert. 'Race, Sex and the Law in Colonial Natal,' 95.

<sup>65</sup> John Kaplan. 'Decision Theory and the Factfinding Process' in *Stanford Law Review*, **20**, 1968, 1065-1075, as cited in Riekert. 'Race, Sex and the Law in Colonial Natal,' 96.

<sup>66</sup> Please note that there are different variations on the spelling of his name. I am using the version that is used in the official government records.

Venakaya pleaded not guilty to the crime of rape but guilty to the contravention, which forbade illicit sexual intercourse between a White women and a Coloured person.<sup>67</sup>

On the 31<sup>st</sup> December 1917, at Otto's Bluff, Pietermaritzburg, Ms Mack and Venakaya were the only two at home. Both versions of their stories are similar, but the verdict that followed, does not seem to make sense considering the sequence of events.

Ms Mack stated:

I was cooking dinner. An Indian named Vankiah who works for us came into the kitchen, put something down he was carrying and seized hold of me. I struggled with him for some time, but he over powered me and raped me. I screamed for assistance but there was no one in the house. My brother being in Pietermaritzburg and my father away at work. I did not inform my brother until the 25 February 1918, as I was afraid and ashamed of what had happened. This morning Dr Walker of PMBurg informed me that I am pregnant. I charge Vankiah with rape.<sup>68</sup>

Venakaya declared:

I wish to confess. One day three months ago, the mother of Stella Mack came away to town. Stella and I were the only persons left in the home. The passenger train came and the girl Stella told me to go and get the Post. I returned with the Post to the house. When I got back to the house the girl Stella was cutting meat in the kitchen. I gave her the Post, when she was turning to go into another room. I caught hold of her on both arms, (indicates on interpreter the manner from in front) I knocked her down and committed the crime of Rape. She

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<sup>67</sup> According to Law No. 15 of 1869, the word 'Coloured,' incorporated "Hottentot, Coolie, Bushman, Lascar, or any of the people commonly called Kafirs." See PAR, NCP, 5/2/4, Law 15 of 1869, " For the Punishment of idle and disorderly persons, and vagrants, within the Colony of Natal."

<sup>68</sup> PAR, RSC, 1/1/123/11/1918, Supreme Court Criminal Case. Rex Versus Venakaya. Charged With Rape, 1918.

struggled and I held her down to the ground. Then after the deed was done the girl said “I am going to report the matter to my mother.” I was very frightened, I continued working for my mistress up to the time I was arrested and nothing was heard of it till I was arrested, I have nothing more to say.<sup>69</sup>

From the records available at the Pietermaritzburg Archives, it is difficult to determine what came of the child and why it was that Venkaya was found guilty of the contravening Section 16 of Act 31 of 1903, and not rape or why Ms Mack was not held responsible for her part in the affair, despite the fact that the Act clearly stated “any white women or such coloured person contravening the provisions of this section shall be liable, on conviction, to be imprisoned with hard labour for a period not exceeding two years.”<sup>70</sup> Little is known about the aftermath of the court case, except that Venakaya had to serve two months imprisonment with hard labour and that Ms Mack eventually moved to the Transvaal and married a certain Harry Hadden.<sup>71</sup> From the evidence presented though, it is clear that the only reason Ms Mack charged the house servant with rape, was as a result of her pregnancy, since it would have been a heinous act of immorality for a White girl to have conjugal sexual intercourse with a man of colour in Colonial Natal.

From the cases presented here, it emerges that crimes of rape and indecent assault, in comparison to physical assaults, poisoning, and arson for that matter, allowed for a far greater degree of hearsay. As shown here, there were a variety of reasons why these

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<sup>69</sup> PAR, RSC, 1/1/123/11/1918, Supreme Court Criminal Case. Rex Versus Venakaya. Charged With Rape, 1918.

<sup>70</sup> See PAR, NCP, 5/3/11, Act 31 of 1903, “To amend the Law relating to Brothels and Immorality.”

<sup>71</sup> PAR, RSC, 1/1/123/11/1918, Supreme Court Criminal Case. Rex Versus Venakaya. Charged With Rape, 1918 and TAB, MHG, 7188/66, Hadden, Stella Mary. Born Mack, 1966, Surviving Spouse Harry Hadden.

domestic servants were found guilty of committing these crimes of indecent assault against their mistresses and the children of the families they cared for. From the court cases of Mtonga, Duda and Venakaya and Mudali, it is strikingly evident that it is very difficult to ascertain, with any great certainty, what transpired in the intimate interactions between mistresses and their male servants over a century ago. The highly sensationalised sexual proclivities of Indian and African men would have no doubt played a role in the decisions made by most jurors when arriving at verdicts as well as the jurors popular understanding of the living arrangements of most Indian and African men in the Colony. In the cases selected here, all men were single and living in quarters with other African and Indian male labourers, and the juror's may have assumed that they were sexually frustrated as a result. The insidious power imbalances between the master, mistress and servant and the paranoia associated with the safety of White women and girls are perhaps contributing factors to the reasons why these men were found guilty of committing these forbidden acts of carnal knowledge. One can only assume that it was out of the desire and anxieties of settler men to control all facets of the sexuality of White women that situations such as these are borne. Within a colonial situation where a dominant and subject people exists, the convergence of the binary categories of gender and race becomes the point of focus where notions of manliness, racial membership, sexual morality and fear of losing control are anthropomorphized and disseminated.<sup>72</sup> It is with this in mind that settler men fervently defined and defended the boundaries of their identity as a natural ruling race, class and sex.

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<sup>72</sup> See Martens. 'Polygamy, Sexual Danger, and the Creation of Vagrancy Legislation in Colonial Natal,' and Etherington. 'Natal's Black Rape Scare of the 1870s.'

*Chapter Four*

**Stewed Plums, Baked Porridge and Flavoured Tea**

This teapot, whose rage is writ too large to be cooped  
within one pygmy chanticleer, surveyed amazed  
by gulls and gannets, trumpets his fractious challenged.  
Tempting to dub the din thanksgiving; or more; life  
triumphs even on no longer trusted planets.

Douglas Livingstone, *Scourings at Station 19*

Poisoning occupies a special place in the history of crime. It requires a considerable degree of premeditation and planning and, because it often produces very little incriminating evidence and until comparatively recently was virtually undetectable, it was the more attractive and favoured method of killing, most especially during the 19<sup>th</sup> Century. During the years 1880 to 1910, there were in the region of fourteen high profile cases of poisoning by Indian domestic servants in Natal, and of all crimes committed against masters and mistresses, cases of poisoning seem to be the most predominant according to the records of the Attorney General and Supreme Court. Because of the clandestine nature of poisoning, the difficulty of detection and the knowledge required for its successful execution, it is likely that this only represents a small proportion of the actual number of attempted poisonings. The intimacy of food preparation and its centrality to everyday life presented domestic servants with ample opportunity for employing this method of murder. Furthermore, the delegation of responsibility for the preparation and cooking of food to these servants, frequently placed masters and mistresses in a particularly vulnerable position. Similar trends have also been observed,



both in Victorian England as well as the Americas during the era of slavery. In *Roll, Jordan, Roll*, Eugene Genovese argues that,

When well-bred house servants murdered their masters and mistresses, they chose the more genteel device of poison, which had the great advantage, apart from its propriety, of sometimes escaping detection. Cases of poisoning and suspected poisoning, however infrequent, kept the slaveholders nervous, especially since any undiagnosed or strange death could raise suspicion of foul play.<sup>1</sup>

Genovese also adds that poison occupied a very prominent place in the “arsenal of slave weapons” throughout much of the Americas, and that many slaveholders lived in fear of being the victims of poisoning by their slaves.<sup>2</sup> He also argues that as soon as their journey to the plantations began, slaves had resorted to poisoning their masters.<sup>3</sup> In her thesis on slave healers, Sarah Cotton asserts that many slaves were found guilty of poisoning in the context of healing, as opposed to the preparing and serving of food. She argues that many slaves did not receive fair trials and proving a case of poisoning was very difficult during the slave period.<sup>4</sup> By the early nineteenth century, with the advancements made in Western medical and scientific knowledge, there were five accepted ways of testing for poison. These were dependent on the victims’ symptoms, most often taking the form of stomach cramps and dizziness, chemical analysis of the substances which supposedly contained the poison, the victims description of the taste,

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<sup>1</sup> Eugene Genovese. *Roll, Jordan, Roll: the World That Slaves Made*. (United States: Vintage Press, 1976), 362.

<sup>2</sup> Genovese. *Roll, Jordan, Roll: the World That Slaves Made*, 616.

<sup>3</sup> Genovese. *Roll, Jordan, Roll: the World That Slaves Made*, 616.

<sup>4</sup> Sarah Mitchell Cotton. ‘Bodies of Knowledge: The Influence of Slaves on the Antebellum Medical Community.’ Thesis (MA-History) – Virginia Polytechnic Institute and State University, 1997.

smell, and experience of the poison, moral evidence such as the behaviour of the accused and most importantly, the identification of a substantial motive. In Natal, similar methods were employed in ascertaining whether the accused committed the crime. Just as he played an important part in cases of assault and disputes between master, mistress and servant, Mr Watkins-Pitchford was responsible for chemical analysis in most poison cases.

Fictional accounts about poison, have not only been responsible for creating stereotypes about the ‘poisoner’ and the ‘poisoned’, but also for the perpetuation of these stereotypes. For instance, since women have generally been considered to be in charge of the kitchen and the preparation of food, most often one will find the description of your average ‘poisoner’ to be female and their victims, often children and adultering/abusive/forlorn husbands. While this may be true to a certain extent, vis-à-vis the likes of Mary Cotton, Belle Sorrenson Gunness, Nannie Doss, Florence Maybrick, Madeline Smith and closer to home, Daisy de Melcar, as Katherine Watson shows in her recent true-crime book *Poisoned Lives*, quite the opposite was the case in Natal.<sup>5</sup>

Dilsir Khan was indicted for the crime of administering poison with intent to kill on the 6<sup>th</sup> of May 1907. The state accused Mr Khan of attempting to kill Emma English, who had since deceased, together with Amelia Jane Dix, Daniel Alfred English, Geoffrey Dix English, Claude English and Frank Quinton Stubbings, but owing to many inconsistencies in the case, the Assistant Magistrate found it very difficult to reach a

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<sup>5</sup> See Gail Bell. *The Poison Principle: A Memoir of Family Secrets and Literary Poisonings*. (London: Macmillan, 2001); Brian Marriner. *Forensic Clues to Murder: Forensic Science in the Art of Crime Detection*. (London: Arrow Books Limited, 1991); and Katherine Watson. *Poisoned Lives: English Poisoners and their Victims*. (London: Hambledon and London, 2004).

decision regarding the prisoner's committal.<sup>6</sup> Collusion in cases such as this were very common, and despite being accused of dreaming up the murder Khan, who was a 'milkboy,' and responsible for chopping wood had apparently also instructed a fellow female servant Topi to breathe life into his plan.<sup>7</sup> What was even more surprising was that Khans supposed accomplice was a mere 13 years of age. According to the record of Topi's court testimony she was instructed by Mr Khan to lace the plums and tea which she served the English household with a substance that she later said he had procured. In a letter to the Chief Magistrate of Pietermaritzburg, the Assistant Magistrate, L Moe, stated that from the evidence which had been adduced by the Crown, he believed that it was insufficient to justify a committal against Khan. According to Topi she was asked by Khan to mix the poison with the fruit and tea and he had told her it was "tshevu" (poison) but she did not in fact know what "tshevu" was.<sup>8</sup> The Assistant Magistrate found this highly suspicious in view of the age of the girl and, that when she first made a deposition, she initially denied all knowledge as to how the poison was administered to the tea and plums.

The type of poison that was used appeared to have been cyanide of potassium, according to Herbert Rochefort Brown, the Assistant Government Analyst, and when swallowed, it produces its effects very rapidly. As a rule, the first symptom experienced would be a sense of constriction at the back of the throat and a slight burning sensation

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<sup>6</sup> Geoffrey and Claude English, were the sons of Emma and Daniel English.

<sup>7</sup> Pietermaritzburg Archives Repository [hereafter PAR], Registrar, Supreme Court [hereafter RSC], 1/1/95/12/1907, Supreme Court Criminal Cases. Rex Versus Dilsir Khan. Charged with administering poison with intent to commit murder, 1907, and PAR, AGO, I/1/315/42/1907, Supreme Court Criminal Cases. Rex Versus Dilsir Khan. Charged with administering poison with intent to commit murder, 1907.

<sup>8</sup> PAR, Attorney General's Office [hereafter AGO], I/1/315/42/1907, Supreme Court Criminal Cases. Rex Versus Dilsir Khan. Charged with administering poison with intent to commit murder, 1907.

on the tongue. Almost immediately after this, convulsions may occur, which may be severe enough to cause the individual to fall to the ground. The patient may also vomit excessively and if the quantity taken is sufficiently large, consciousness may be lost immediately. A “great depression of the vital functions may also be experienced and as result, death ensues an hour or so after the consumption of the poison.”<sup>9</sup> On his analysis of samples of both the stewed plums and tea, Brown confirmed that since the acidity of the samples were so high, a considerable amount of cyanide was put in, such that through fermentation the cyanide of potassium had converted to prussic acid.<sup>10</sup>

According to Amelia Jane Dix, who lived with her daughter Emma and her husband Daniel Alfred English, on the morning of Saturday the 19<sup>th</sup> of January 1907, she was in the kitchen with Topi, making tea. There were no other servants present at the time except for one of the other Indian servants Rancee (who’s assumed name was “Mary”) who was busy in the dining room. Mrs Dix had poured four cups of tea and left them on the dresser in the pantry. She then went into the dining room to get some spoons. When she returned to the pantry she noticed that the cups of tea were not full enough and so she poured a little more into them. She then placed a cup of tea on the dining room table for Mr Stubbings who worked as a nurseryman and boarded with Daniel and his wife, and then Mrs Dix took two cups of tea to Emma and Daniel’s bedroom. When she finally tasted her own cup of tea, which she had left in the pantry, it was cold and did not look “very nice.” She poured in some more tea and when she drank it, immediately felt

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<sup>9</sup> PAR, AGO, I/1/315/42/1907, Supreme Court Criminal Cases. Rex Versus Dilsir Khan. Charged with administering poison with intent to commit murder, 1907.

<sup>10</sup> Prussic Acid is another term for Hydrogen cyanide, which is a highly volatile and dangerous poison and can be synthesized by thermal decomposition.

“helpless and powerless and fit to die.” When asked by Mr Bigby in court what her throat felt like, she replied:

I had a choking sensation. I vomited very much, nothing but white froth. I had to hold on to everything to get myself to the bedroom. I fancy it might have been a dying feeling. I do not know how I managed to get from door to door into my bedroom. I vomited in my bedroom, and then lay upon the bed. I felt helpless – dying.<sup>11</sup>

After being prescribed a swig of brandy by Dr Watt, Mrs Dix said she felt a little relieved and thought that it would be best if she “took a little dinner” that evening.<sup>12</sup> When she proceeded to taste the plums, Mr English immediately pulled it away from her as he had noticed a discolouration of the plums. In her closing statement, Mrs Dix said she believed that “the girl Topi was very saucy and impertinent,” while she found the ‘boy’, Dilsir to be “very tiresome, and lazy and not at all straightforward and honest.”<sup>13</sup>

Topi represented a very unusual individual for the period in question. First, she would have formed part of the 3% of African women who were employed as domestic servants in the entire Colony, and she was only thirteen years old.<sup>14</sup> On the 31<sup>st</sup> of January 1907, she was subpoenaed by the City Magistrate for an examination. In her deposition Topi stated:

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<sup>11</sup> PAR, RSC, 1/1/95/12/1907, Supreme Court Criminal Cases. Rex Versus Dilsir Khan. Charged with administering poison with intent to commit murder, Testimony of Mrs Dix, 1907.

<sup>12</sup> PAR, RSC, 1/1/95/12/1907, Supreme Court Criminal Cases. Rex Versus Dilsir Khan. Charged with administering poison with intent to commit murder, Testimony of Mrs Dix, 1907.

<sup>13</sup> PAR, RSC, 1/1/95/12/1907, Supreme Court Criminal Cases. Rex Versus Dilsir Khan. Charged with administering poison with intent to commit murder, Testimony of Mrs Dix, 1907.

<sup>14</sup> See Table 1 in Chapter One.

I work for Mr DA English and I live on this farm at Hilton Road, near Town Bush Valley. On Wednesday the 16<sup>th</sup> inst. I had a conversation with Dilsir Khan who complained that my master illtreated him and wouldn't give him time to eat his meals. The accused gave me the 'muti'<sup>15</sup> and told me to put it into the food of the white man and requested me not to say that he had given the 'muti' to me. He gave me two lumps of it and he told me also to put some of it in the plums; the other he said I should put in the tea. This was on a Friday some time ago. I did what accused told me and put the 'muti' into the tea and the plums; that was on the next day. Saturday. I did not know when accused gave me the 'muti'; he gave me two pieces of it that it was poison. I heard after I had put it into the tea and plums by an Indian in employ of my master. Accused did not tell me what effects it would have. It did not strike me that the accused might have a spite against my employer. When he told me he was giving me too much work to do and I did not think he meant to injure him. I noticed Mrs Dix was very sick after I had put the 'muti' into the tea. I did not disclose then that I had put the 'muti' into the plums, which I had then already done. I first told a native detective of what I had done. I did not tell accused that the master and his family were sick as a result of eating the 'muti.' After the accused returned that morning from delivering milk, he did not ask me whether I had put that 'muti' into the food. I did not speak to him again on the subject. I was not afraid after I had put the 'muti' into the food as to what would happen. When I saw Mrs Dix was ill, I thought she had been made ill by the 'muti'.”<sup>16</sup>

It appears that Khan was able to exploit the vulnerability of Topi, but his testimony implicated others besides her. He pleaded not guilty to all charges and according to his sworn testimony he described how on Thursday, while working, a fellow servant Lala had expressed his anger at Mr English for threatening his mother Ranee with imprisonment for supposedly bringing poison into the kitchen. Lala apparently went on

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<sup>15</sup> This is an isiZulu term which refers to medicine, which is in the form of herbs, parts of plants and animals, as well as chemicals.

<sup>16</sup> PAR, RSC, 1/1/95/12/1907, Supreme Court Criminal Cases. Rex Versus Dilsir Khan. Charged with administering poison with intent to commit murder, Testimony of Topi, 1907.

to say, “I would never allow my mother to go into prison. I would not care how much money I spent. I would keep her out of prison.”<sup>17</sup> According to Lala, Mr English had also warned him by saying that, “...if he found poison again in the kitchen he would punish the person who brought it.”<sup>18</sup> Khan then described how that Monday evening he was told of Mary’s imprisonment by another Indian. But that was not all Khan was to hear of Mary that evening, for that night he was visited by Ra, Narain, Beelwa and Ramu, all of whom worked for Mr English. According to Khan they all declared that the police had taken Mary “away for nothing,” and that, “it had all been done at the instigation of,” Mr English, “who was not a good man.”<sup>19</sup> He also said that all three admitted that they didn’t care to work for Mr English any longer and would be leaving after that month.

Khan swore that he understood the charge against him but emphatically denied poisoning his master. But if anything, Khan was extremely well informed of Mr English’s nature for he spoke yet again of another servant Berber who had said that “my master was very cruel, and deserved to be killed”. Berber apparently went on to say that Khan should be very careful so as not to be implicated. This case points yet again to collusion since that Monday, after Mr English had gotten sick, a policeman questioned Khan about whether he knew who had put poison in the food and Berber, Ra, Narain, Gothai and Ramu had apparently all promised to give Dilsir £1 each if he went to court and denied all knowledge of the poisoning. This would obviously not have been money well spent,

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<sup>17</sup> PAR, RSC, 1/1/95/12/1907, Supreme Court Criminal Cases. Rex Versus Dilsir Khan. Charged with administering poison with intent to commit murder, 1907.

<sup>18</sup> PAR, RSC, 1/1/95/12/1907, Supreme Court Criminal Cases. Rex Versus Dilsir Khan. Charged with administering poison with intent to commit murder, Testimony of Dilsir Khan, 1907.

<sup>19</sup> PAR, RSC, 1/1/95/12/1907, Supreme Court Criminal Cases. Rex Versus Dilsir Khan. Charged with administering poison with intent to commit murder, Testimony of Dilsir Khan, 1907.

since immediately after relating this case of bribery, Khan said “I did not know anything about it.”<sup>20</sup>

What emerges from the cross examination of Khan by Mr Bigby in court though was that Khan had worked in the garden before becoming a ‘milk boy’ for the English family and was aware of the fact that English used cyanide to fumigate the trees. He even knew that Mr English kept the cyanide under lock and key in the storeroom. But in his testimony, Khan argued that he fervently believed that the other servants were implicating him. He informed the court that the reason he believed Topi was responsible for administering poison was as a result of an assault incident that had occurred some time before the poisoning. He said that about six months previously Topi had been busy washing dishes and when she “threw dirty water” on him, he got so annoyed that he slapped her. He said that the only way she could have gotten the poison was through Lala. In his reasoning for Lala’s involvement Khan said:

Because I had an altercation with him [Lala] on one occasion, and I gave him two slaps, and my master also beat him on that occasion; on another occasion, when my master went to strike him, he ran away. Lala was very much enraged on that occasion he came to me and said if my master strikes me in this way I will runaway and leave my work, or do some sort of harm.<sup>21</sup>

When asked about the other Indians working for Mr English, he stated:

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<sup>20</sup> PAR, RSC, 1/1/95/12/1907, Supreme Court Criminal Cases. Rex Versus Dilsir Khan. Charged with administering poison with intent to commit murder, Testimony of Dilsir Khan, 1907.

<sup>21</sup> PAR, RSC, 1/1/95/12/1907, Supreme Court Criminal Cases. Rex Versus Dilsir Khan. Charged with administering poison with intent to commit murder, Testimony of Dilsir Khan, 1907.



All three of them who are working there said to me that my master is very bad and we ought to thrash him, and he illtreated them and they could not stand it. We who are working under indenture considered him as our father and master, but it was the free men who talked in that way.<sup>22</sup>

Here again, we see a degree of animosity between free and indentured Indians in the Colony and how this may have further complicated the master/mistress servant relationship, as had been the case with Ramthumiah and Mrs MacDonald. It also points us towards the importance of notions of paternalism within the larger system of indenture and the master/mistress-servant dialectic. Khan was found guilty by the jury and he received a ten year prison sentence for the crime.

George Roberts Adams and Sarah Austin Adams lived and worked on the Blackburn Estate, Inanda Division with their son Cyril Adams and two stepchildren Francis Margaret Dales Preston and George Preston. On the 21<sup>st</sup> of September 1906, at the Durban and Coast District Circuit Court trial, Murugen, who served as their 'kitchen boy' and, Latchigadu a general servant were called before the Attorney on charges of poisoning by arsenic. On the 4<sup>th</sup> of July 1906, the Adams family sat down to afternoon tea. Mr Adams rang the bell to get the attention of Latchigadu, but when he did not respond, he sent George to the kitchen to look for their 'kitchen boy.' When he did finally answer Mr Adams' call, Latchigadu was asked to bring through a jug of water. Latchigadu returned to the kitchen, and George apparently looked through the crack of the door and saw him place something in the jug. He immediately informed his mother, who refused to use the water, but her husband and daughter both brewed their cups of

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<sup>22</sup> PAR, RSC, 1/1/95/12/1907, Supreme Court Criminal Cases. Rex Versus Dilsir Khan. Charged with administering poison with intent to commit murder, Testimony of Dilsir Khan, 1907.

tea with it. For dinner they were served soup and Mrs Adams remarked that it tasted peculiar and gave her bowl to their dog. Mr Adams and Francis also ate all of their soup. Half an hour later though, they experienced “tremendous pains” in their stomachs and their dog began frothing at the mouth.<sup>23</sup>

The next morning, Mr Adams and Francis both of whom felt a little better, were served cocoa by Latchigadu, but again experienced similar excruciating pains as they had the previous night. On the same morning he also asked if he could prepare the porridge which was always cooked by Francis, and even though his request was refused, he nonetheless helped Francis and brought her water. Francis noticed that the water contained white sediment and when she showed it to her step-mother, Mrs Adams ordered her to leave it in the sewing room, and keep it well out of the reach of the servants.<sup>24</sup> Mrs Adams, then transferred some of the water to pickle bottles and took it to Dr Elliot, the family’s medical attendant.

According to various testimonies presented to the Attorney General, Murugen had in fact been responsible for giving Latchigadu the arsenic to be administered, and in her deposition Mrs Adams claimed that a month prior to this incident, she had reprimanded Murugen and in response to this he muttered “latay vatty poodum,” which according to

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<sup>23</sup> PAR, AGO, I/1/306/108/1906, Durban and Coast District Circuit Court. Rex Versus Latchigadu and Murugen, Charged with administering poison with intent to commit murder, 1906.

<sup>24</sup> PAR, AGO, I/1/306/108/1906, Durban and Coast District Circuit Court. Rex Versus Latchigadu and Murugen, Charged with administering poison with intent to commit murder, 1906.

Mrs Adams' understanding of Tamil, translated "I shall cut your head."<sup>25</sup> Latchigadu's deposition offers some insights into the matter:

I work in the garden of Mr Adams. I also, when called help the kitchen boy, his name is Murugen. Last MONDAY during Tea time of my master my mistress asked for hot water. I poured some in a jug and as I was about to take it to the dining room when MURUGAN said I had better put some kind of stuff which he handed me in the water, he said that it would clean the water, I did as MURUGAN ordered me. MURUGAN said that he always put stuff in the water that is wanted by the master or mistress and that I must always put it in the food or water when required by the family. It is a greyish powder. Murugan threatened to do for me when I confessed to the mistress. He said he would break all my bones. I believe I can produce some of the powder in court. My mistress told me not to throw away the water 3 times but Murugan ordered me to throw it away and being afraid of him I did so. Murugan had been trying to kill my master because he refused to let him off work when sick. I asked to be allowed to mix the porridge because Murugan said I was to do so and place some powder in it. The powder was kept on the shelf where nobody would suspect it to be unless you knew of it being there. I think it is still there.<sup>26</sup>

At the closure of the court case both Latchigadu and Murugan were found unanimously guilty, and perhaps owing to his age, there was a "recommendation to mercy of Latchigadu." As a result Latchigadu was sentenced to twenty strokes with the birch while Murugen received ten years with lard labour and fifteen lashes. In most studies on poison, arsenic appears to have been the most popular choice of poison for

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<sup>25</sup> PAR, AGO, I/1/306/108/1906, Durban and Coast District Circuit Court. Rex Versus Latchigadu and Murugen, Charged with administering poison with intent to commit murder, 1906.

<sup>26</sup> PAR, AGO, I/1/306/108/1906, Durban and Coast District Circuit Court. Rex Versus Latchigadu and Murugen, Charged with administering poison with intent to commit murder, Deposition of Latchigadu, 1906.

would-be murderers, as well as those who wished to commit suicide.<sup>27</sup> In her *Memoir of Family Secrets*, Gail Bell calls arsenic “the queen of poisons.”<sup>28</sup> For years, arsenic was the most popular of all poisons, because it was relatively cheap and its white powder form made it easy to camouflage with other food substances as well as mimic the effects of food poisoning or cholera. According to Watson, arsenic victims, would often experience excruciating pains in their stomachs, vomiting, diarrhoea, and a thirst that was impossible to quench. Furthermore, arsenic was relatively easy to obtain from the local chemist as an exterminating agent for rats or as skin whitener. In Natal, arsenic could be bought at the Reed and Champion Chemists and Druggist for three shillings per pound.<sup>29</sup>

Six months later however, on the 30<sup>th</sup> of January, the Adams family were again the victims of poisoning, this time by the seeds of the *Stramonium datura* plant, and by their new ‘kitchen boy’, Ramsamy, who they engaged as Murugan’s replacement.

In his deposition, Kayrathrie, the ‘house boy’ stated:

I am the adopted son of Bugwansing and work for Mr Adams of Blackburn Estate as house servant. The day before yesterday I saw Ramsamy my master’s cook put some stramonium seed into a dish of cooked tomato stew and serve it on the table. When he placed that dish on the dining table no one was present. I

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<sup>27</sup> See for instance, Bell. *The Poison Principle*, Marriner. *Forensic Clues to Murder*; PWJ Bartrip. ‘How Green Was My Valance?: Environmental Arsenic Poisoning and the Victorian Domestic Ideal,’ in *The English Historical Review*, **109**:433, September 1994, 891-913; and Tim Couzens. *Murder at Morija*. (South Africa: Random House, 2003).

<sup>28</sup> Bell. *The Poison Principle*, 135.

<sup>29</sup> PAR, Indian Immigration Department [hereafter II], 1/54/I358/1890, Tenders Drugs etc for the year ending 14 April 1891, 1890. I would like to thank Dr Julie Parle for the very useful catalogue of drugs and chemicals that were available in the Colony.

made the report to my mistress when she came home. This was the first time I saw him put the seed in the food.<sup>30</sup>

On the Wednesday morning, the Adams' ate porridge for breakfast which had been prepared by Ramsamy. The porridge had a bitter taste and Mr Adams, Mrs Adams, Francis, George and Cyril experienced a stinging sensation in their throats. Later that morning, Mrs Adams noticed that Cyril, her two year old son, was drowsy and struggled as he walked. By lunch time he had recovered slightly, but after eating what she called the "tomato chutney with rice, ... he kept falling down and subsequently vomited."<sup>31</sup> Mrs Adams then offered some of the chutney and rice to Kayrathrie but later found that he had not eaten it. When she questioned him, he cried and said "O kana hum nai kaija," which means "I shall not eat the food."<sup>32</sup> On hearing this and judging from his demeanour, Mrs Adams became suspicious and asked him why he cried and refused to eat the food. Kayrathrie said that he refused to eat because Ramsamy had warned him not to eat any of the chutney and on that morning had given him some powder and instructions to place it in the pot that contained the chutney. The following day, the Adams' acquired the assistance of Detective Walker of the Criminal Investigating Department<sup>33</sup> and after several depositions it was alleged that Manupa, who was the 'stable sirdar,' and a very good friend of Murugan, had in fact shown Ramsamy where the

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<sup>30</sup> PAR, AGO, I/1/318/55/1907, Durban and Coast District Circuit Court. Rex Versus Ramsamy. Charged with administering poison with intent to commit murder, 1907.

<sup>31</sup> PAR, AGO, I/1/318/55/1907, Durban and Coast District Circuit Court. Rex Versus Ramsamy. Charged with administering poison with intent to commit murder, 1907.

<sup>32</sup> PAR, AGO, I/1/318/55/1907, Durban and Coast District Circuit Court. Rex Versus Ramsamy. Charged with administering poison with intent to commit murder, 1907.

<sup>33</sup> 'Durban Criminal Court, Opening of Criminal Sessions: Alleged Poisoning,' *The Natal Mercury*, 22<sup>nd</sup> May 1907; and 'Durban Criminal Court, Opening of Criminal Sessions: The Poisoning Case,' *The Natal Mercury*, 24<sup>th</sup> May 1907.

stramonium plants grew behind the stables and incited Ramsamy to administer the poison, as Manupa believed that both his mistress and master “were bad people.”<sup>34</sup> However, no concrete evidence against Manupa could be obtained, and on the 22<sup>nd</sup> of May, Ramsamy was found guilty of the crime and sentenced to four years imprisonment with hard labour.

The medicinal and chemical properties of the *Datura stramonium* plant were well known by the colonial authorities as well the White settler community and Indian immigrants. *Datura stramonium*, or Jimsonweed as it is commonly known, is believed to have originated in India. The whole plant is classified as a narcotic but the seeds are considered to have a very strong aphrodisiac effect. The seeds are also used medically to treat skin disorders, ulcers, bronchitis, and asthma.<sup>35</sup> In large doses, the effects of stramonium on the individual are dryness of the throat, thirst, nausea, giddiness, nervous agitation, dilatation of the pupil, obscurity of vision, headache, and in some cases perspiration.<sup>36</sup> As Karen Flint has shown in her doctoral thesis on African healers in southeastern Africa, African and Indian labourers often shared remedies and knowledge about local plants as well as Ayurvedic herbs.<sup>37</sup> Being in such close proximity to each

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<sup>34</sup> PAR, AGO, I/1/318/55/1907, Durban and Coast District Circuit Court. Rex Versus Ramsamy. Charged with administering poison with intent to commit murder, 1907.

<sup>35</sup> P.A. Steenkamp, N.M. Harding, F.R van Heerden, B-E van Wyk. ‘Fatal *Datura* poisoning: identification of atropine and scopolamine by high performance liquid chromatography/photodiode array/mass spectrometry,’ in *Forensic Science International*, **145**:1, October 2004, 31-40.

<sup>36</sup> David Helwig. ‘Ontario police warn of Jimson weed dangers,’ in *Canadian Medical Association Journal*, **161**:11, November 1999, 1384; E.P. Krenzelok, T.D. Jacobsen and J.M. Aronis. ‘Jimsonweed (*Datura Stramonium*) poisoning and abuse...an analysis of 1,458 cases,’ in *Journal of Toxicology -Clinical Toxicology*, **33**:5, 1995, 500-501, Annette Flanagan. ‘Stramonium Poisoning.’ *JAMA: Journal of the American Medical Association*, **262**:5, 1989, 687-691.

<sup>37</sup> Karen Flint. ‘Negotiating a Hybrid Medical Culture: African Healers in Southeastern Africa from the 1820s to 1940s.’ Thesis (PhD-History) – University of California, 2001.

other, Indian and African labourers would have no doubt shared experiences of the effects of plants such as this. From an account given by Aboobakker Amod in the 1885-1887 report of the Indian Immigrants Commission, it is evinced that the plant was popular among the Indian immigrants.

The cause of so many suicides taking place among Indians here are, firstly, adultery, secondly, drink, thirdly, the breaking of marriage contracts as regards the children. I do not think that suicide is committed owing to the nature of the work a man has to do. Fourthly, the use of ganga and the juice of datura drives them frantic, and they commit suicide and sometimes homicide. I think that Government should take these matters of drinking and smoking noxious drugs, in hand, and should pass stringent laws concerning them.<sup>38</sup>

About two months after this, on the 4<sup>th</sup> of July, another case of poisoning had been called to the Supreme Court, this time however, the accused was an Indian woman. Mutumah lived with her husband Yellappa on the premises of Patricia and Frederick William Larkin, who was a gardener and manager of a nursery in Town Bush Valley, Pietermaritzburg. Mutumah (or Mary as she was called by the Larkins) used to help Mrs Larkin around the house in exchange for jewellery, and was never formally employed by the Larkins. Mutumah, like Dilsir Khan was accused of administering cyanide of potassium to the drinking water and a pot of tea which was prepared for Mr and Mrs Larkin. On the morning of the 2<sup>nd</sup> of February, Mr Larkin had noticed that the breakfast tea had a very peculiar taste and when he examined the zinc bath from where the water

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<sup>38</sup> *Report of the Indian Immigrants Commission, 1885-1887* reprinted in Y.S. Meer et al. *Documents of Indentured Labourers, 1852-1917*. (Durban: Institute of Black Research, 1980), 390.

was obtained, out on the veranda, he noticed that the inside of the bath felt “very slimy.” Again, on the evening of the 15<sup>th</sup>, Mrs Larkin noticed that the tea had a very bitter taste.<sup>39</sup>

Despite not knowing what cyanide of potassium tasted like, on tasting the tea that morning, both Mr and Mrs Larkin assumed that it tasted like cyanide, because of the incident that had occurred with the English family. After putting the teapot under lock and key, Mr Larkin went to the Englishs’ to consult with Mr English about his own findings in relation to their incident with Dilsir Khan and to “ring up the police.”<sup>40</sup>

According to Mrs Larkin:

Mutumah used to work for me voluntarily and for the services rendered I gave her a present at Christmas 1906. On 2 occasions prior to New Year 1907 we had noticed that our tea had a peculiar taste. On the 2<sup>nd</sup> occasion I took some of the tea and asked Mary if she would taste it; she declined to take it saying that she only drank coffee. I threw the tea away and made fresh tea. I used to miss articles, tea, soap, sugar, etc and I suspected that and I used to tax her with it. She was also rather inquisitive. On leaving the house I would put paper on the contents of my box and on returning I would find the paper turned over and the clothes disarranged. Mary was the only one who had access to my room and box and I used to leave my keys with her when going down into the garden. For these reasons I scolded her on several occasions and eventually told her I did not wish her to work for me any longer and forbade her to come anywhere near the house. The cyanide is kept in the fumigating house in a safe. Both the house and safe are kept locked. The boys who had to do work in connection with

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<sup>39</sup> PAR, RSC, 1/1/98/24/1907, Supreme Court Criminal Cases. Rex Versus Mutumah. Charged With Administering Poison With Intent To Murder, 1907; and PAR, AGO, I/1/322/66/1907, Supreme Court Criminal Cases. Rex Versus Mutumah. Charged With Administering Poison With Intent To Murder, 1907.

<sup>40</sup> PAR, RSC, 1/1/98/24/1907, Supreme Court Criminal Cases. Rex Versus Mutumah. Charged With Administering Poison With Intent To Murder, 1907.



fumigation were before given cyanide but now this practice has ceased. Mary might have obtained the cyanide from them. Her husband is the man with whom she was living was friendly with the boys who worked in connection with fumigation. Mary was originally brought out from Durban, but Yellappa did not obtain our permission to bring her out as he should have done. The Indians working for Mr English are often in the habit of coming over and visiting our Indians.<sup>41</sup>

Yellappa had apparently paid fellow servant Gopal £4 to collect Mutumah from Durban. Gopal was also appointed by Detective Brandon of the Criminal Investigating Department to assist him with the examination of witnesses and interpreting. The City Clerk of the Peace had reason to believe that it was Gopal who had in fact given Mutumah the cyanide to administer to the food and water of the Larkins, since he was in possession of a key to the chest in which the cyanide was kept. Apparently, some time earlier, he had made “improper overtures” towards Mutumah and asked her not to tell her husband.<sup>42</sup> Besides asking her to prepare his food, he had also said to her “If you come again with those words to me I will give you slippers.”<sup>43</sup> However, at the trial, Gopal claimed that Mutumah had admitted to administering the poison. According to Gopal, Mutumah had told him that “Mrs Larkin was a bad lady and whenever the Indians talk about her she is generally annoyed with them and tries to threaten to strike them. Gopal then went on to say:

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<sup>41</sup> PAR, AGO, I/1/322/66/1907, Supreme Court Criminal Cases. Rex Versus Mutumah. Charged With Administering Poison With Intent To Murder, Deposition of Patricia Larkin, 1907.

<sup>42</sup> PAR, RSC, 1/1/98/24/1907, Supreme Court Criminal Cases. Rex Versus Mutumah. Charged With Administering Poison With Intent To Murder, 1907.

<sup>43</sup> PAR, RSC, 1/1/98/24/1907, Supreme Court Criminal Cases. Rex Versus Mutumah. Charged With Administering Poison With Intent To Murder, 1907.

She said “ I was working in the kitchen, and she very often was annoyed with me, and you must be very careful.” Then she asked me to go into her room. I did so, and I took my seat near the door, and she sat at another place in the room. Then she asked me if I did not repeat what she had to say she would relate things. Then she told me that she had put some medicine in a kettle. It was a white medicine, she said. I asked her “when you put this medicine in, did she take it?” then she replied that when Mr Larkin partook of the tea, he tasted it bad : and then Mrs Larkin partook of the same tea, and then she tasted it, and she felt bad. It was not a nice taste. Then she said that MrsLarkin called to the accused “Buya lapa.” She went there. Then she said “Mary, puza lo tea” (Mary drink the tea). Then she replied that she does not take tea, but she takes coffee. Then I also said “what else did you do.” She said “I put some medicine in a bath outside.” “Then Mr Larkin took a cup of water from this bath, and drank, but he did not like the taste of the water, and he threw the water away.” She also said that she had put on two occasions some medicine in a paraffine [sic] tin of water. She said she found the medicine on Mr Larkin’s ground.<sup>44</sup>

When Watkins-Pitchford returned his findings after analysing the tea-leaves and water, he asserted (in contrast to the Khan case) that the bottles of the 2<sup>nd</sup> February only contained in the region of 0.08 and 0.17 grains of cyanide of potassium. The water bottled from the night of the 15<sup>th</sup> did not have any traceable grains of cyanide and had “an offensive, urinous odour and [was] very turbid.”<sup>45</sup> Taking this into account, and the fact that for a very brief two weeks at the beginning of February, the Larkins had engaged Ramsammy as a ‘kitchen boy,’ the City Clerk of the Peace found Gopal’s evidence very suspect and problematic, and argued that in implicating Mutumah he may have been merely hiding his own guilt, since it was well known that he had a key to the

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<sup>44</sup> PAR, RSC, 1/1/98/24/1907, Supreme Court Criminal Cases. Rex Versus Mutumah. Charged With Administering Poison With Intent To Murder, 1907.

<sup>45</sup> PAR, RSC, 1/1/98/24/1907, Supreme Court Criminal Cases. Rex Versus Mutumah. Charged With Administering Poison With Intent To Murder, Report of Government Bacteriologist, W. Watkins Pitchford, 1907.

safe in which the cyanide was kept. He also made a point of the fact that owing to the recent poisoning at the English household, Mr and Mrs Larkin were acting on intense fears and suspicions. He also added that during this time there were close to ten other Indians living on the property and it was possible that anyone of them could have attempted the poisoning. Mutumah was eventually unanimously found not guilty, but this case is significant in hinting at the paranoia prevalent amongst White settler families during this period specifically related to the fear associated with poisoning.

Ramanah, an indentured domestic servant had been working in the Colony for the Marsden Family for three years, when on the 6<sup>th</sup> of January 1908, he was charged with attempted murder and administering poison with intent “to do some grievous bodily harm.”<sup>46</sup> Apparently, Ramanah was the only house servant that had access to the bedroom of Nora Lydia Marsden, the daughter of Sarah Ann and Herbert Marsden, who was a tailor, of Mountain Rise, Pietermaritzburg. Ramanah was accused of depositing hydrochloric acid in the water bottles, on the soap, bedclothes, tablecloth, sponge and tooth powder which belonged in the bedroom of the Marsden’s daughter. Dr Buntine was responsible for analysing the samples forwarded to him and confirmed that the water bottle containing 13 fluid drachms of clear water had only 0.33% Hydrochloric Acid (HCL) added to it and that the HCL was in the form of commercial Spirit of Salt. He also added that the water containing the strongest solution of HCL, in relation to the other items that were tested, could not reasonably be termed “poisonous,” and that

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<sup>46</sup> PAR, AGO, I/1/330/1/1908, Supreme Court Criminal Cases. Rex Versus Ramanah. Charged with attempting to administer poison with intent to murder, 1907.

about half a pint would in fact form a medicinal dose and about six pints would be required to produce a fatal effect.<sup>47</sup>

The trial was initially scheduled for the 8<sup>th</sup> of January but owing to the absence of material witnesses, Mr Vaughan Williams, who represented the State, requested that it be postponed to March. Between January and March, Ramanah remained in the custody of the State until the 8<sup>th</sup> of March, when he pleaded not guilty and attempted to represent himself in opposition to Mr Robinson who was the new state prosecutor. The evidence brought forward in the court case showed that besides being the only servant of three employed by the Marsden's who serviced the home, a bottle containing some HCL was found in a biscuit tin under his bed, in the room he shared with Sukhia, the 'garden boy.'<sup>48</sup> Sukhai's deposition stated

I am indentured to Mr Marsden and accused is a fellow servant. I remember the police coming and searching the premises. I saw the drugs found in accused's box. I do not work in the house of my master, but only in the garden. I know nothing about the poison that has been put in my masters bottles. I occupy the same room as accused. I do not know to whom the drugs found in accused's box belong. The native has a room of his own; he does not come into our room. I did not put the poison into my masters water bottles. I have been with the accused in the same room about 10 months. I saw the drugs for the first time when the detectives found them. We used not to keep our room locked, but since the searching of the room I have provided myself with a lock. Whenever we were intending to be absent from our room for any time we used to secure

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<sup>47</sup> PAR, RSC, 1/1/99/3/1908, Supreme Court Criminal Cases. Rex Versus Romanah. Charged With Attempting to Administer Poison with intent to Murder, or Otherwise Attempting to Administer Poison with intent to do some grievous bodily harm, 1908.

<sup>48</sup> PAR, RSC, 1/1/99/3/1908, Supreme Court Criminal Cases. Rex Versus Romanah. Charged With Attempting to Administer Poison with intent to Murder, or Otherwise Attempting to Administer Poison with intent to do some grievous bodily harm, 1908.

our door with a string. The productions now on the table are the drugs which I have referred to. I have never seen the accused use the contents of the bottle. The native servant Gwebu used not to come to our quarters and he used not to ask me for rice and other articles. Neither did he threaten to beat me at any time. I have never at any time heard the native Gwebu ask accused for rice or other article, nor have I ever heard him threaten accused.<sup>49</sup>

According to Nora, she first noticed that her water bottle had been tampered with on the 12<sup>th</sup> of October. She then decided to check the other bedrooms and found that the water bottle in her mother's bedroom had also been interfered with. She poured out most of the water from her water bottle but realised that she should keep some of the water. She knew that neither her mother nor her other sisters had put anything into the bottles and decided that she would observe Ramanah over the next couple of days to ascertain whether it was him or not. The very next day, after Ramanah had filled the bottles, Nora and her mother examined the water and upon tasting it found that the water had a "pungent, acrid, and bitter" taste and left a drying sensation in their mouths.<sup>50</sup> They decided to keep those bottles of water so that it could be sent to the Government Bacteriologist for analysing. Later on that day, Nora detected a "stinging smell" in the bedroom of her sister, and when she and her mother went to inspect, they found that the quilt had huge yellow stains.

When asked about their relationships with their servants and if there was any animosity between them that could have caused Ramanah to behave in this manner,

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<sup>49</sup> PAR, AGO, I/1/330/1/1908, Supreme Court Criminal Cases. Rex Versus Ramanah. Charged with attempting to administer poison with intent to murder, Deposition of Sukhai, 1907.

<sup>50</sup> PAR, AGO, I/1/330/1/1908, Supreme Court Criminal Cases. Rex Versus Ramanah. Charged with attempting to administer poison with intent to murder, Deposition of Sukhai, 1907.

neither Herbert, Sarah nor Nora could think of any reason. There was only one occasion when Mr Marsden had any trouble with him, and this did not appear to be the result of ill-feelings between master and servant. According to Herbert:

About two or three months ago, he came in the first thing in the morning and he seemed to be demented and as laying his head on the tiles of the kitchen floor, caught hold of a carving knife and made a pass at his throat. I took the knife from him and it was practically a day before he really recovered himself. He must have been taking some drug or the other.<sup>51</sup>

This incident, which supposedly indicated that Ramanah was unhappy with his situation, was used as evidence by the state in its attempt to establish a motive for the crime.

Gwebu however, further elaborated on the story and stated in court that, on this very day, Ramanah had said that “the whole of them were nasty.” Gwebu also stated that since he could understand a little of Ramanah’s language, he had often heard him say that his master “was not a nice one.”<sup>52</sup> Ramanah on the other hand, remained insistent that he did not feel any bitterness towards his master. In his closing statement, Ramanah stated:

I came to this country to work. I have worked well. I have no complaint against my master or my mistress neither have they with me. I have worked five years and three months. I do not know anything about the medicine; my master’s children are always at home. When I go inside they always follow me into the rooms, and they could have seen me if I had done anything wrong. The biscuit tin was under my bed. I admit the tin was there. I do not know who placed the

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<sup>51</sup> PAR, RSC, 1/1/99/3/1908, Supreme Court Criminal Cases. Rex Versus Romanah. Charged With Attempting to Administer Poison with intent to Murder, or Otherwise Attempting to Administer Poison with intent to do some grievous bodily harm, 1908.

<sup>52</sup> PAR, RSC, 1/1/99/3/1908, Supreme Court Criminal Cases. Rex Versus Romanah. Charged With Attempting to Administer Poison with intent to Murder, or Otherwise Attempting to Administer Poison with intent to do some grievous bodily harm, 1908.

stuff in that tin. When the native servant comes into the kitchen he wants me to give him sugar and other articles belonging my master, but I have refused to do so. One day he said 'I will see you one day' which I took to be a threat; he spoke in an angry tone. My door is always left open. When I go for a walk I generally tie up the door. I always had a good name for my employer. I have no complaint against him.<sup>53</sup>

Ramanah was found guilty and sentenced to three years imprisonment because there appeared to be no direct motive, in the form of revenge against assaults and ill-treatment, as has been the case for the other poisoning cases. The jury was apparently convinced by Wilfred Pitchford's argument that the acid, in the form that it was found, would have been very difficult to acquire and therefore suggested that in all probability Ramanah has gone to some lengths to acquire it. Pitchford stated that despite the fact that when diluted HCL was used as a medical tonic, it could not be bought without a doctors' prescription or for commercial purposes, as it appeared on a chemists' schedule of poisons. In this Colony, it would have been bought on a small scale by plumbers and tinsmiths who used it dissolve zinc in order to make what was called "killed spirits of salts" for soldering purposes.<sup>54</sup> Pitchford concluded that from his knowledge, there was no apparent reason why Ramanah would be in the possession of the acid except for soldering purposes and that if he had bought it from one of the druggists or chemists in the Colony, such as Reed and Champion, there would be some record of it.<sup>55</sup> The fact

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<sup>53</sup> PAR, RSC, 1/1/99/3/1908, Supreme Court Criminal Cases. Rex Versus Romanah. Charged With Attempting to Administer Poison with intent to Murder, or Otherwise Attempting to Administer Poison with intent to do some grievous bodily harm, 1908; and PAR, AGO, I/1/330/1/1908, Supreme Court Criminal Cases. Rex Versus Ramanah. Charged with attempting to administer poison with intent to murder, Deposition of Sukhai, 1907.

<sup>54</sup> PAR, RSC, 1/1/99/3/1908, Supreme Court Criminal Cases. Rex Versus Romanah. Charged With Attempting to Administer Poison with intent to Murder, or Otherwise Attempting to Administer Poison with intent to do some grievous bodily harm, 1908.

<sup>55</sup> PAR, II, 1/54/I358/1890, Tenders Drugs etc for the year ending 14 April 1891, 1890.

that very little concentrated HCL was found on the articles from Nora's bedroom and that he had placed it on the soap, bed linen and towels, sponge and tooth powder accounted for very little, since Mr Robinson made it a point to prove that this was as a result of Ramanah's inadequate knowledge of the poison and desperate attempt to injure or cause the death of his masters and mistresses.

Many authors have shown us that while middle-class households in the metropolises and White settler homes in India and Africa desperately needed domestic servants, they were also regarded as a threat, and as strangers who intruded on the private and intimate aspects of a household. This has been illustrated in the case of Mrs Larkin and her box; who as a rule did not allow any of her servants into the dining room and the Marsden family who allowed only one of their servants to enter their bedrooms. Like the Herbert family ayah, who travelled all the way from Bengal to Bombay to continue her role as caretaker of the family, it was generally expected that servants would be loyal and submissive. However in the cases of Khan, Murugan, Ramsamy and Ramanah, servants were not obedient, but instead plotted to poison their masters and mistresses. Just as Genovese has argued, poisoning was one of the few means through which house slaves could vent their frustrations. Significantly, of all the crimes this thesis attempts to analyse, cases of administering poison with intent to kill far outnumber crimes of physical and indecent assault.

In his book, *The Power of Poison*, John Glaister describes the nature of poisoning in relation to other forms of crime. He argues "the innate character of the crime of homicidal poisoning demands subterfuge, cunning and, what is equally important, usually a period of careful planning, and also not infrequently the repetition of the act of



administering poison.”<sup>56</sup> It is for this reason alone – that poisoning is based on premeditation and the fact that potential poisoners could commit the crime at any moment – that suspicions of these domestic servants were aroused and heightened and caused masters and mistresses to distrust their servants. Mr Larkin is an apt example of this, in that despite assuming that the unusual taste of the water was cyanide, it was only as a result of the poisoning incident that occurred at the English household that he believed Mutumah had been responsible for administering the poison. The fact that she was found not guilty and that in all probability it could have been one of the ten Indians living on the estate, suggests that White settler anxieties about the threat posed by domestic servants (both African and Indian) were predominant, and hints at the larger fears about the unravelling of the hegemony represented by the master/mistress-servant relationship. Because of the particularly calculated elements that poisoning entailed, the crime reveals a great deal about the feelings and circumstances of those who committed them. What is important is that the number of these crimes points to the more ubiquitous feelings of inequity and ill-treatment as experienced by Indian domestic servants at the hands of their White masters and mistresses. This does not suggest that crimes of physical and indecent assault were not also acts of resistance, but rather that these crimes were situated at varying points on a continuum of violent interactions between masters, mistresses and servants, and that each possessed its own performative terrain.

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<sup>56</sup> John Glaister. *The Power of Poison*. (London: Christopher Johnson, 1954), as cited in Couzens. *Murder at Morija*, 379.

## *C o n c l u s i o n*

**“the moment of rebellion always contains within it the moment of failure.”<sup>1</sup>**

If we accept that history is about people and not just about events and dates, then the study of emotion in history does not need to be questioned, but should be an integral part of it. And because the behaviour of people is driven by feelings and instinct, emotion and history can no longer be ignored. Above all, emotion also mediates social and power relations between people.<sup>2</sup>

The crimes committed by Indian domestic servants that this thesis has analysed were borne out of feelings of revenge, hatred, despair, misery and anguish. This thesis endeavoured to understand the colonial domestic space as a locus of the tensions between the master/mistress and servant. It has also attempted to show that these tensions, contrary to established theories on indenture, had very little to do with the actual labour and physical work which these individuals were required to perform. While it is necessary to investigate the dirty and often unpleasant nature of domestic work, this aspect was largely inconsequential to the incidents of poisoning and physical and sexual assaults explored here. The motivation for these crimes was not the product of discontentment with labour but rather a result of the strained relationships between masters/mistresses and servants and the erosion of their personal freedom and space. It was these – the axing of the drums, the burning of blankets, the denial of passes, the

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<sup>1</sup> Gyan Prakash. ‘Subaltern Studies as Postcolonial Criticism’, in *American Historical Review*, **99**:5, December 1994, 1480.

<sup>2</sup> Russel Viljoen. ‘Till Murder Do Us Part’: The Story of Griet and Hendrik Eksteen,’ in *South African Historical Journal*, **33**, November 1995, 13-32.

restriction of movement, the unclean boots, the slap on the face, the moving of vases, the dismal sleeping quarters, the shortage of food rations, wage cuts, and night soil buckets – that fostered feelings of disrespect, humiliation and dehumanisation that these servants harboured.

It was these feelings that fuelled crimes of physical and indecent assault, and poisoning against masters and mistresses. An investigation of the various court cases and testimonies of the accused has provided valuable information not only about the psychological state of the servants within the particular social context in which they lived and worked, but also about colonial conceptions of the reasons for the behaviour of these subjects of empire.

In using the home as a pivot for analysing mistress/master-servant relationships in the Colony, it has been possible to look at the lives of Indian domestic servants and their White masters and mistresses and to show how this relationship was transformed by several interacting factors. This dissertation has investigated the interplay of White masters and mistresses and Indian, African and ‘Coloured’ domestic servants, and the interventions by the Colonial State in this context. At the same time as focusing on the domestic space, this study has also considered the impact of the wider social and political context of Natal on these relationships. These relationships were in turn marked by a number of mediating layers that shaped the reactions of individuals to the fissures that were characteristic of the mundane and often violent nature of the domestic space. Moreover, the terrain on which these relationships played themselves out powerfully determined the ways in which the crimes were enacted and their initiation.

The problematics of indenture and the political status of Indian labourers in the Empire were also key ingredients in the construction of servant-settler relationships, in that their shifting identities as subjects and immigrants often meant that, though they were tried as colonial citizens in criminal procedures, they could not enjoy the rights that citizenship entailed. They remained subjects of Empire. The cases presented here have helped elucidate the many aspects of this colonial conundrum. More importantly, the forms of punishment and violence meted out in the domestic space provide important evidence about colonial conceptions of justice and discipline, the way colonial society actually worked in its most private spaces and the contradictions and tensions that emerged here. Moreover the thesis also shows how inequity, powerlessness, and subjugation generated feelings of animosity and hatred among Indian domestic servants towards their masters and mistresses.

The particularities of waged domestic work in Victorian contexts world wide, the gendered nature of the life of indentured workers and the contrasts and comparisons with British settler life, isiZulu speaking men and women as well as the familial, sexual and social spheres of domestic servants, have been some of the broader themes underlying this analysis. In a similar vein, the existing histories of colonial India and transatlantic slavery has been of considerable comparative value.

Crimes of physical and indecent assault and poisoning by Indian domestic servants have been identified as representing individual acts of resistance; which in their moments of execution exhibited the impulse towards vengeance and in some cases – escape – from the circumstances of their lives. For the accused, that moment was rooted in a deep desire to retaliate against the humiliation and degradation which was so much a part of

their everyday existence. This was the liberatory aspect imbued in these crimes. But as Gyan Prakash has stated in the context of the Indian subaltern, 'the moment of rebellion always contains within it the moment of failure.'<sup>3</sup> Because of the wider social and political framework in which these individual crimes of resistance occurred, and the inherently oppressive systems in place at the time, they had no hope of succeeding.

Genovese has argued that it did not matter how many cases of murder there were by slaves against their masters and mistresses, because just one case was enough to arrest the attention of the authorities, newspapers and the wider society. Likewise, as McCulloch has shown for southern Rhodesia and Martens for Natal, it was anxieties over the supposed threat posed by the 'other' which set into motion a number of paranoid responses. This dissertation has illustrated how similar fears were prevalent within White settler society in the face of individual cases of physical and indecent assault and poisoning.

As the weaver uses her loom to weave together individual threads to create cloth, there were different elements that came together, in very particular ways in the domestic space that gave rise to these acts of violence, revenge, passion and reason. In order to understand these crimes it is necessary to "look into the whole cloth," since there were different patterns, different types of thread and different weaving techniques that were used in its creation.<sup>4</sup> The moral economy of the domestic space within the structures of colonial society provided the perfect incubation from which these intertwining reactions

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<sup>3</sup> Prakash. 'Subaltern Studies as Postcolonial Criticism', 1480.

<sup>4</sup> Kahlil Gibran. *The Prophet*. (Arkana: Penguin, 1998), 47-48.

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could emerge. The proximity and intimacy within the colonial home in Natal, allowed for the nurturing of close bonds between settler families and their servants, but at the same time it also spawned feelings of contempt and resentment. Perhaps Genovese captures this best: “if closeness bred affection and warmth, it also bred hatred and violence; often it bred all at once, according to circumstances, moods, and momentary passions.”<sup>5</sup>

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<sup>5</sup> Eugene Genovese. *Roll, Jordan, Roll: the World That Slaves Made*. (United States: Vintage Press, 1976), 361.

*A p p e n d i x*

**The Colonial Home**

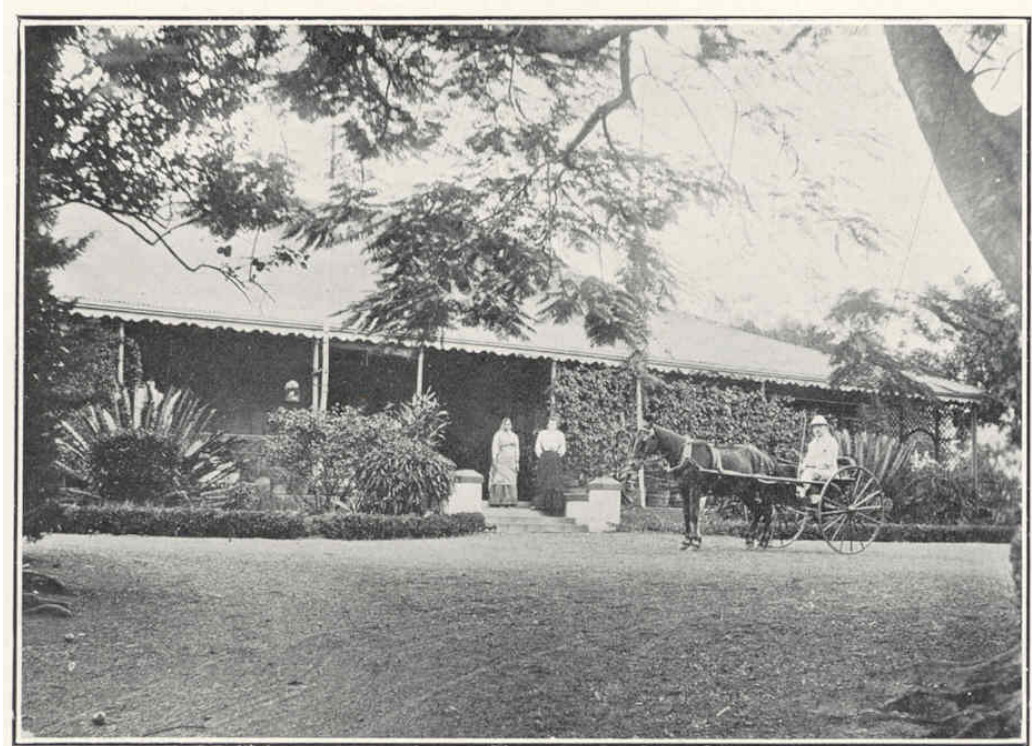


Image 8: TG Colenbrander's Homestead, New Guelderland<sup>1</sup>

T. G. Colenbrander arrived in Natal in 1876 and started sugar planting in 1886. His father had arrived in the colony in 1854 and invested in indigo growing. Colenbrander first started work at the Government Mill, but through his father managed to procure a 3 000 acre farm in New Guelderland. The photograph above shows just one of the 110 Indians that were employed on his farm. His residence was styled after a Java bungalow, being built with bricks and thick walls and was surrounded by a veranda and a garden that boasted a variety of plants and trees, including camphor, cinnamon, mahogany, pimento, jarrah, as well as teak, In 1904 however, 500 acres of his farm were destroyed by fire, "owing to the carelessness of some Indians."<sup>2</sup>

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<sup>1</sup> Twentieth Century Impressions of Natal: Its People, Commerce, Industries, and Resources. (London: Lloyd's Greater Britain Publishing Company, 1906), 323.

<sup>2</sup> Twentieth Century Impressions of Natal, 322-323.



Image 9: “INTABENE,” Ridge Road.  
(The Residence of Mr. Frank Stevens, C.M.G)<sup>3</sup>

Mr Frank Stevens, C.M.G, J.P., was locally known as the Golden Boot Man. After some experience in Australia and England, he came to Natal, and ploughed his trade in the leather industry. In 1886, he set up shop in West Street and by 1906 it was the largest boot business in South Africa. Towards the end of the Boer War, he built and developed the Princess Christian Hospital at Pinetown Bridge together with Alfred Mosley C.M.G., who had come out from England with the sole purpose of establishing a hospital. In recognition of his humanitarian and patriotic services, the King conferred him with the honourable title of C.M.G.<sup>4</sup> This image shows African and Indian servants standing on the veranda of Mr Stevens residence which in the 1930s became the Entabeni Hospital.

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<sup>3</sup> *Twentieth Century Impressions of Natal*, 453.

<sup>4</sup> *Twentieth Century Impressions of Natal*, 459.





Image 10: “Dwelling House on the Berea, Natal RSD Cardin? Pinelands Hill?”<sup>5</sup>



Image 11: Summer Residence on Berea, D’urban, Natal.<sup>6</sup>

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<sup>5</sup> Killie Campbell Africana Library [hereafter KCAL], Album A48, Durban Old Up to 1900. Book 2, a48-004: Dwelling House on the Berea, Natal, RSD Cardin? Pinelands Hill? Image depicts R.S.D. Cardin? and family on the veranda. Standing nearby are an African and Indian male servants.

<sup>6</sup> KCAL, Album A48, Durban Old Up to 1900. Book 2, a48-005, Summer Residence on Berea, D’urban, Natal. Image depicts man and woman (who has a hat on her lap) on their veranda together with their Indian female and African male servants.

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Image 12: Victorian Parlour, Bayview-Durban, designed by Philip Dudgeon in the 1880s for Harry Escombe.<sup>7</sup>

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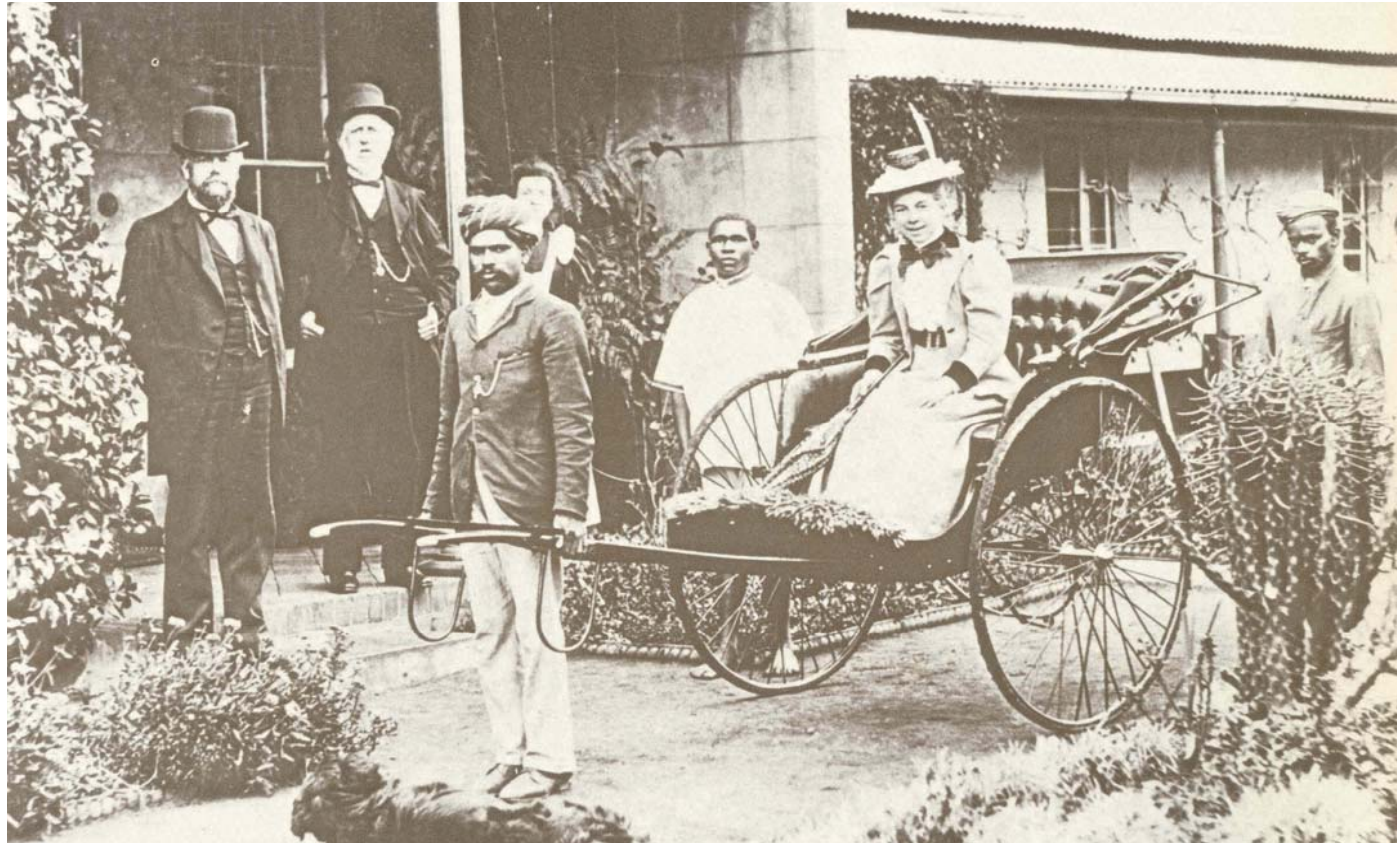
<sup>7</sup> Jennifer Verbeek and Alistair Verbeek. *Victorian & Edwardian Natal*. (Pietermaritzburg: Shuter & Shooter, 1982), 48.

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### Servants and their Masters and Mistresses

Image 13: Indian Rickshaw puller who worked for Mr Henry Bale, outside the Bale Residence 'Ingleside,' Pietermaritzburg.<sup>8</sup>



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<sup>8</sup> Verbeek and Verbeek. *Victorian & Edwardian Natal*, 91.



Image 14: Family Picnic<sup>9</sup>

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<sup>9</sup> Photograph courtesy of Godfrey Herbert.

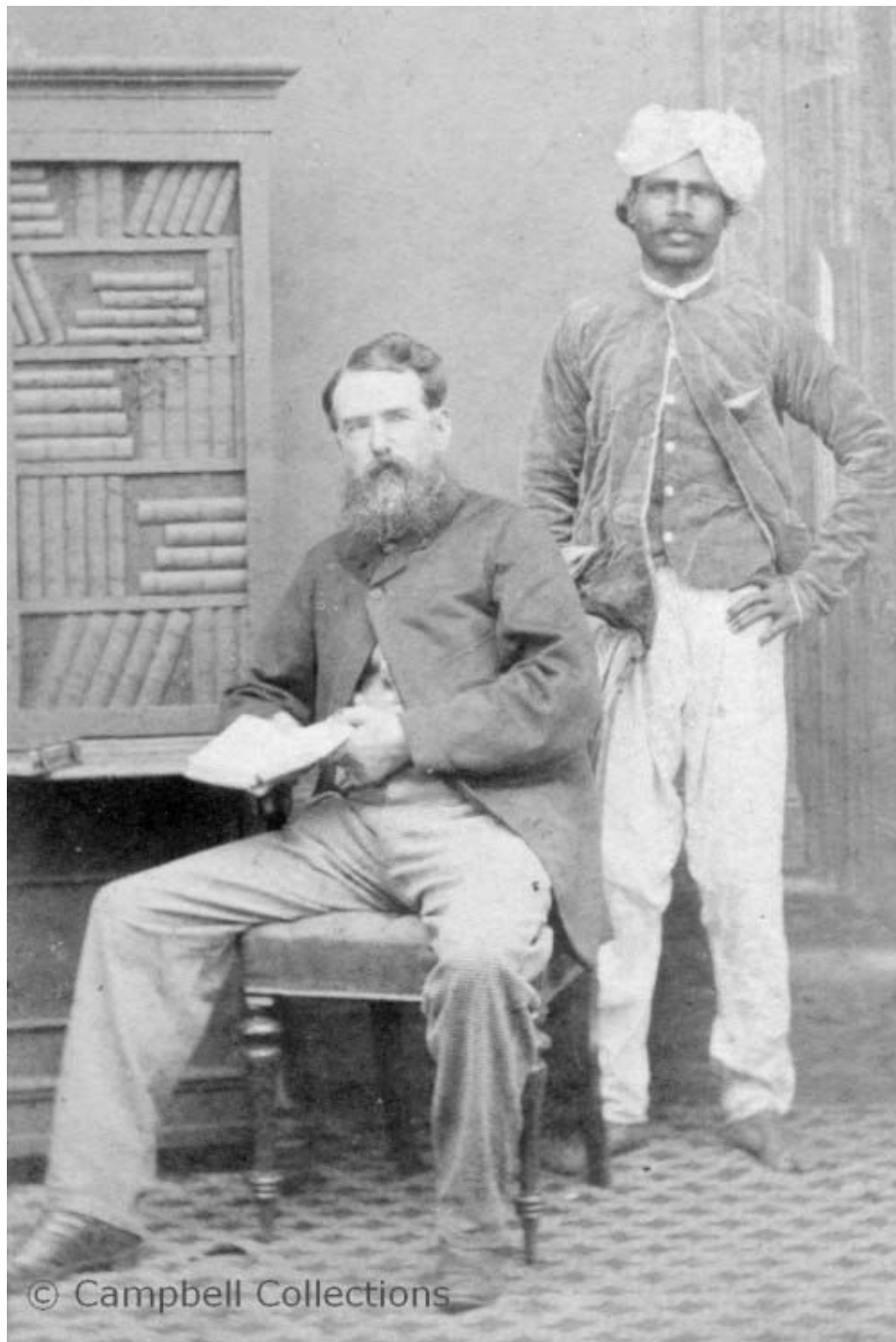


Image 15: Ol Bowlby “Doing the Quiet”<sup>10</sup>

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<sup>10</sup> KCAL, Album C59, Old Natal, c59-063, Ol Bowlby “Doing the Quiet.”



Image 16: Mary Stainbank with her ayah on the Coedmore Estate<sup>11</sup>

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<sup>11</sup> Uma Shashikant Dhupelia. *From Cane Fields to Freedom: A Chronicle of Indian South African Life*. (Cape Town: Kwela Books, 2000), Image 12.



Image 17: Field Marshal Lord Roberts and Indian Servant, Pretoria, 1900.<sup>12</sup>

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<sup>12</sup> South African Library, Photo 612, Field-Marshal, Lord Roberts at Pretoria - Indian servant and veranda at back, 1900, Author: Van Hoepen. 160 x 100; Album 8. Original photograph.

Table 2: No. of Crimes by Indians relative to Total No. of Crimes [%], AGO, 1880-1915.

Year	Total No. Of Criminal Cases	No. of Crimes Committed by Indians	% Of Crimes by Indians / Total No. Of Crimes
1880	131	21	16.03053435
1881	138	31	22.46376812
1882	137	27	19.7080292
1883	160	34	21.25
1884	149	28	18.79194631
1885	142	28	19.71830986
1886	158	22	13.92405063
1887	159	20	12.57861635
1888	119	18	15.12605042
1889	118	16	13.55932203
1890	123	13	10.56910569
1891	84	11	13.0952381
1892	149	28	18.79194631
1893	83	23	27.71084337
1894	99	17	17.17171717
1895	72	12	16.66666667
1896	97	15	15.46391753
1897	56	7	12.5
1898	155	21	13.5483871
1899	135	21	15.55555556
1900	149	11	7.382550336
1901	316	18	5.696202532
1902	173	23	13.29479769
1903	168	39	23.21428571
1904	160	43	26.875
1905	181	49	27.0718232
1906	155	42	27.09677419
1907	126	36	28.57142857
1908	144	38	26.38888889
1909	150	56	37.33333333
1910	94	40	42.55319149
1911	87	46	52.87356322
1912	69	44	63.76811594
1913	59	30	50.84745763
1914	69	33	47.82608696
1915	40	26	65



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Table 3: Crimes Committed by Indians, Registers, Supreme Court, 1880-1920<sup>13</sup>

1881					
Case No.	Defendant	Crime or Offence Charged	Date of Hearing	Judgement	Sentence
28	Sakatingum al. Sivingo	Theft or receiving stolen goods	3-8-1881	Guilty	18 months HL
38	Mootasamy	Theft	3-9-1881	Guilty	3 years HL
41	Chitanambee-1, Baboojee-2	House breaking with intent to steal, theft, or receiving stolen goods	3-10-1881	1: Not Guilty 2: Guilty	1: Discharged 2: 18 months HL
42	Balaam-1, Subah-2, Ramsany-3, Aghinandan-4	Assault with intent to do some grievous bodily harm	3-10-1881	3: Guilty 1,2,4: Not Guilty	3: 6 months HL 1,2,4: Discharged
47	Ramadoo al. Jughadd	Theft	3-1-1882	Not Guilty	Discharged
<b>Total cases</b>	<b>49</b>				
<b>% Indian</b>	<b>10.20408</b>				
1882					
Case No.	Defendant	Crime or Offence Charged	Date of Hearing	Judgement	Sentence
7	Gobie	Theft		Guilty	2 years HL
8	Gobie-1, Mahrah-2	Theft or receiving stolen goods		Guilty	1: 2 years HL; 2: 18 months
40	Moothosamy	Assault with intent to do some grievous bodily harm	3-9-1882	Guilty	2 years HL + 24 lashes
81	Joseph Narransammy	Assault with intent to do some grievous bodily harm	5-12-1882	Guilty	2 years HL + 25 lashes
<b>Total cases</b>	<b>55</b>				
<b>% Indian</b>	<b>7.272727</b>				
1883					

<sup>13</sup> Data for Tables 2 and 3 collated from Pietermaritzburg Archives Repository [PAR], Attorney General's Office, 1/2/1-1/2/5, Registers of and Indexes to Criminal Cases tried before the Supreme, Circuit and District Courts, 1851-1917; and PAR, Register, Supreme Court, 1/3/1-1/3/3, Registers of Criminal Cases tried before the Supreme, Natal Provincial Division, Pietermaritzburg, 1873-1954.

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Case No.	Defendant	Crime or Offence Charged	Date of Hearing	Judgement	Sentence
25	Boodhen	Murder	3-4-1883	Guilty of Culpable Homicide	5 years HL
27	Kaloo	House breaking with intent to steal	4-5-1883	Guilty	3 years HL
57	Bishess, Kanghi	Theft, or receiving stolen goods	8-11-1883	Guilty	18 months HL
<b>Total cases</b>	<b>61</b>				
<b>% Indian</b>	<b>4.918033</b>				
<b>1884</b>					
Case No.	Defendant	Crime or Offence Charged	Date of Hearing	Judgement	Sentence
18	Boopusing	Falsity or uttering counterfeit coin	7-4-1884	Guilty	2 years HL
25	Muttai	Assault	3-4-1884	Guilty	6 years HL + 30 lashes
34	Kuda Bakas	Theft	4-7-1884	Guilty	3 years HL + 12 lashes
40	Uma Gudwini	Theft	5-7-1884	Not Guilty	Prisoner detained
41	Uma Gudwini, Jawini	Theft or receiving stolen goods		Guilty	3 years HL
42	Junivali-1, Uma Gudwini-2	Theft or receiving stolen goods		Guilty	1: 5 years HL; 2: 3 years HL
<b>Total cases</b>	<b>66</b>				
<b>% Indian</b>	<b>9.090909</b>				
<b>1885</b>					
Case No.	Defendant	Crime or Offence Charged	Date of Hearing	Judgement	Sentence
16	Soorigbally	House breaking with intent to steal & theft	4-5-1885	Guilty	3 years HL
44	Vardaragulos	Falsity	5-10-1885	Guilty	2 years HL
46	Verwsamy, Vengetegadoo	Murder		Returned to Circuit Court	
53	Bissessor al. Bisiessur	Theft		Guilty	5 years HL
<b>Total cases</b>	<b>64</b>				
<b>% Indian</b>	<b>6.25</b>				
<b>1886</b>					
Case No.	Defendant	Crime or Offence Charged	Date of Hearing	Judgement	Sentence
3	Yencatasamy, Ramadoo	Contravening Section 13 of Cattle Removal, 1884		Not Guilty	Discharged

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22	Shuppany Chimathumbi	Theft		Guilty	3 years HL
57	Shakald Bachin	Contravening Section 34 of Law 9, 1884		Not Guilty	Discharged
73	Sayide	Assault with intent to do some grievous bodily harm		Guilty	3 years HL + 36 lashes
<b>Total cases</b>	<b>73</b>				
<b>% Indian</b>	<b>5.479452</b>				
<b>1887</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
26	Veleyani	Theft or receiving stolen goods	4-7-1887	Guilty	4 years HL + 20 lashes
33	Ramsamy	Rape	4-7-1887	Guilty	2 years HL
35	Veran al. Lota	Theft	4-8-1887	Postponed till September	
50	Rithod	Assault with intent to do some grievous bodily harm	4-11-1887	Not Guilty	Discharged
<b>Total cases</b>	<b>57</b>				
<b>% Indian</b>	<b>7.017544</b>				
<b>1888</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
30	Maturah	House breaking with intent to steal & theft	4-10-1887	Guilty	3 years HL
<b>Total cases</b>	<b>40</b>				
<b>% Indian</b>	<b>2.5</b>				
<b>1889</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
13	Alladin	Robbery	13-3-1887	Postponed to Estcourt	
26	Malikar, Boobsing, Dhooragah-Cuxman	Robbery	8-3-1887	Not Guilty	Discharged
35	Seebchurn	Theft and malicious killing sheep	4-11-1887	Jury unable to reach verdict	
38	Mahomed Amod	Contravening provisions of Section 75 of Insolvency Law, 1887	17-12-1887	Guilty	6 months HL

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39	Seebchurn	Theft and malicious killing sheep	16-12-1887	Guilty	18 months HL
<b>Total cases</b>	<b>40</b>				
<b>% Indian</b>	<b>12.5</b>				
<b>1890</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
4	Gopal	House breaking with intent to steal theft	15-3-1890	Guilty	2 years HL
19	Chinasamy	House breaking with intent to steal theft	4-7-1890	Guilty	1 year HL + 30 lashes
26	Kumuran, Samasi, Mutheu, Annamunthu, Kamsamy, Bhuku, Patche, Veran	Theft or receiving stolen goods	6-10-1890	Guilty	1 year HL
32	Annamunth al Mitusamy	Theft or receiving stolen goods	6-10-1890	Guilty	2 years HL
35	Rambuccas	Rape	10-11-1890	Not Guilty	Discharged
<b>Total cases</b>	<b>43</b>				
<b>% Indian</b>	<b>11.62791</b>				
<b>1891</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
11	Cholay al Chimatamba	Theft	4-5-1891	Not Guilty	Discharged
<b>Total cases</b>	<b>29</b>				
<b>% Indian</b>	<b>3.448276</b>				
<b>1892</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
29	Bessessur Maharaj, Khoda Buccas	Theft	5-7-1892	Guilty	3 years HL + 30 lashes
32	Mahibir	Murder	8-8-1892	Not Guilty	Discharged
39	Soobryan	Bestiality	7-11-1892	Guilty	2 years HL + 20 lashes
<b>Total cases</b>	<b>49</b>				
<b>% Indian</b>	<b>6.122449</b>				

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1893					
Case No.	Defendant	Crime or Offence Charged	Date of Hearing	Judgement	Sentence
1	Nabbe Buccus, Rajaram, Butsheae	Rape & Abetting & Aiding said		Case entered <i>Nolle Prosequi</i>	
4	Poonapah Naicker al. Poonah Tammy	Murder	16-11-1893	Guilty	Hanged
9	Chorum	Murder	8-8-1893	Not Guilty	Discharged
14	Moonesamy Chettee	House Breaking with intent to steal & theft	5-9-1893	Guilty	4 years HL
18	Thoyee	Administering poison with intent to kill	14-10-1893	Jury unable to agree	
<b>Total cases</b>	<b>23</b>				
<b>% Indian</b>	<b>21.73913</b>				
1894					
Case No.	Defendant	Crime or Offence Charged	Date of Hearing	Judgement	Sentence
7	Sunthulla	Arson	22-03-1894	Guilty	13 years HL
14	Ibrahim	Assault with intent to do some grievous bodily harm	5-5-1894	Guilty	2 years HL
25	Bismith	Rape & casually knowing & abusing a girl under the age of 12	4-9-1894	Case entered <i>Nolle Prosequi</i>	Discharged
33	Imlen	Rape	18-12-1894	Jury unable to agree	
36	Aroonaghiri	Assault with intent to commit rape	13-12-1894	Guilty	4 years HL
<b>Total cases</b>	<b>39</b>				
<b>% Indian</b>	<b>12.82051</b>				
1895					
Case No.	Defendant	Crime or Offence Charged	Date of Hearing	Judgement	Sentence
5	Bismath	House breaking with intent to rape & assault	8-2-1895	Guilty	3 years HL
15	Gokul	Arson	7-5-1895	Guilty	3 years HL
<b>Total cases</b>	<b>33</b>				
<b>% Indian</b>	<b>6.060606</b>				

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1896					
Case No.	Defendant	Crime or Offence Charged	Date of Hearing	Judgement	Sentence
1	Soorajbaly	Murder	5-2-1896	Not Guilty	Discharged
2	Soorajbaly	Administering poison with intent to murder, grievous bodily harm, & unlawful intent	6-2-1896	Case entered <i>Nolle Prosequi</i>	
3	Soorajbaly	Theft	6-2-1896	Case entered <i>Nolle Prosequi</i>	
29	Samaroo	Assault with intent to do some grievous bodily harm	16-12-1896	Guilty	3 years HL + 20 lashes
<b>Total cases</b>		<b>31</b>			
<b>% Indian</b>		<b>12.90323</b>			
1897					
Case No.	Defendant	Crime or Offence Charged	Date of Hearing	Judgement	Sentence
11	Sanichet-1, Jakur-2, Sherbadur-3, Baranee-4	House Breaking with intent to steal & theft or receiving stolen goods knowingly	[6-8]-9-1897	Guilty	1,2,3: 5 years HL 4: 6 months HL
13	Jaisinger al. Bessessur Maharaj	Theft	4-11-1897	Guilty	5 years HL
14	Akalu	House Breaking with intent to steal & entering a bedroom	15-12-1897	Guilty	4 years HL + 15 lashes
<b>Total cases</b>		<b>21</b>			
<b>% Indian</b>		<b>14.28571</b>			
1898					
Case No.	Defendant	Crime or Offence Charged	Date of Hearing	Judgement	Sentence
14	Kunnee	Assault with intent to do some grievous bodily harm	4-5-1898	Guilty	5 years HL
22	Kisten	Theft	14-8-1898	Guilty	18 months HL + 10 lashes
36	Mahomed Chettee-1, Ragavan-2, Durmalingan-3, Prsuraman-4	Theft	7-11-1898	1,2,3: Guilty; 4: Not Guilty	1: 2 years HL, 2,3: 1 year HL; 4: Discharged
39	Mooroogen	Murder	19-12-1898	Guilty but insane	Kept in custody

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<b>Total cases</b>	<b>41</b>				
<b>% Indian</b>	<b>9.756098</b>				
<b>1899</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
8	Rughibur	Assault with intent to commit rape & robbery	4-5-1899	Guilty	2 weeks HL
29	Rangasamy	Assault with intent to do some grievous bodily harm	4-11-1899	Guilty	3 years HL
<b>Total cases</b>	<b>32</b>				
<b>% Indian</b>	<b>6.25</b>				
<b>1900</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
32	Basunth	Assault with intent to do some grievous bodily harm	[4-6]-8-1900	Pleaded Guilty	6 months HL
37	Umran	Murder	15-12-1900	Not Guilty	Discharged
<b>Total cases</b>	<b>40</b>				
<b>% Indian</b>	<b>5</b>				
<b>1901</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
2	Dhooke	Assault with intent to do some grievous bodily harm			
17	Juganathan Maharaj, Purmathan Maharaj, Ranadis Murugah	Robbery	4-7-1901	Not Guilty	Discharged
24	Budloo	Murder	4-10-1901	Guilty	Hanged
31	Amoodum, al Hurnj	Indecent Assault	17-12-1901	Guilty	5 years HL + 30 lashes
<b>Total cases</b>	<b>35</b>				
<b>% Indian</b>	<b>11.42857</b>				

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1902					
Case No.	Defendant	Crime or Offence Charged	Date of Hearing	Judgement	Sentence
4	Kanahoi	Theft	4-2-1902	Guilty	2 years HL
12	Vorapan	Murder	25-3-1902	Guilty	Hanged
16	Mudhi	Assault with intent to do some grievous bodily harm	26-3-1902	Guilty	5 years HL +25 lashes
17	Maradiya	Theft	26-3-1902	Guilty	15 months HL
20	Adeen	Rape	5-5-1902	Not Guilty	Discharged
25	Chinniah-1, Hooniam Saib-2	Murder	9-7-1902	1: Not Guilty; 2: Guilty	1: Discharged; 2: Hanged
<b>Total cases</b>	<b>39</b>				
<b>% Indian</b>	<b>15.38462</b>				
1903					
Case No.	Defendant	Crime or Offence Charged	Date of Hearing	Judgement	Sentence
31	Ramsamy-1, Kurpaie-2	Culpable homicide	6-5-1903	1: Guilty; 2: Not Guilty	1: 3 years HL; 2: Discharged
33	Jorakan	Murder	[6-7]-7-1903	Guilty	Hanged
37	Veloo-1, Veraparthra Reddy-2, Vaketsamy-3, Mathura-4	Theft	4-7-1903	Guilty	2: 2 years HL 1,3,4: 10 months HL
38	Ramsamy	House Breaking with intent to steal & theft	[8-9]-7-1903	Guilty	2 years HL
39	Amod Manjoo	Sodomy	11-7-1903	Not Guilty	Discharged
43	Rajpaul	Theft	4-8-1903	Guilty	3 years HL + 25 lashes
48	Karasaraman	Theft	4-9-1903	Pleaded Guilty	1 years HL
59	Ramsing	Perjury	2-12-1903	Guilty	5 years HL
60	Chowiappan	Perjury	2-12-1903	Guilty	6 years HL
61	Seethal	Perjury	3-12-1903	Guilty	7 years HL
<b>Total cases</b>	<b>62</b>				
<b>% Indian</b>	<b>16.12903</b>				
1904					
Case No.	Defendant	Crime or Offence Charged	Date of Hearing	Judgement	Sentence



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1	Esaak al Moonsamy Ruthanan, Soloman Gooniah	Assault with intent to do some grievous bodily harm	[1-3]-02-1904	Not Guilty	Discharged
5	Tabkarunam	Theft	[1-2]-2-1904	Not Guilty	Discharged
15	Duba	Entering bedroom with unlawful intent	2-5-1904	Guilty	15 months HL
18	Goorbux, Parsadath Lala Moonsamy, Garbanah, Javanlal	Murder	2-5-1904	Not Guilty	Discharged
21	Moonsamy, Garbanah, Javanlal	Murder	[3,4,6]-6-1904	Guilty	Hanged
25	David Ramsamy	Sodomy	1-7-1904	Guilty	3 years HL + 25 lashes
27	Venketsamy	Perjury	1-8-1904	Guilty	3 years HL
28	Karsenam	Perjury	1-8-1904	Guilty	4 years HL
29	Appasamy	Perjury	2-8-1904	Guilty	5 years HL
30	Isaac Solomon-1, David Martin-2, Ramsamy-3, Shandy Chinniah-4	Assault with intent to do some grievous bodily harm	2-8-1904	1,2: Guilty 3,4: Not Guilty	1,2: 6 months HL 3,4: Discharged
35	Sheik Sadick Dawood	Contravening Provisions of Section 75 of Insolvency Law, 1887	11-10-1904	Guilty	12 months HL
38	Teeka	Arson	12-12-1904	Guilty	5 years HL
<b>Total cases</b>	<b>40</b>				
<b>% Indian</b>	<b>30</b>				
<b>1905</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
10	Behrou	Bestiality	18-2-1905	Guilty	6 years HL + 25 lashes
11	Bikhari	Bestiality	18-2-1905	Guilty	2 years HL + 15 lashes
12	Abdul Mondai	Contravening Provisions of Section 81 of Insolvency Law, 1887	18-2-1905	Not Guilty	Discharged
13	Rasingh	Bestiality	18-2-1905	Not Guilty	Discharged
14	Runugen	Rape	18-2-1905	Not Guilty	Discharged
18	Moonsamy	Murder	18-4-1905	Not Guilty	Discharged
19	Moonsamy	Rape	18-4-1905	Not Guilty	Discharged
25	Soorajabally	Murder	19-6-1905	Not Guilty	Discharged

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28	Yobu, Wogarappa, Narsammah	Rape	21-6-1905	Guilty	7 years HL
30	Munien	Perjury	22-6-1905	Not Guilty	Discharged
31	Ramrah	Perjury	18-4-1905	Not Guilty	2 years HL
33	Jhungbahadur Singh	Murder	19-6-1905	Guilty	Hanged
34	Bnjmohan, Duba, Nagishar, Sharju	Murder	18-9-1905	Guilty	Hanged
36	Ramdu	Rape	2-10-1905	Guilty	4 months HL
43	Madho	Assault with intent to commit murder & rape	18-9-1905	Guilty	4 years + 15 lashes
48	Sanoo Pillay	Murder	5-10-1905	Guilty- Culpable Homicide	6 months HL
54	Velu-1, Gangen-2, Gopa Changraine-3, Ebrahim-4, Kulah-5, Lutchmadu-6	Theft or receiving stolen goods knowingly	18-11-1905	1,2,3,4,5: Guilty 6: Not Guilty	1,2,3: 3 years HL 4,5: 2 years HL 6: Discharged
<b>Total cases</b>		<b>55</b>			
<b>% Indian</b>		<b>30.90909</b>			
<b>1906</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
3	Venkanal	Rape	4-1-1906	Guilty	10 years HL
7	Yegulam Khunmugam, Madurai	Assault with intent to do some grievous bodily harm	15-5-1906	Guilty	3 years HL
15	Bheed	Assault with intent to do some grievous bodily harm	4-5-1906	Guilty	15 months HL + 15 lashes
20	Billigados	Rape	4-7-1906	Not Guilty	Discharged
22	Dargiyagi, Chinoot	Murder	4-7-1906	Not Guilty	Discharged
35	Rajpaul Kalicharum Bhugwani, Rhidayi	Theft	5-11-1906	Guilty	3 years HL
<b>Total cases</b>		<b>38</b>			
<b>% Indian</b>		<b>15.78947</b>			
<b>1907</b>					

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Case No.	Defendant	Crime or Offence Charged	Date of Hearing	Judgement	Sentence
10	Khejusing, Doolara	Murder	6-5-1907	Not Guilty	Discharged
12	Dilsir Khan	Administering poison with intent to murder	6-5-1907	Not Guilty	10 years HL
19	Vellapa Gounden	Inciting to commit murder	4-7-1907	Not Guilty	Discharged
21	Diasunkr-1, Muthara-2	Murder	4-7-1907	Guilty	1: Hanged; 2: 5 years HL
23	Sheik Ramthumiah, Vellappa	Murder	22-7-1907	1: Guilty; 2: Not Guilty	1: Hanged; 2: Discharged
24	Mutumah	Administering poison with intent to murder	22-7-1907	Not Guilty	Discharged
26	Alibi, Raman	Assault with intent to commit murder	4-9-1907	Guilty	10 years HL
28	Masilamey Mudali	Indecent Assault	10-9-1907	Guilty	10 years HL
32	Hurdath	Murder	4-11-1907	Not Guilty	Discharged
33	Hurdath	Arson	4-11-1907	Not Guilty	Discharged
<b>Total cases</b>	<b>34</b>				
<b>% Indian</b>	<b>29.41176</b>				
<b>1908</b>					
Case No.	Defendant	Crime or Offence Charged	Date of Hearing	Judgement	Sentence
1	Murugen	Murder	6-1-1908	Guilty	Hanged
3	Ramanah	Administering poison to murder or intent to do some grievous bodily harm	8-1-1908	Guilty	3 years HL
5	Vadi Vebo Mudaly	Assault with intent to murder	4-3-1908	Guilty	8 years HL
11	Moonsamy-1, Jowahir-2, Hulas-3, Sundar-4, Rago-5, Kalloo-6, Naragan-7, Govindarajuloo-8	House Breaking with intent to steal & Assault with intent to do some grievous bodily harm & Robbery	4-6-1908	Guilty	1,7: 4 years HL 2,3,4,5,6,8: 3 years HL
13	Kallu	Bestiality	4-6-1908	Guilty	3 years HL
15	Gulab, Kandaje	Murder	4-6-1908	Not Guilty	Discharged
<b>Total cases</b>	<b>24</b>				
<b>% Indian</b>	<b>25</b>				
<b>1909</b>					

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Case No.	Defendant	Crime or Offence Charged	Date of Hearing	Judgement	Sentence
	Moonsamy-1, Rungusamy-2	House Breaking with intent to steal	4-2-1909	1: Guilty; 2: Not Guilty	1: 3 years HL; 2: Discharged
5	Maidoo, Kudrath, Hyden Khan	Murder	4-2-1909	Not Guilty	Discharged
6	Boodoo	Murder	4-2-1909	Guilty	Hanged
8	Parkuda Hussain	House breaking with intent to steal, receiving stolen goods	4-2-1909	Guilty	3 years HL
9	Bagwalla	Perjury	4-6-1909	Guilty	2 years HL
13	S. Mohideen	House breaking with intent to steal, receiving stolen goods	4-6-1909	Guilty	3 years HL
14	Anamally	Murder	4-6-1909	Guilty- Culpable Homicide	2 years HL
16	Narsigadu-1 Ranamah al Yejrjalapoli-2	Murder	8-6-1909	Guilty	1: Hanged 2: Imprisonment + HL
17	Budiyah	Rape	7-6--1909	Guilty	18 months HL
20	Chinnasamy, Rangasamy, Govindasamy, Pereasamy, Muregan	Murder	14-6-1909	Guilty	Hanged
23	Dhurugan	House breaking with intent to steal & theft	22-6-1909	Guilty	2 years HL
32	Lazarus Snr-1, Lazarus Jnr-2, Anthony Lazany-3	House breaking with intent to steal & theft, receiving stolen goods	[13,23]-11-1909	2,3: Guilty; 1: Not Guilty	2: 18 months, 3: 12 months 1: Discharged
33	Gupapillay	Rape	13-11-1909	Guilty	3 years HL
35	Yengadasammy	Theft receiving stolen goods	[15,23]-11-1909	Guilty	18 months HL + 13 lashes
36	Ramsamy	Administering poison with intent to murder or to do some grievous bodily harm	[13,24]-11-1909	Guilty	3 years HL
<b>Total cases</b>		<b>36</b>			
<b>% Indian</b>		<b>44.44444</b>			
<b>1910</b>					
Case No.	Defendant	Crime or Offence Charged	Date of Hearing	Judgement	Sentence
1	Soobrayan1, Pachappen -2, Kullan-3, Thappa Gounden-4, Muthu Appen-5, Runngan-6,	Assault with intent to do some grievous bodily harm	4-2-1910	1,3,4,6,7: Guilty 2,5,8: Not Guilty	1,6: 2 years HL + 10 lashes 3: 18 months HL + 10 lashes 4,7: 6 months HL

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	Iyacanoo-7, Appadurai-8				2,5,8: Discharged
2	Rajpal-1, Bhika-2	Theft	4-2-1910	1: Guilty; 2: Not Guilty	1: 5 years HL; 2: Discharged
3	Moonsamy	House breaking with intent to steal & theft	4-2-1910	Guilty	3 years HL
7	Muthaacen	House breaking with intent to steal & theft	4-2-1910	Guilty	3 years HL
15	Chellay Appgadu	Murder	4-4-1910	Guilty	Hanged
<b>Total cases</b>	<b>16</b>				
<b>% Indian</b>	<b>37.5</b>				

#### AFTER UNION

<b>1910</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
2	Ramsamy al. Royappen Naidu	Assault with intent to commit rape	4-10-1910	Guilty	5 years HL + 15 lashes
3	Mahabeer-1 Gurusingh al. Gungasahai-2	Murder	[4-5]-10-1910	Guilty	1: Hanged; 2: 5 years HL
4	D Ramsamy	Indecent Assault	5-10-1910	Guilty	7 years HL + 15 lashes
5	Rangiah	Assault with intent to commit murder	6-10-1910	Guilty	5 years HL + 10 lashes
6	Chella Appigadu	Murder	6-10-1910	Guilty	Hanged
8	Gunga	Culpable Homicide	15-11-1910	Guilty	4 months HL
<b>Total cases</b>	<b>8</b>				
<b>% Indian</b>	<b>75</b>				
<b>1911</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
2	Laloo, Jasodea	Arson	6-2-1911	Not Guilty	Discharged
3	Ramadoo	Assault with intent to commit murder	[6,8]-2-1911	Guilty	12 years HL
4	Sukilall	Assault with intent to commit murder, Robbery	4-4-1911	Guilty	3 years + 6 months HL
6	I. Soobran	Robbery, Falsity, Forgery	7-6-1911	Guilty	18 months HL
9	Iyannan	Arson	[4,9]-10-1911	Guilty	18 months HL

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10	B. Sarthiyu	House breaking with intent to steal & theft	[4,10]-10-1911	Guilty	13 months HL
<b>Total cases</b>	<b>12</b>				
<b>% Indian</b>	<b>50</b>				
<b>1912</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
3	Annamanthu, Dasa	Falsity	6-2-1912	Guilty	2 years HL
5	Vasa Ramada-1 Kavery-2	House breaking with intent to steal & theft	7-2-1912	1: Guilty 2: Not Guilty	1: 1 year HL 2: Discharged
6	Kupusamy	Assault with intent to commit murder	7-2-1912	Guilty	1 year HL
7	Moja	Robbery/Assault	4-4-1912	Guilty of Assault	Imprisoned
8	David Sam	Assault with intent to do some grievous bodily harm	4-4-1912	Guilty	4 months HL
9	Appalsamy	Administering poison with intent to murder to do some grievous bodily harm	4-6-1912	Not Guilty	Discharged
<b>Total cases</b>	<b>11</b>				
<b>% Indian</b>	<b>54.54545</b>				
<b>1913</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
2	Gengen	Assault with intent to commit murder	4-2-1913	Guilty	4 years HL
3	Bughavamdemsingh al. Bugwanclinsing	House breaking with intent to steal & theft	14-4-1913	Not Guilty	Discharged
5	Ismail Moosa Dadal Kisten al Kistasamy	Murder	[14-23]-4-1913	Guilty	Hanged
9	Masillamony	Malicious injury to property	4-6-1913	Not Guilty	Discharged
10	Moonsamy al. Munisamy	Rape	[4,9]-6-1913	Not Guilty	Discharged
14	Abbu Naidoo	Murder	[17-24]-11-1913	Guilty	Hanged
15	Chinku	Murder	17-11-1913	Guilty	Hanged
17	Job Ebenezer	Contravening Sections 103 of Post Office & Shipping Act 10, 1911	17-11-1913	Guilty	15 months HL

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<b>Total cases</b>	<b>18</b>				
<b>% Indian</b>	<b>44.44444</b>				
<b>1914</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
1	Ramsamy	Assault with intent to do some grievous bodily harm	4-2-1914	Not Guilty	Discharged
2	Mahomed Bayal Abdool Kader	House breaking with intent to steal & theft	4-2-1914	Guilty	Imprisonment + Reformatory
6	Subbiah al Heeranah	Rape	4-8-1914	Guilty	12 years HL + 12 Lashes
7	Appodu	Rape	4-8-1914	Guilty	10 years HL + 10 Lashes
9	Moonsamy	Theft	5-8-1914	Guilty	2 years HL
11	Moonsamy al Francis Papa Naioo al Pappiah	House breaking with intent to steal & theft	6-8-1914	Guilty	2 years HL
12	Cassim Omar Begum	Theft	6-8-1914	Not Guilty	Discharged
13	Alrajoo, Kandasamy, Lutchman	Assault with intent to commit murder	[6-18]-11-1914	Guilty	3 years HL
15	Chellapen Murugayen	Assault with intent to do some grievous bodily harm	[6-9]-10-1914	Guilty	4 months HL
18	Ramnath	Rape	16-11-1914	Guilty	3 months HL
<b>Total cases</b>	<b>23</b>				
<b>% Indian</b>	<b>43.47826</b>				
<b>1915</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
1	Sundaram	Murder	4-2-1915	Guilty	30 months HL
2	Cooposamy	Entering premises with intent to steal	4-2-1915	Guilty	Imprisonment + HL
3	Nuchal	Culpable Homicide	4-2-1915	Guilty	Fined £1 + 7 days HL
8	Periakattayan, Chinmakattayan.	Robbery	[7-9]-4-1915	Guilty	1 year + 10 lashes
10	Dookie	Robbery	[7-9]-4-1915	Guilty	2 years HL
13	Rampershad Jugenant Jakoordeen	House breaking with intent to steal & theft	[10-11]-6-1915	Guilty	3 years HL

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14	Ramsamy	Bestiality	6-10-1915	Guilty	12 months HL
19	Cassim Bhagat	Rape	[21,24,27]-9-1915	Guilty	6 years HL
20	Sharimuthu, Manee	Rape	[21,23]-9-1915	Guilty	6 months HL
21	Roopen al. George	Assault with intent to commit murder	[21,27]-9-1915	Insane at time of trial	
22	Jugessor	Arson	[21,23,24]-9-1915	Not Guilty	Discharged
26	Sithel Singh	Perjury	[8,11]-10-1915	Guilty	6 years HL
28	Narlama	House breaking with intent to steal & theft	11-10-1915	Guilty	4 years HL
30	Banwharie al. Bhanwharie Sr.	Murder	[8-10]-12-1915	Guilty	Hanged
31	Banwharie al. Bhanwharie Sr.	Assault with intent to commit murder	10-12-1915	Case entered <i>Nolle Prosequi</i>	
<b>Total cases</b>	<b>32</b>				
<b>% Indian</b>	<b>46.875</b>				
<b>1916</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
1	Jumah Buccas	Assault with intent to commit	21-3-1916	Guilty	10 years HL
2	Sabrayan (56)	Theft	21-3-1916	Guilty	Declared Habitual Criminal
6	Kalasan (26)	Rape	[21,23]-3-1916	Not Guilty	Discharged
7	Hera Lal al H. S. Maharaj (19)	Theft	21,23]-3-1916	Guilty	12 months HL
8	Hera Lal al H. S. Maharaj (19)	Fraud	21,23]-3-1916	Guilty	12 months HL
9	Peter Murugan (28)	Robbery	[26,27]-6-1916	Guilty	30 months HL
10	Veerasley al. Givinden (30)	House breaking with intent to steal	26-6-1916	Guilty	2 years HL
14	Givindoo al Govinden (50)	Contravening Section 4 of Act 21, 1899	6-7-1916	Guilty	Fine + 6 months HL
16	Passupureddy-1, Verasamy Reddy-2	Murder	[19,20,27]-9-1916	1: Guilty; 2: Not Guilty	1: Hanged; 2: Discharged
17	Ramroo-1, Moonsamy Moodley-2, Salli-3	Assault with intent to do some grievous bodily harm	[19-21]-9-1916	1,2: Guilty 3: Not Guilty	1,2: 10 months HL 3: Discharged
18	Jack Ramchran	Contravening Sections 1-3 of Act 3, 1916	19-9-1916	Guilty	2 months HL
22	Madari Xenkiah	Theft	[20,28,29]-9-1916	Guilty	2 years HL
23	Rai Perumal Nail (38)	Rape (Indian Girl)	6-12-1916	Guilty	16 years HL
24	Udeyi (33)	Assault with intent to commit murder		Guilty	15 years HL + 15 lashes
25	Moosa (17)	Murder	[6,18,19]-12-1916	Not Guilty	Discharged



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28	Arthur Frank (21)	Administering Poison with intent to murder		Admitted to Bail	
<b>Total cases</b>	<b>28</b>				
<b>% Indian</b>	<b>57.14286</b>				
<b>1917</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
1	Thangaraloo (26)	Murder (Indian women)	[8,21,22]-3-1917	Guilty	6 months HL
2	Moonsamy al. Raja (20)	Rape (Native girl)	8-3-1917	Guilty	6 years HL + 15 Lashes
3	Desan (26)	House breaking with intent to steal & theft	[8-9]-3-1917	Guilty	4 years HL
4	Salick (35)	Theft - Bicycle	[8-9]-3-1917	Guilty	2 years HL
8	Rajasahib (26)	Murder	2-7 1917	Guilty	Hanged
9	Munien (38)	Murder	[2,27-29]-6-1916	Not Guilty	Discharged
10	Narainan al. Veeran (30)	Rape (Indian Girl)	21-6-1916	Guilty	4 years HL
12	Rajah Gopaul 26)	Theft	[21-22]-6-1916	Guilty	5 years HL
19	Fanab Palaiandy Murugan (25)	Murder (Brother)	[12-14]-9-1916	Guilty	Hanged
20	Rargasamy Boom (25)	Theft	[12-14]-9-1916	Guilty	18 months HL
24	Ransany (45)	Assault with intent to commit murder to do some grievous bodily harm	5-12-1916	Guilty	2 years HL
25	Mohamed Cassim	Forgery & Utterance	[5-12]-12-1916	Not Guilty	Discharged
<b>Total cases</b>	<b>27</b>				
<b>% Indian</b>	<b>44.44444</b>				
<b>1918</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
2	Mahomed Hoosen	Rape (Indian Girl)	7-3-1918	Guilty	6 years HL
3	Poonwa	Forgery & Utterance & Theft	7-3-1918	Guilty	2 years HL
11	Venakaya (32)	Rape (European)	[12-14]-6-1918	Guilty	2 months HL
12	Koopoosamy Naidoo (45) Govirda Reddy (36)	Assault with intent to commit murder	[12-13]-6-1918	Guilty	7 years HL
13	Deonandin 23	House breaking with intent to steal & theft	12-6-1918	Charge withdrawn	

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14	Ramsamy al Moonsamy (42)	Theft	12-6-1918	Guilty	3 years HL
21	Poonigudu (37)	Theft	17-9-1918	Guilty	9 months HL
<b>Total cases</b>	<b>21</b>				
<b>% Indian</b>	<b>33.33333</b>				
<b>1919</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
3	Moonsamy Moodley	House breaking with intent to steal	18-3-1919	Guilty	Declared Habitual Criminal
4	Ganessingh, Badumsingh	Theft	18-3-1919	Guilty	Fined + 6 months HL
8	Thulsi al Peter (30)	Contravening Sections 1-2 of Act 3, 1916	16-6-1919	Not Guilty	Discharged
9	Rookmony (30) Moothoo Moodley (42)	Murder	[16-18]-6-1919	Not Guilty	Discharged
11	Iran, al Payane	Murder	[23-25]-9-1919	Guilty	5 years HL + 15 strokes
18	Nagaroo (18)	Bestiality	9-12-1919	Guilty	6 months HL
19	Noor Mahomed Mustata (Afganistan 44)	Theft	[9-12]-12-1919	Guilty	Habitual Criminal
22	Mundaraj Singh (42)	Perjury	[12-15]-12-1919	Guilty	6 months HL
23	Ameer Khan (30)	Perjury	[17-19]-12-1919	Guilty	7 months HL
<b>Total cases</b>	<b>23</b>				
<b>% Indian</b>	<b>39.13043</b>				
<b>1920</b>					
<b>Case No.</b>	<b>Defendant</b>	<b>Crime or Offence Charged</b>	<b>Date of Hearing</b>	<b>Judgement</b>	<b>Sentence</b>
2	Mahabeer al. Kalicharan (22)	Cattle Stealing	17-3-1920	Guilty	3 years HL
3	Venkel Subbiah (32)	Murder	[17-22]-3-1920	Guilty	Hanged
4	Venkel Subbiah (33)	Assault with intent to commit murder	[17-22]-3-1920	Guilty	5 years HL
6	James Solomon (40)	Theft & Forgery & Utterance	17-3-1920	Guilty	2 years HL
7	Kristnaroo Naidoo (36)	House breaking with intent to steal & theft	[17-19]-3-1920	Guilty	
9	Chunce (32)	Attempted Sodomy	[17-23]-3-1920	Case withdrawn	
10	Ismail Ebrahim Seedat-1, Amod Seedat-2	Fraud	[17-26]-3-1920	Guilty	1: 18 months HL 2: 9 months HL

... and my blood became hot!

11	James Ramdat (22)	House breaking with intent to steal & theft	[16-17]-6-1920	Guilty	10 months HL
12	Chakoo (36)	Rape	[16-18]-6-1920	Not Guilty	Discharged
13	Mahomed Amod Vanker (30)	Attempted Murder	[1-6]-10-1920	Guilty	8 years HL
14	Ebrahim Khan (20)	Attempted Murder	[5-6]-10-1920	Guilty	8 years HL
18	Kesava Nair (37)	Murder (Coloured)	[22-23]-9-1920	Guilty	Hanged
19	Karruppana Gounden (19)	Murder	15-9-1920	Not Guilty	Discharged
20	Ushraff Khan (20)	Infanticide	[15,28,29]-9-1920	Not Guilty	Discharged
21	Ushraff Khan (20)	Culpable Homicide	[15,28,29]-9-1920	Not Guilty	Discharged
22	Moonsany (38)	Rape	15-9-1920	Guilty	3 years HL
25	Panigudu (50)	Theft	[1,2]-12-1920	Guilty	20 months HL
<b>Total cases</b>	<b>32</b>				
<b>% Indian</b>	<b>53.125</b>				

## *B i b l i o g r a p h y*

### **Official Unpublished Primary Sources:**

#### ***Killie Campbell Africana Museum***

#### **Photographic Albums**

Album A48, Durban Old Up to 1900. Book 2, a48-004: Dwelling House on the Berea, Natal RSD Cardin? Pinelands Hill?

Album A48, Durban Old Up to 1900. Book 2, a48-005, Summer Residence on Berea, D'urban, Natal.

Album C59, Old Natal, c59-050, Natal celebrities in a small way, 1. G Russell, 2. Dr Addison, 3. R. Bowlby, 4. GH Galt, In Solemn conclave attended by their Zulu and Indian servants.

Album C59, Old Natal, c59-063, Ol Bowlby "Doing the Quiet."

#### **King's Rest Women's Institute, *Bluff Annals* [manuscript]**

Reminiscences of Mr Cyril Armstrong, 1969.

Reminiscences of 'The Clarksons of Wentworth', 1969.

#### ***National Archives Repository***

MHG, 7188/66, Hadden, Stella Mary. Born Mack, 1966, Surviving Spouse Harry Hadden.

#### ***Pietermaritzburg Archives Repository***

#### **Accession Papers**

A 1579, Reminiscences and notes on the Hartley, Dawney and Silburn family.

**Attorney General's Office (1845 - 1928) – AGO**

- I/2/1-1/2/5, Registers of and Indexes to Criminal Cases tried before the Supreme, Circuit and District Courts, 1851-1917.
- I/1/14/21/1863, Supreme Court Criminal Case. Regina Versus Annasawmy. Charged With Mixing Poison with Food, in order that the same Food should be eaten or partaken of by one Adelaide Louisa Pinson, with intent to murder, 1863.
- I/1/292/120/1905, Supreme Court Criminal Case. Regina Versus Madho. Charged With Assault with Intent to Commit Murder, 1905.
- I/1/306/108/1906, Durban and Coast District Circuit Court. Rex Versus Latchigadu and Murugen, Charged with administering poison with intent to commit murder, 1906.
- I/1/315/42/1907, Supreme Court Criminal Cases. Rex Versus Dilsir Khan. Charged with administering poison with intent to commit murder, 1907.
- I/1/318/55/1907, Durban and Coast District Circuit Court. Rex Versus Ramsamy. Charged with administering poison with intent to commit murder, 1907.
- I/1/322, Supreme Court Criminal Case. Regina Versus Vellappa Gounden. Charged With Inciting to Commit Murder, 1907.
- I/1/322/276/1907, With reference to translation of an Indian letter, attached, 1907.
- I/1/322/373/1907, An Indentured Indian Ramthumiah charged with murder, 1907.
- I/1/322/389/1907, An Indian Vellappa Gounden charged with inciting to murder, 1907.
- I/1/322/66/1907, Supreme Court Criminal Cases. Rex Versus Mutumah. Charged With Administering Poison With Intent To Murder, 1907.
- I/1/330/1/1908, Supreme Court Criminal Cases. Rex Versus Ramanah. Charged with attempting to administer poison with intent to murder, 1907.
- I/1/91/40/1884, Supreme Court Criminal Case. Regina Versus Muttai. Charged With Assault, 1884.
- I/8/121/76A/1908, Bernard Greene, Nottingham Road: charge against Indian servants of inciting Indian cook to poison his family, 1908.
- I/8/133/168A/1910, Attorney-General to Protector, Indian Immigrants discussing the murder of Tryon by a gang of Coolies and Kafirs, 1910
- I/8/78/91A/1901, Inspector Mardall, Natal Police, Estcourt: the case of the Indian Umrav charged with theft and murder, 1901.

I/8/85/357A/1902, Registrar, Durban Circuit Court: Sentence of death passed on Indian Nagassar for a triple murder, 1902.

I/9/23/227A/1903, Registrar, Circuit Court reports that the Indian Kannigadoo was found guilty of murder on two counts and sentenced to be hanged, 1903.

II/1/9/CPM149P/1907, Magistrate Lions River Division Howick depositions in case Rex Laltha Singh Indian No. 101590 charged with assault with intent to murder, 1907.

II/I/3/CPM380/1903, Magistrate City: Rex on complaint of Duba versus R, E, and F Holliday charge:- Assault With Intent To Do Serious Bodily Harm, 1903.

### **Colonial Secretary's Office (1842 - 1919) – CSO**

1020/1885/2296, Colonial Secretary. Execution of Wasli and Indian sentenced to death for murder, 1885.

1073/1886/1316, His Excellency. The presiding Judge at the trial of Veramen, an Indian, convicted of murder at Verulam, to be called upon to furnish his report of the case without delay and to state his reasons for not having done so earlier, 1886.

134/1903/5754, Colonial Secretary, Pretoria. Asks that an Indian named “Berkhet”, the servant of Mr. CT Glyde, of Ermelo, may be allowed to land at Durban, and proceed to his destination, 1903.

1389/1894/903, Resident Magistrate, Polela. Two Indians in gaol on the charge of murder. Has no Indian Interpreter. Asks that one may be sent, 1894.

1492/1896/1679, WE Pitcher - Forwards petition having reference to an Indian Virasamy, sentenced eleven years ago, to imprisonment for life, on a charge of murder, 1896.

1518/1897/4049, Parliamentary. Introduction of Indian Domestic Servants, 1897.

1700/1902/2339, DP Reid, Natal Government Telegraph, Pietermaritzburg. Applies for permit to bring into Natal an Indian servant, previously employed by him in Perak, 1902.

1711/1902/6770, Sir Henry Bale, KCMG etc, Pietermaritzburg. Applies for assistance in obtaining a pass for an old Indian servant Kurrapin to return from India to Natal, 1902.

1733/1903/5088, Colonial Secretary, Pretoria. Issue of a permit to an Indian, named "De Souza" who is to arrive in Durban, and is to proceed to the Transvaal as servant to Mr. S Stockman, 1903.

1805/1906/790, EH Langston, Verulam. Applies on behalf of Indian Sukaree, sentenced to death for murder, for commutation of sentence, 1906.

1824/1906/8830, Registrar, Circuit Court, Durban. Narainsamy alias Annamly, Indian, charged with murder and sentenced to be detained in gaol as a criminal lunatic, 1906.

1861/1908/5093, LH Fripp, Pietersburg. Enquires re entry of an Indian servant into Natal, 1908.

1901/1911/1223, Dr. CD Boyes Calcutta: Visit to Natal: Wishes to bring his Indian servant with him, 1911.

2602/C49/1909, Alleged ill-treatment of Indian Immigrant in Natal: Cuttings from the newspaper the "Indian Patriot." *The Indian Patriot*, Friday Evening April 16 1909, Indians In Natal, Horrors Of Life, Sensational Details, The Revelations, 1909.

539/1876/42, Attorney General: reports that during the year 1875 there were no convictions of or indictments for murder among the Indian population of this colony, 1876.

612/1877/3616, Elizabeth Macdonald Applies for the appointment of Matron Grey's Hospital, 1877.

718/1902/9500, Mrs. Macdonald, Matron, Grey's Hospital, Pietermaritzburg. Applications of EM Edgar, HR Morkel and M McGill for admission to examination for trained nurses to be held in January, 1903.

918/1883/2982, Attorney General. Requests that the Indian Interpreter attached to the Resident Magistrate's Court, Inanda may be summoned to Pietermaritzburg to interpret in the murder case now under investigation, 1883.

### **Immigration Restriction Department (1897 - 1912) – IRD**

3/509/1899, AC Knight: Asks if he can bring an Indian servant to Natal, 1899.

15/108/1903, RM Stone, Pietermaritzburg: Asks for permission to import an Indian servant from Bombay, 1903.

### **Indian Immigration Department (1858 - 1924) – II**

1/107/I672/1902, Letter and Telegram from WB Turner Re Desertion of Indians, 1902.

- 1/114/I2719/1902, Secretary, Indian Immigration Trust Board, Durban: Mr. Malachi Jackson of One House, Noodsberg Reports Indian Immigrant Munian No 90442 as unfit for work, 1902.
- 1/114/I2725/1902, Mohan 70289 Indentured to W Tonkin of Umbilo Road Durban states that he receives his rations very irregularly and when complaining to his mistress about it, was assaulted by the master, 1902.
- 1/114/I2861/1902, Mangammal No 79256 States: I am made to work in the house in the morning and in the evening and i am not paid any wages nor rations etc, 1902.
- 1/116/I276/1903, Protector of Indian Immigrants, Durban: Deposition of Kanniah No 90775 Indentured Indian Immigrant No 90775. Complaining of assault by his master GL Graham, Berea, Durban - Also of being made to empty night soil buckets and chambers, 1903.
- 1/121/I2154/1903, Shaik Moideen No 100776 Indentured to D Guthrie of Umgeni: Complains of assault by his master, 1903.
- 1/121/I2166/1903, Shaik Moideen No 100776 Indentured to David Guthrie of Umgeni: Complains of being overworked; wishes to be given work in the brick works instead of kitchen work, 1903.
- 1/121/I2189/1903, W Park Gray, Gourton Po. Wants to be relieved of certain Indian who had been imprisoned for ten years for murder, 1903.
- 1/122/I2322/1903, Protector of Indian Immigrants, Durban: Encloses deposition by Jhallar No 98372 Indentured to ET Murray of Hilton Road, Complaining of ill-treatment by his mistress, 1903.
- 1/124/I47/1904, Protector of Indian Immigrants, Durban: Depositions of Madho 76682 Indentured to Mr. WB Turner, Camperdown; and Janki 84559, 1904.
- 1/124/I61/1904, WB Turner, Kingthorpe: Reports that both Madho No. 76682 and Janki No. 84559 (woman) absconded, 1904.
- 1/127, I985/1904, Subbadu No. 86066 Indentured to Dundee Coal Company, Working for Mr. Gilbert of Durban. States that he don't wish to work in the house because of being illtreated by his master. wishes to go back to the coalmine, 1904.
- 1/130/I2253/1904, Bholu No. 101968 Indentured to CB Lowe of Mid Illovo, complains of assault by his master, 1904.
- 1/130/I2437a/1904, Sithiah No. 95764 Indentured to FA Smart of Bellair Complains of being slapped by his master, 1904.
- 1/136/I1199/1905, Punasamy Odayan No. 86427 indentured to H Porrit complains of assault by his master, 1905.



- 1/138/I2011/1905, Kanniah No. 90775 Indentured to GL Graham of Durban, states that he will be without work, a house and wages for 2 months when his employer leaves for Johannesburg. Asks to be transferred, 1905.
- 1/144/I1877/1906, Deposition of Narainsing No. 112175 Indentured to W Colepepper of Durban. Complains of having been assaulted by his master, 1906.
- 1/144/I1980/1906, WB Turner, Kingthorpe, Umlaas Road. Forwards cheque to the value of \$4-10-0 being instalment on Duya, Medical Fees for 3 months and saucepans sold belonging to Madho No. 76682, 1906.
- 1/145/I3080/1906, Narayan Sing No. 97983 Indentured To HD L'etang of Umgeni, Complains of having been assaulted by his master, 1906.
- 1/145/I3084/1906, V Ramsamy, No. 114952, Indentured to H Marples of Ridge Road, Durban. Complains of having been assaulted by his master, 1906.
- 1/145/I3150/1906, Deposition of Iyaloo No. 116522 Indentured to S Crookes and son of Renishaw Estate, Park Rynie. Complains of assault by his master, 1906.
- 1/145/I3194/1906, Papers Concerning Kareem Free Indian, and his wife Manti; their failing to register both birth and death of their baby; and correspondence disproving alleged murder of the baby, 1906.
- 1/145/I3272/1906, Deposition by Ettiyappen Naik No. 81314 Indentured to M Madsen, working for Mr. PM Ratray of Sydenham: Complains of being accused by his master of stealing fowls and milk, 1906.
- 1/145/I3280/1906, Deposition of Vythilinyam No. 105770 Indentured to W Johnson, Mayville. Complains of having been assaulted by his master, 1906.
- 1/146/I3437/1906, Deposition of Peddiah No. 97111 Indentured to L Renaud, of Durban complains of assault by his master, 1906.
- 1/147/I3997/1906, Magistrate, Underberg: Deposition of an Indentured Indian who complains his master will not receive him back into his service, 1906.
- 1/152/I1530/1907, Angamoothoo, a cook Employed at Michael House Balgowan, complains about the work he's doing, 1907.
- 1/153/I1795/1907, TJ Watts, Balgowan Writes about Indian Harigayan's complaint, 1907.
- 1/154/I2116/1907, Indian Hargayan No. 105023's Complaint of Assault - Indentured to TJ Watts of Balgowan, 1907.
- 1/154/I2151/1907, Chief Commissioner of Police, Pietermaritzburg:- Transfer of Detective Wynne Cole From Criminal Investigation Department to Indian Immigration Department, 1907.

- 1/154/I2201/1907, Noor Allam Col. No. 111485 Complains about his wages from Station Master, Inchanga, 1907.
- 1/155/I2628/1907, Rayeu Mudaly, No. 115413 To Protector Of Indian Immigrants:- Complains that his master has not paid his wages for two months, 1907.
- 1/155/I2699/1907, Munsamy Naidoo to Protector Of Indian Immigrants: Complains that his master is mistreating and trying to kill him, 1907.
- 1/161/ I1806/1908, To Protector Of Indian Immigrants concerning Saukara Variar, Number 99979 who complains that his master refuses to give him a pass, 1908.
- 1/162/I2003/1908, Minute Paper from Protector Of Indian Immigrants Concerning Marimathoo (Indian) who complains of being ill-treated by his master and mistress, Mr. and Mrs. Wright of Greytown, 1908.
- 1/164, I191/1909, To Protector Of Indian Immigrants from Dhauaraj Number 126813, who complains that his master, Mr. William of Beach Hotel, Alexandra Junction, ill treats him, 1909.
- 1/166/I277/1903, Tula No 76756 Indentured to WB Turner of Howick states that his Master set fire to his blankets, 1903.
- 1/176/I2039/1910, Protector, Indian Immigrants, Durban: Complaint of Jey Singh No. 142361, Indentured to Mr. WB Turner, Umlaas Road, 1910.
- 1/176/I2131/1910, WE Turnbull, South African Railways, General Manager's Office, Johannesburg. Applies for permission to transfer his indentured Indian Servant Teerthigiri No. 118938 from Pietermaritzburg to Johannesburg, 1911.
- 1/181/I1557/1911, Inspector, Indian Immigrants, Durban: Subramania Naiker No. 108395 Reindentured to Leon Ducasse of Hillary's complains that he has not received any wages for five months, and that he was assaulted by his master, 1911.
- 1/181/I2980/1911, G Huppelswamy, Warner Siding: Complains of ill-treatment by his master, 1911.
- 1/182/I409/1912, Magistrate, Camperdown: Indentured Indian, Thara Sing, in the employ of WC Hardman, Umlaas Road, Refuses to work in the kitchen and asks for field labour, 1912.
- 1/182/I473/1912, JR Pennefather, Eshowe: applies on behalf of Perumal Moodali for a duplicate free pass. Applies for an Indian man and woman for house work, 1912.
- 1/184/I1369/1912, Ganeshi No. 128310 Indentured to TB Robinson of Cato Manor: Complains of assault by his master, 1912.
- 1/185/I1532/1912, Kandasamy, Mooi River: Complains of bad treatment by his master Mr. Thompson, 1912.

1/188/I3363/1912, Protector, Indian Immigrants, Durban: Indian Murugan No. 117090  
Complains of assault by Station Master and Clerk, Amamzimtoti Station, last  
Saturday. Indentured to ED Higgins of Amamzimtoti, 1912.

1/54/I358/1890, Tenders Drugs etc for the year ending 14 April 1891, 1890.

1/79/I1150/1895, Karu 52408 Indentured to H Stedman of Curry's Post states that his  
wife refuses to work in their employer's house and lock up her child in her house.  
She has consequently been goaled twice, 1895.

1/79/I1221/1895, Deposition of Oomrai 45274 Indentured to Mr. A Michel  
Complaining of assault by her mistress, a Madras woman, and non-payment of  
wages for 18 months, 1895.

1/84/I1566/1896, The Protector of Immigrants: Requests form reporting the death of  
Indian Bangari who was executed for murder, 1896.

1/94/I1419/1899, Poorun No 68599 Complains of assault by kafir fellow servant  
Bassub and his master Doctor William Henry Addison Of Durban, 1899.

1/94/I944/1899, Papers regarding certain Indian Indentured to W Wilson Thornton  
Lidgetton who is unfit for work on account of partial blindness, 1899.

10/1/9/I2080/1907, Deceased Estate. Sheik Ramtumiah. No. 115627, 1907.

**Magistrate and Commissioner, Empangeni (Lower Umfolozi) (1887 - 1978) -  
1/EPI**

3/2/14/LU250/1910, Thomas F Spencer, Regarding Indian "John", condemned for  
murder of Mr. Benningfield's Sirdar, 1910.

**Master of the Supreme Court. Estates (1840 - 1971) (On NAAIRS until 1971) -  
MSCE**

2383/1918, Holliday, Rupert. (Spouse Olive) Not deceased received into Mental  
Hospital, Pietermaritzburg as a patient, 1918-1924.

2672/1958, Lindup, Lizzie. Born Holliday. Born in Pietermaritzburg, Natal. PR/SP  
Lindup, Walter. Estate No. 1153/1947. Deceased Estate, 1958-1959.

41/199, Holliday, Verbena, 1911.

5906/192, Grantham, Walter Lewis. (S SP Grantham, Florence Sophia), 1921.

9590/1924, Holliday, Frank. (Not Date of Death Date Admitted to Mental Institution), 1924.

### **Natal Treasury (1846 - 1912) - NT**

99/T608/1905, Chairman, Grey's Hospital, Pietermaritzburg, 9th February 1905.  
Reports that Mrs. Macdonald, Matron, has resigned her office on the grounds of ill health, 1905.

### **Public Works Department (1874 - 1913) – PWD**

2/79/PWD2379/1900, Colonial Secretary. States that the Governor has confirmed the sentence of death passed upon the Indian, Errigam Narrainsamy, for the crime of murder, by the Circuit Court, Durban, on the 7th Ultimo, 1900.

### **Registrar, Supreme Court, Pietermaritzburg (1846 - 1966) – RSC**

1/1/109/5/1910, Supreme Court Criminal Case. Rex Versus Rangiah. Charged with assault with intent to commit murder, 1910.

1/1/110/3/1911, Supreme Court Criminal Case. Rex Versus Ramadu. Charged with assault with intent to commit murder, 1911.

1/1/110/4/1911, Supreme Court Criminal Case. Rex Versus Sukilall. Charged with assault with intent to commit murder and also robbery, 1911.

1/1/111/6/1912, Supreme Court Criminal Case. Rex Versus Kupusamy. Charged with assault with intent to commit murder, 1912.

1/1/113/2/1913, Supreme Court Criminal Case. Rex Versus Gengan. Charged with assault with intent to commit murder, 1913.

1/1/115/13/1914, Supreme Court Criminal Cases. Rex Versus Alrajoo, Kandasamy and Lutchman. Charged with assault with intent to commit murder, 1914.

1/1/118/21/1915, Supreme Court Criminal Cases. Rex Versus Roopen also known as George. Charged with assault with intent to commit murder, 1915.

1/1/118/31/1915, Supreme Court Criminal Cases. Rex Versus Banwharie also known as Bhanwharie. Charged with assault with intent to commit murder, 1915

1/1/119/1/1916, Supreme Court Criminal Cases. Rex Versus Jumah Buccus. Charged with assault with intent to commit murder, 1916.

- 1/1/119/24/1916, Supreme Court Criminal Cases. Rex Versus Udeyi. Charged with assault with intent to commit murder, 1916.
- 1/1/122/24/1917, Supreme Court Criminal Cases. Rex Versus Ramsamy. Charged with assault with intent to commit murder and also assault with intent to do some grievous bodily harm, 1917.
- 1/1/123/11/1918, Supreme Court Criminal Case. Rex Versus Venakaya. Charged With Rape, 1918.
- 1/1/123/12/1918, Supreme Court Criminal Case. Rex Versus Coopoosamy Naidoo and Govinda Reddy. Charged with assault with intent to commit murder, 1918.
- 1/1/127/4/1920, Supreme Court Criminal Case. The King Versus Venket Subbiah. Charged with assault with intent to commit murder, 1920.
- 1/1/34/25/1884, Supreme Court Criminal Case. Regina Versus Muttai. Charged With Assault, 1884.
- 1/1/79/15/1904, Supreme Court Criminal Cases. Rex Versus Duba. Charged With Wrongfully Entering A Bedroom With Unlawful Intent, 1904.
- 1/1/85/33/1905, Supreme Court Criminal Cases. Rex Versus Jhungbahadur Singh. Charged with murder and also assault with intent to commit murder, 1905.
- 1/1/86/43/1905, Supreme Court Criminal Cases. Rex Versus Madho. Charged with assault with intent to commit murder, 1905.
- 1/1/94/7/1907, Supreme Court Criminal Cases. Rex Versus Mtonga. Charged With Indecent Assault, 1907.
- 1/1/95/12/1907, Supreme Court Criminal Cases. Rex Versus Dilsir Khan. Charged with administering poison with intent to commit murder, 1907.
- 1/1/95/19/1907, Description Supreme Court criminal cases. Rex versus Vellappa Gounden. Charged with inciting to commit the crime of murder, 1907.
- 1/1/98/23/1907, Description Supreme Court criminal cases. Rex versus Ramthumiah and Vellappa Gounden. Charged with murder, 1907.
- 1/1/98/24/1907, Supreme Court Criminal Cases. Rex Versus Mutumah. Charged With Administering Poison With Intent To Murder, 1907.
- 1/1/98/28/1907, Supreme Court Criminal Cases. Rex Versus Masilamey Mudali. Charged with Indecent Assault, 1907.
- 1/1/99/3/1908, Supreme Court Criminal Cases. Rex Versus Romanah. Charged With Attempting to Administer Poison with intent to Murder, or Otherwise Attempting to Administer Poison with intent to do some grievous bodily harm, 1908.

1/1/99/5/1908, Supreme Court Criminal Cases. Rex Versus Vadi Veloo Mudulay.  
Charged with assault with intent to commit murder, 1908.

1/3/1-1/3/3, Registers of Criminal Cases tried before the Supreme, Natal Provincial  
Division, Pietermaritzburg, 1873-1954.

II/3/1-II/3/3, Registers of Criminal Cases Tried Before the Supreme, Durban and  
Coastal Local, 1881-1930.

### **Surveyor General's Office (1837 - 1914) – SGO**

III/1/117/SG1681/1897, W Mileman: Occupation of the farm “Fotheringham”, 1897.

III/1/58/SG193/1887, John Fotheringham of Foxhill, Farmer, States his inability to pay  
the 2nd instalment on the farm “Fotheringham” and asks for an extension of time  
to pay, 1885-1887.

### ***South African Library, Cape Town***

Photo 612, Field-Marshal Lord Roberts at Pretoria - Indian servant and veranda at  
back, 1900, Author: Van Hoepen. 160 x 100; Album 8. Original photograph.

### **Official Published Primary Sources:**

#### ***Pietermaritzburg Archives Repository***

*Census Report of the Colony of Natal 17<sup>th</sup> April 1904*. Pietermaritzburg: P. Davis and Sons,  
1905.

#### **Natal Colonial Publications – NCP**

5/2/1, Law 14 of 1859, “To provide for the Immigration of Coolies into this Colony at  
the Public Expense, and for the Regulation and Government of such Immigrants.”

5/2/4, Law 15 of 1869, “ For the Punishment of idle and disorderly persons, and  
vagrants, within the Colony of Natal.”

5/2/5, Law 2 of 1870, “To amend and consolidate the Laws relating to the introduction  
of Coolie Immigrants into this Colony, and to the regulation and government of  
such Coolie Immigrants.”

- 5/2/15, Law 27 of 1887, "Punishments for the Crimes of Rape and Assault with intent to commit rape and of Indecent Assault."
- 5/2/17, Law 20 of 1888, "To facilitate the Registration of Native Servants and Servants belonging to Uncivilised Races within the Boroughs of Pietermaritzburg and Durban."
- 5/2/18, Law 25 of 1891, "To amend and consolidate the Laws relating to the introduction of Indian immigrants into the Colony of Natal, and to the regulation and government of such Indian Immigrants."
- 5/2/18, Law 3 of 1891, "To amend Ordinance No. 2, 1850, entitled, "Ordinance for regulating the relative rights and duties of Masters, Servants, and Apprentices."
- 5/3/1, Act 40 of 1894, "To regulate the relative rights of Masters and Native Servants, and to provide protection for such Servants."
- 5/3/2, Act 17 of 1895, "To amend the Indian Immigration Law, 1891."
- 5/3/3, Act 13 of 1896, "To amend Ordinance No. 2, 1850."
- 5/3/5, Act 13 of 1898, "To amend the law relative to Masters and Servants."
- 5/3/7, Act 35 of 1899, "To amend the Master and Servants (Native) Act, 1894."
- 5/3/7, Act 37 of 1899, "For the Better Protection of Women and Children."
- 5/3/9 Act 49 of 1901, "To facilitate the identification of Native Servants,"
- 5/3/9 Act 50 of 1901, "To amend the Masters and Servants (Native) Act, 1894."
- 5/3/11, Act 31 of 1903, "To amend the Law relating to Brothels and Immorality."
- 5/3/15, Act 21 of 1907, "To amend the Masters and Servants' Ordinance No. 2, 1850."
- 5/3/16, Act 12 of 1908, "To regulate the hospital fees payable by masters on account of their servants."
- 7/2/2/4, Supplement to the Blue Book for the Colony of Natal, Departmental Reports, 1887
- 7/2/2/5, Supplement to the Blue Book for the Colony of Natal, Departmental Reports, 1888.
- 7/2/2/6, Supplement to the Blue Book for the Colony of Natal, Departmental Reports, 1889
- 8/2/9, Departmental Reports, Report of the Deputy Protector for Year Ended 31<sup>st</sup> December, 1908.

## Selected articles from the following Newspapers

### *Natal Society Library*

*Indian Opinion*

*The Natal Advertiser*

*Natal Mercury*

*The Witness*

*The Guardian Weekly*

### *Maharashtra State Archive, Elphinstone College, Mumbai*

*Times of India*, 1900-1910

### *Interviews*

**Godfrey Herbert**, undertaken at Musgrave, Durban on the 31<sup>st</sup> May 2004. Please note transcript in possession of author.

### Secondary Sources:

#### *Unpublished Theses and Papers*

**Badassy, P.** 'Turbans and Top Hats: Indian Interpreters in the Colony of Natal, 1880-1910.' Thesis (BSocSc – Honours) – University of Natal, 2002.

**Beall, D. J.** 'Class, Race and Gender; the political economy of woman in Colonial Natal.' Thesis (MA-History) – University of Natal, Durban, 1982.

**Choonoo, A. G.** 'Indentured Indian immigration into Natal, 1860-1911, with particular reference to its role in the development of the Natal Sugar Industry.' - 260p. - Thesis (BA-Hons) - University of Natal, 1967.

**Cotton, Sarah Mitchell.** 'Bodies of Knowledge: The Influence of Slaves on the Antebellum Medical Community.' Thesis (MA-History) – Virginia Polytechnic Institute and State University, 1997.

**Dussart, Fae.** 'Domestic Service in the 19th century: a Comparative Study of England and India.' Thesis (PhD-History) – University College London, London, 2004.

**Flint, Karen.** 'Negotiating a Hybrid Medical Culture: African Healers in Southeastern Africa from the 1820s to 1940s.' Thesis (PhD-History) – University of California, 2001.



- Kirk, S L.** 'The Wragg Commission: a study of economic and social factors.' Thesis (BA-Hons) – University of Natal, Durban, 1980.
- Martens, Jeremy C.** "'Foul Deeds of Unparalleled Atrocity": Colonial Legislation and Natal's 19th Century Rape Scares.' Paper presented at the Department of Historical Studies, University of Natal, Durban: History and African Studies Seminar, 11<sup>th</sup> August 1999.
- Martens, Jeremy C.** "'So Destructive of Domestic Security and Comfort": Settler Domesticity, Race and the Regulation of African Behaviour in the Colony of Natal, 1843-1893. Thesis (PhD-History) – Queen's University, Kingston, 2001.
- Newton-King, Susan.** 'For the love of Adam: two sodomy trials at the Cape of Good Hope.' Paper presented on the 14<sup>th</sup> of May 2003 at the Department of Historical Studies, University of Natal, Durban: History and African Studies Seminar.
- Parle, Julie.** 'Death in Black and White: Suicide, Statistics, and the Construction of Race in Natal, 1880-1916.' Paper presented on the 2<sup>nd</sup> October 2002 at the Department of Historical Studies, University of Natal, Durban: History and African Studies Seminar.
- Ram, Pravin.** 'Indentured Indian immigration into Natal with particular reference to their social and economic conditions during the period 1870-1905.' - 91p. Mini-thesis (BA-Hons) - University of Durban -Westville, 1984.
- Riekert, Juilan Graham.** 'The Natal Master and Servant's Laws.' Thesis (LLM) – University of Natal, 1983.
- Shadbolt, A. L.** 'Daughters of the British Empire:A Study of Five British Women in Colonial Natal.' 190p. Thesis (MA-History) – University of Natal, Durban, 1998.
- Shadbolt, A. L.** 'Victorians in Natal: A Study of Colonial life in Natal constructed through the letters and diary of three generations of a British Settler Family.' Thesis (BA-Hons) – University of Natal, 1996.
- Stein, Zena A.** 'The history of Indian settlement in Natal from 1870 – 1893.' - 81p. Thesis (MA) -University of Cape Town, 1942.
- Stockman, Lisa.** 'The Construction of Boundaries: British Women, Labour and the Home in Colonial Natal. 80p. Thesis (BA-Hons) -University of Natal, Durban, 1997.
- Thompson, L. M.** 'Indian Immigration into Natal, 1860-1872.' Thesis (MA) - University of Natal, Durban, 1938.
- Vahed, Goolam Hoosen.** 'Indentured Indian Immigration to Natal in 1890; the reasons, the journey and the plantations.' - 96p. Mini-thesis (B.A Hons) - University of Durban - Westville, 1982.

### **Books**

- Adamson, Alan H.** *Sugar Without Slaves: The Political Economy of British Guiana, 1838-1904.* New Haven: Yale University Press, 1972.
- Allen, Charles.** (ed.) *Plain Tales from the Raj: Images of British India in the Twentieth Century.* London: Futura, Macdonald & Co., 1983.
- Appiah, Kwame Anthony.** *In my Father's House: Africa in the Philosophy of Culture.* London: Methuen, 1992
- Archer, L. (ed.)** *Slavery and Other Forms of Unfree Labour.* London: Routledge, 1988.
- Arkin, A. J., Maygar, K. P., Pillay, G. J. (eds.)** *The Indian South African.* Durban: Owen Burgess Publishers, 1989.
- Bell, Gail.** *The Poison Principle: A Memoir of Family Secrets and Literary Poisonings.* London: Macmillan, 2001.
- Bhana, Surendra and Brain, Joy.** *Setting Down Roots: Indian migrants in South Africa, 1860-1911.* Johannesburg: University of the Witwatersrand Press, 1990.
- Bhana, Surendra and Pachai, Bridglal.** (eds) *A Documentary History of Indian South Africans.* Cape Town: David Philip, 1984.
- Bhana, Surendra.** (ed) *Essays on Indentured Indians in Natal.* Leeds: Peepal Tree Press, 1990.
- Bhana, Surendra.** *Gandhi's Legacy: The Natal Indian Congress, 1894-1994.* Pietermaritzburg: University of Natal Press, 1997.
- Bose, Sisir Kumar.** (ed. and trans.) *An Indian Pilgrim: An Unfinished Autobiography and Collected Letters, 1897-1921.* London: Asia Publishing House, 1965.
- Bose, Sugata and Jalal, Ayesha.** *Modern South Asia: History, Culture, Political Economy.* Delhi: Oxford University Press, 1998.
- Brain, Joy P.** *Christians Indians in Natal 1860-1911: An Historical and Statistical Study.* Cape Town: Oxford University Press, 1983.
- Branford, Jean and Branford, William.** *A Dictionary of South African English.* Cape Town: Oxford University Press, 1991.
- Britton, Burnett.** *Gandhi Arrives in South Africa.* Canton, Maine: Greenleaf Books, 1999.
- Carter, Marina.** *Servants, Sirdars and Settlers: Indians in Mauritius, 1834-1874.* Delhi: Oxford University Press, 1995.

- Carter, Marina.** *Voices from Indenture: experiences of the Indian immigrants in the British Empire.* London, New York: Leicester University Press, 1996.
- Chatterjee, Indrani.** *Gender, Slavery and the Law in Colonial India,* Oxford University Press, 1999.
- Chatterjee, Partha.** *The Nation and its Fragments: Colonial and Postcolonial Histories.* Princeton, New Jersey: Princeton University Press, 1993.
- Chaudhuri, N. and Strobel, M.** *Western Women and Imperialism: Complicity and resistance.* Bloomington: Indiana University Press, 1992.
- Cock, Jacklyn.** *Maids and Madams: A Study in the Politics of Exploitation.* Johannesburg: Ravan Press, 1984.
- Cohen, David William.** *Burying SM: the Politics of Knowledge and the Sociology of Power in Africa.* Portsmouth, N.H.: Heinemann, 1992
- Cohen, David William.** *The Combing of History.* Chicago: University of Chicago Press, 1994.
- Cohn, Bernard S.** *Colonialism and its Form of Knowledge: the British in India.* Princeton, New Jersey: Princeton University Press, 1996.
- Cooper, Frederick and Stoler, Ann Laura.** (eds.) *Tensions and Empire: Colonial Cultures in a Bourgeois World.* California: University of California Press, 1997.
- Cooper, Frederick; Holt, Thomas C., and Scott, Rebecca J.** *Beyond Slavery: Exploration of Race, Labor and Citizenship in Postemancipation Societies.* Chapel Hill and London: The University of North Carolina Press, 2000.
- Copley, Antony.** *Gandhi Against the Tide.* Oxford: Basil Blackwell, 1987.
- Couzens, Tim.** *Murder at Morija.* South Africa: Random House, 2003.
- Davidoff, L, McClelland, K and Varikas, E** (eds.) *Gender and History: Retrospect and Prospect.* Oxford: Blackwell, 1999.
- Davidoff, L. and Westover, B.** (eds.) *Our work, Our lives, Our words: Women's History and Women's Work.* Basingstoke, Hants: Macmillan Education, 1986.
- Davidoff, L.** *Worlds Between: Historical Perspectives on Gender and Class.* Cambridge: Polity Press, 1995
- Dhupelia, Uma Shashikant.** *From Cane Fields to Freedom: a Chronicle of Indian South African Life.* Cape Town: Kwela Books, 2000.
- Duminy, Andrew and Guest, Bill.** *Natal and Zululand, From Earliest Times to 1910: A New History.* Pietermaritzburg: University of Natal Press, 1989.

- Ennaji, Mohammed.** *Serving the Master: Slavery and Society in Nineteenth Century Morocco.* Translated by Seth Graebner. New York: St Martin's, 1999.
- Fanon, Frantz.** *Black Skin, White Masks.* New York: Grove Press, Inc., 1967.
- Fanon, Frantz.** *The Wretched of the Earth.* London: Penguin Books, 1967.
- Feldman, Allen.** *Formations of Violence: The Narrative of the Body and Political Terror in Northern Ireland.* Chicago: University of Chicago Press, 1991.
- Foucault, Michel.** *Discipline and Punish: the birth of the prison.* London: Penguin, 1975.
- Foucault, Michel.** *Power/Knowledge, Selected interviews and other writings, 1972-1977.* Gordon, Colin (ed.), Sussex: Harvester Press, 1980.
- Franklin, John Hope and Schweninger, Loren.** *Runaway Slaves: Rebels on the Plantation.* Oxford: Oxford University Press, July 2000.
- Freund, Bill.** *Insiders And Outsiders: The Indian Working Class Of Durban, 1910-1990.* Pietermaritzburg: University of Natal Press, 1995.
- Genovese, Eugene.** *Roll, Jordan, Roll: the World That Slaves Made.* United States: Vintage Press, 1976.
- Ginzburg, Carlo.** *The Cheese and the Worms: the Cosmos of a Sixteenth-Century Miller.* Harmondsworth: Penguin, 1992.
- Graham, Sandra Lauderdale.** *House and Street: the domestic world of servants and masters in nineteenth-century Rio de Janeiro.* Cambridge: Cambridge University, 1988.
- Guha, Ranajit** (ed.) *Subaltern Studies IV: Writings on South Asian History and Society.* Delhi: Oxford University Press, 1985.
- Guha, Ranajit** (ed.) *Subaltern Studies VI: Writings on South Asian History and Society.* Delhi: Oxford University Press, 1989.
- Guha, Ranajit** (ed.) *Subaltern Studies VII: Writings on South Asian History and Society.* Delhi: Oxford University Press, 1993.
- Hall, Catherine.** *Civilising Subjects: Metropole and Colony in the English Imagination, 1830-1867.* Chicago: Chicago University Press, 2002.
- Hansen, K. T.** *Distant Companions: Servants and Employers in Zambia, 1900-1985.* Ithaca and London: Cornell University Press, 1989.
- Hay, Douglas.** *Albion's Fatal Tree, crime and society in eighteenth-century England.* London: Allen Lane Penguin Books, 1975.

- Henning, C. G.** *The Indentured Indian in Natal (1860-1917)*. New Delhi: Promilla, 1993.
- Hey, P. D.** *The Rise of the Natal Indian Elite*. Pietermaritzburg, 1961.
- Hobsbawm, Eric and Ranger, Terence.** *The Invention of Tradition*. Cambridge: Cambridge University Press, 1983.
- Huttenback, R.A.** *Gandhi in South Africa: British Imperialism and the Indian Question, 1860-1914*. Ithaca, New York: Cornell University Press, 1971.
- Hyam, Ronald.** *Empire and Sexuality: The British Experience*. Manchester: Manchester University Press, 1990.
- Illustrated History of South Africa*, Expanded second edition. Cape Town: The Reader's Digest Association South Africa, 1992.
- Jones, Jacqueline.** *Labor of Love, Labor of Sorrow: Black Women, Work, and the Family from Slavery to the Present*. New York: Basic Books, 1985.
- Judd, Denis.** *The Lion and the Tiger: The Rise and Fall of the British Raj*. New York: Oxford University Press, 2004.
- Kale, Madhavi.** *Fragments of empire: capital, slavery, and Indian indentured labour migration in the British Caribbean*. Philadelphia: University of Pennsylvania Press, 1998.
- Kuper, Hilda.** *Indian People in Natal*. Pietermaritzburg: Natal University Press, 1960.
- Lane, Roger; Johnson, David R. and Adler, Jeffrey S.** *Murder in America A History*. United States: Ohio State University Press, 1998.
- Lawrence, James.** *Raj: The Making of British India*. London: Abacus, 1997.
- Lawrence, K. O.** *A Question of Labour: Indentured Immigration into Trinidad and British Guiana 1875-1917*. New York: St. Martin's Press, 1994.
- Lerner, Gerda.** *Why History Matters: Life and Thought*. New York: Oxford University Press, 1997.
- Linebaugh, Peter.** *The London Hanged: Crime and Civil Society in the Eighteenth Century*. Cambridge: Cambridge University Press, 1992.
- Look Lai, Walton.** *Indentured labour, Caribbean sugar: Chinese and Indian migrants to the British West Indies, 1838-1918*. Baltimore: Johns Hopkins University Press, 1993.
- Mahabir, Noor Kumar.** *The Still Cry: Personal Accounts of East Indians in Trinidad and Tobago During Indentureship*. Tacarigua, Trinidad: Calaloux Publications, 1985.
- Mamdani, Mahmood.** *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*. Princeton: Princeton University Press, 1996.

- Mamdani, Mahmood.** *Good Muslim, Bad Muslim: America, the Cold War and the Roots of Terror.* New York: Pantheon Books, 2004.
- Marks, Shula.** *The Ambiguities of Dependence in South Africa: Class, Nationalism, and the State in Twentieth-Century Natal.* Johannesburg: Ravan Press, 1986.
- Marriner, Brian.** *Forensic Clues to Murder: Forensic Science in the Art of Crime Detection.* London: Arrow Books Limited, 1991.
- Martin, C. G.** *Use of the Law.* Amersham and Hulton, 1994.
- Marx, Karl.** *The Eighteenth Brumaire of Louis Bonaparte.* New York: International Publishers, 1987.
- McCulloch, Jock.** *Black Peril, White Virtue: Sexual Crime in Southern Rhodesia, 1902-1935.* Bloomington and Indianapolis: Indiana University Press, 2000.
- Meer, Fatima** (ed). *The South African Gandhi: An Abstract of the Speeches and writings of M. K. Gandhi. 1893-1914.* Durban: Madiba Publishers, Institute for Black Research, University of Natal, 1996.
- Meer, Fatima.** *Portrait of Indian South Africans.* Durban: Avon House, 1969.
- Meer, Fatima.** *Race and Suicide in South Africa.* London: Routledge and Kegan Paul, 1976.
- Meer, Y.S. et al.** *Documents of Indentured Labourers, 1852-1917.* Durban: Institute of Black Research, 1980.
- Mesthrie, Rajend.** *Language in Indenture - A Sociolinguistic History of Bhojpuri-Hindi in South Africa.* Johannesburg: Witwatersrand University Press, 1991.
- Morrell, Robert.** *From Boys to Gentlemen: Settler Masculinity in Colonial Natal, 1880-1920.* Pretoria: University of South Africa Press, 2001.
- Morrison, Toni.** *Beloved.* London: Picador, 1988.
- Naidu, Vijay.** *The Violence of Indenture in Fiji.* Fiji: Fiji Institute of Applied Studies, 2004.
- Newton-King, Susan.** *Masters And Servants on the Cape Eastern Frontier.* Cambridge: Cambridge University Press, 1999.
- Northrup, David.** *Indentured Labor in the age of imperialism, 1834-1922.* Cambridge: Cambridge University Press, 1995.
- O' Malley, L. S. S.** (ed.) *Modern India and the West: a study of the interaction of their civilizations.* London: Oxford University Press, 1941.

- Palmer, Mabel.** *Economics And Political Background Of The History Of Indians In Natal, The Indian As A South African: Durban: A Symposium of the South African Institute of Race Relations, 1956.*
- Palmer, Mabel.** *The History of the Indians in Natal.* Cape Town, New York: Oxford University Press, 1957.
- Paxton, Nancy L.** *Writing Under the Raj: Gender, Race and Rape in the British Colonial Imagination, 1830-1947.* New Brunswick, New Jersey, London: Rutgers University Press, 1999.
- Penn, Nigel.** *Rogues, Rebels and Runaways: Eighteenth Century Cape Characters.* Cape Town: David Philip Publishers, 1999.
- Polak, H.S.L.** *The Indians in South Africa, Helots within the Empire and How They Are Treated.* Madras: G.A. Natesan and Co., 1909.
- Robinson, Douglas.** *Translation and Empire. Postcolonial Theories Explained.* Manchester: St Jerome Publishing, 1997.
- Rodney, Walter.** *A History of the Guyanese Working People, 1881-1905.* Baltimore: The John Hopkins University Press, 1981.
- Saunders, K.** *Indentured Labour in the British Empire, 1834-1920.* London: Croom Helm, 1984.
- Schuler, Monica.** *Alas, alas, Kongo: a social history of indentured African immigration into Jamaica, 1841-1856.* Baltimore: Johns Hopkins University Press, 1980.
- Scully, Pamela.** *Liberating the Family?: Gender and British Slave Emancipation in the rural Western Cape, South Africa, 1823-1853.* Portsmouth, N.H: Heinemann, 1977.
- Scully, Pamela.** *The Bouquet of Freedom: Social and Economic Relations in the Stellenbosch District, South Africa, c1870-1990.* Cape Town: University of Cape Town, Centre for African Studies, 1990.
- Sinha, Mrinalini.** *Colonial Masculinity: The 'Manly Englishman' and the 'Effeminate Bengali' in the Late Nineteenth Century.* Manchester and New York: Manchester University Press, 1995.
- Spiller, P. R.** *A History of the District and Supreme Courts of Natal, 1846-1910.* Durban: Butterworths, 1986.
- Stoler, Ann L.** *Capitalism and confrontation in Sumatra's plantation belt, 1870-1979.* New Haven, Conn: Yale University Press, 1985.
- Stoler, Ann L.** *Race and the Education of Desire: Foucault's History of Sexuality and the Colonial Order of Things;* Durham, N.C.: Duke University Press, 1995.

- Swan, Maureen.** *Gandhi: The South African Experience.* Johannesburg: Ravan Press, 1985.
- Taub, Richard P.** *Bureaucrats under Stress: administrators and administration in an Indian State.* Berkeley, California: University of California Press, 1969.
- Tayal, M.** *Gandhi: The South African experience.* Oxford: Oxford University Press, 1980.
- Thompson, E. P.** *The Making of the English of the Working Class.* Harmondsworth: Penguin, 1963.
- Tinker, Hugh.** *A New System of Slavery: The Export of Indian Labour Overseas, 1830-1920.* London: Oxford University Press, 1974.
- Tinker, Hugh.** *The Banyan Tree: Overseas Emigrants from India, Pakistan and Bangladesh.* Oxford: Oxford University Press, 1977.
- Tosh, John** (ed). *Historians on History.* Harlow: Longman, 2000.
- Twentieth Century Impressions of Natal: Its People, Commerce, Industries, and Resources.* London: Lloyd's Greater Britain Publishing Company, 1906.
- van Onselen, Charles.** *The Seed is Mine, The Life of Kas Maine, A South African Sharecropper, 1894-1985.* Cape Town: David Phillip, 1996
- Verbeek, Jennifer and Verbeek, Alistair.** *Victorian & Edwardian Natal.* Pietermaritzburg: Shuter & Shooter, 1982.
- Walker, Cheryl** (ed.) *Women and Gender in Southern Africa to 1945.* Cape Town: David Phillip, 1990.
- Walsh, Judith E.** *Growing Up in British India.* New York: Holmes & Meier, 1983.
- Watson, Katherine.** *Poisoned Lives: English Poisoners and the Victims.* London: Hambledon and London, 2004.
- Wolpert, Stanley.** *A New History of India.* New York: Oxford University Press, 1977.

### ***Published Articles***

- Anderson, David M.** 'Master and Servant in Colonial Kenya, 1859-1939,' in *Journal of African History*, **41**, 2000, 459-485.
- Atkins, Keletso E.** 'Origins of the Amawahsa: The Zulu Washermen's Guild in Natal, 1850-1910,' in *The Journal of African History*, **27:1**, 1986, 41-57.



- Ballad, Charles.** 'Traders, Trekkers, and colonists,' in Duminy, Andrew and Guest, Bill. (eds.) *Natal and Zululand, From Earliest Times to 1910: A New History*. Pietermaritzburg: University of Natal Press, 1989.
- Banerjee, Swapna B.** 'Down Memory Lane: Representations of Domestic Workers in Middle Class Personal Narratives of Colonial Bengal,' in *Journal of Social History*, **37:3**, Spring 2004, 681-708.
- Bartrip, PWJ.** 'How Green Was My Valance?: Environmental Arsenic Poisoning and the Victorian Domestic Ideal,' in *The English Historical Review*, **109:433**, September 1994, 891-913.
- Beall, JD and North-Coombes, MD.** 'The 1913 Disturbance in Natal: the Social and Economic Background to 'Passive Resistance',' in *Journal of Natal and Zulu History*, **6**, 1983, 48-81.
- Benedict, B.** 'Slavery and Indenture in Mauritius and Seychelles,' in Watson, J. (ed.) *Asian and African Systems Of Slavery*. Oxford: Basil Blackwell, 1980.
- Bhana, S.** 'Indian trade and traders in colonial Natal,' in B. Guest and J. Sellers, *Enterprise and Exploitation in a Victorian Colony. Aspects of the Economic and Social History of Colonial Natal*. Pietermaritzburg: University of Natal Press, 1985.
- Bonner, Phil.** 'The Transvaal Native Congress, 1917-1920: The Radicalisation of the Black Petty Bourgeoisie on the Rand,' in Marks, S. and Rathbone, R. B. (eds.) *Industrialisation and Social Change in South Africa 1870-1930*. London: Longmans, 1982.
- Brain, Joy P.** 'Indentured and free Indians in the economy of Colonial Natal' in Guest, Bill and Sellers, John M, (eds.) *Enterprise and Exploitation in a Victorian Colony: Aspects of the Economic and Social History of Colonial Natal*. Pietermaritzburg: University of Natal Press, 1985.
- Brain, Joy P.** 'Natal's Indians, 1860-1910: From Co-Operation, Through Competition To Conflict,' in Duminy, Andrew and Guest, Bill. (eds.) *Natal and Zululand, From Earliest Times to 1910: A New History*. Pietermaritzburg: University of Natal Press, 1989.
- Breen, T. H.; Lewis, James H.; Schlesinger, Keith.** 'Motive for Murder: A Servant's Life in Virginia, 1678,' in *The William and Mary Quarterly*, 3rd Ser., **40:1**, January, 1983, 106-120.
- Burney, Ian A.** 'A Poisoning of No Substance: The Trials of Medico-Legal Proof in Mid-Victorian England,' in *The Journal of British Studies*, **38:1**, January 1999, 59-92.
- Cawley, Alexa Silver.** 'A Passionate Affair: The Master-Servant Relationship In Seventeenth-Century Maryland,' in *Historian*, Summer, 1999.
- Chanock, Martin.** 'Writing South African Legal History,' in *The Journal of African History*, **30:2**, 1989, 265-288.

- Chattopadhyay, Swati.** 'Goods, Chattels and Sundry Items: Constructing 19<sup>th</sup>-Century Anglo-Indian Domestic Life,' in *Journal of Material Culture*, 7:3, 2002, 243-271.
- Chaudhuri, Nupur.** 'Memsahibs and their Servants in Nineteenth-century India,' in *Women's History Review*, 3:4, 1994, 549-562.
- Chaudhuri, Nupur.** 'Shawls, Jewelry, Curry, and Rice in Victorian Britain' in Chaudhuri, N. and Strobel, M. (eds.) *Western Women and Imperialism: Complicity and resistance*. Bloomington: Indiana University Press, 1992.
- Dagut, Simon.** 'Gender, Colonial 'Women's History,' and the construction of Social Distance: Middle Class British Women in Late Nineteenth-Century South Africa, in *Journal of Southern African Studies*, 26:3, September 2003, 555-572.
- Davidoff, L.** 'The Rationalization of Housework' and 'Class and Gender in Victorian England: The Case Hannah Cullwick and A. J. Mumby,' in *Worlds Between: Historical Perspectives on Gender and Class*. London: Polity Press, 1995.
- Davin, Anna.** 'Imperialism and Motherhood,' in *History Workshop: A Journal of Socialist Historians*, 5, Spring 1978, 9-45.
- Dolan, Frances E.** 'The Subordinate(s) Plot: Petty Treason and the Forms of Domestic Rebellion,' in *Shakespeare Quarterly*, 4:3, Autumn, 1992, 317-340.
- du Toit, Marijke.** 'The Domesticity of Afrikaner Nationalism: Volksmoeders and the ACVV, 1904-1929,' in *Journal of Southern African Studies*, 29:1, March 2003, 155-176.
- Duminy, Andrew.** 'Towards Union, 1900-1910,' in Duminy, Andrew and Guest, Bill. (eds.) *Natal and Zululand, From Earliest Times to 1910: A New History*. Pietermaritzburg: University of Natal Press, 1989.
- Eales, Kathy.** "Good Girls' vs 'Bad Girls'" in *Agenda*, 4, 1989, 1-46.
- Etherington, Norman.** 'Natal's Black Rape Scare of the 1870s,' in *Journal of Southern African Studies*, 15, 1988, 36-53.
- Ferguson-Davie, C. J.** 'The Early History of Indians in Natal.' - Johannesburg: S.A.I.R.R., 1977.
- Flanagin, Annette.** 'Stramonium Poisoning,' in *JAMA: Journal of the American Medical Association*, 262:5, 1989, 687-691.
- Franklin, Jill.** 'Troops of Servants: Labour and Planning in the Country House, 1840-1914,' in *Victorian Studies*, 19, December 1975, 211-239.
- Freund, Bill.** 'Indian Women and the Changing Character of the Working Class Indian Household in Natal, 1860-1990,' in *Journal of Southern African Studies*, 17:3, September 1991, 414-429

- Genovese, Eugene D.** 'The Negro Laborer in Africa and the Slave South,' in *Phylon*, **21:4**, 1960, 343-350.
- Ghosh, Durba.** 'Household Crimes and Domestic Order: Keeping the Peace in Colonial Calcutta, c.1770-c.1840,' in *Modern Asian Studies*, **38:2**, 2004, 599-623.
- Ginzburg, Carlo.** 'Checking the Evidence: The Judge and the Historian,' in *Critical Inquiry*, **18:1**, Autumn 1991, 79-92.
- Ginzburg, Carlo.** 'Witches and Shamans,' in *New Left Review*, July/August 1993, **200**, 75-85.
- Glover, William J.** "'A Feeling of Absence from Old England: The Colonial Bungalow,' in *Home Cultures*, **1:1**, 2004, 61-82.
- Guest, Bill.** 'Gandhi's Natal: The State of the colony in 1893,' in *Natalia: Journal of the Natal Society*; **23-24**, Pietermaritzburg: Natal Society Library, December 1993 and December 1994.
- Guest, Bill.** 'Indians in Natal and Southern Africa in the 1890's,' in Brown, J. M. and Prozesky, Martin (eds.) *Gandhi and South Africa: Principles and Politics*. Pietermaritzburg: University of Natal Press, 1996.
- Guest, Bill.** 'Towards responsible Government, 1879-1893,' in Duminy, Andrew and Guest, Bill. (eds.) *Natal and Zululand, From Earliest Times to 1910: A New History*. Pietermaritzburg: University of Natal Press, 1989.
- Hansen, Karen Tranberg.** 'Body Politics: Sexuality, Gender, and Domestic Service in Zambia,' in *Journal of Women's History*, **2:1**, Spring 1990, 120-142.
- Helwig, David.** 'Ontario police warn of jimson weed dangers,' in *Canadian Medical Association Journal*, **161:11**, November 1999, 1384.
- Krenzelok, E. P., Jacobsen, T. D. and Aronis, J. M.** 'Jimsonweed (*Datura Stramonium*) poisoning and abuse...an analysis of 1,458 cases,' in *Journal of Toxicology -Clinical Toxicology*, **33:5**, 1995, 500-501.
- la Hausse, Paul.** "'The Cows of Nongoloza': Youth, Crime and Amalaita Gangs in Durban, 1900-1936,' in *Journal of Southern African Studies*, **16:1**, March 1990, 79-111.
- Malherbe, V. C.** 'Indentured and Unfree Labour in South Africa: Towards an Understanding,' in *South African Historical Journal*, **24**, 1990, 3-30.
- Marshall, Tim.** 'Not Forgotten: Eliza Fenning, Frankenstein and Victorian Chivalry,' *Critical Survey*, **13:2**, 2001, 98-115.
- Martens, Jeremy C.** 'Polygamy, Sexual Danger, and the Creation of Vagrancy Legislation in Colonial Natal,' in *The Journal of Imperial and Commonwealth History*, **31:3**, September 2003, 24-45.

- Martens, Jeremy C.** 'Settler Homes, Manhood and 'Houseboys': an Analysis of Natal's Rape Scare of 1886,' in *Journal of Southern African Studies*, **28:2**, June 2002, 379-400.
- Meldrum, Tim.** 'Domestic Service, privacy and the eighteenth-century metropolitan household,' in *Urban History*, **26:1**, 1999, 27-39.
- Metcalf, Thomas.** 'Hard Hands and Sound Healthy Bodies': Recruiting 'Coolies' for Natal, 1860-1911,' in the *Journal of Imperial and Commonwealth History*, **30:3**, September 2002, 1-26.
- Mizutani, Satoshi.** 'Rethinking inclusion and exclusion: the question of mixed-race presence in late colonial India,' in *Journal of Contemporary History*, **5**, December 2002.
- Mohapatra, P.** 'Restoring the Family: Wife Murders and the Making of a Sexual Contract for Indian Immigrant Labour in the British Caribbean Colonies, 1860-1920,' in *Studies in History*, New Series, **II:2**, July-December, 1995, 227-260.
- Morrell, Robert.** 'Of Boys and Men: Masculinity and Gender in Southern African Studies,' in *Journal of Southern African Studies*, **24:4**, December 1998, 605-631.
- Padayachee, Vishnu and Morrell, Robert.** 'Indian Traders in the Natal Economy, c1875-1914' in *Journal of Southern African Studies*, **17:1**, 1991.
- Pape, John.** 'Black and White: The "Perils of Sex" in Colonial Zimbabwe,' in *Journal of Southern African Studies*, **16:4**, December 1990, 699-720.
- Pape, John.** 'Still Serving the Tea: Domestic Workers in Zimbabwe, 1980-1990,' in *Journal of Southern African Studies*, **19:3**, September 1993, 387-404.
- Parle, Julie.** 'History, She Wrote: A Reappraisal of Dear Louisa in the 1990s,' in *South African Historical Journal*, **33**, November 1995, 33-61.
- Paxton, Nancy L.** 'Mobilising Chivalry: Rape in British Novels about the Indian Uprising of 1857,' in *Victorian Studies*, **36:1**, Fall 1992, 5-30.
- Popke, E. Jeffrey.** 'Managing colonial alterity: narratives of race, space and labor in Durban, 1870-1920,' in *Journal of Historical Geography*, **29:2**, 2003, 248-267.
- Prakash, Gyan.** 'Subaltern Studies As Postcolonial Criticism', in *American Historical Review*, **99:5**, December 1994, 1475-1490.
- Procida, Mary.** 'Feeding The Imperial Appetite: Imperial Knowledge And Anglo-Indian Domesticity,' in *Journal Of Women's History*, **15:2**, Summer 2003, 123-149.
- Qayum, Seemin.** 'Grappling with modernity India's respectable classes and the culture of domestic servitude, in *Ethnography*, **4:4**, 2003, 520-555.

- Ramusack, Barbara N.** 'Cultural Missionaries, Maternal Imperialists, Feminist Allies: British Women activists in India, 1865-1945,' in Chaudhuri, N. and Strobel, M. (eds.) *Western Women and Imperialism: Complicity and resistance*. Bloomington: Indiana University Press, 1992.
- Rappaport, Erika.** 'The Bombay Debt': Letter Writing, Domestic Economies and Family Conflict in Colonial India,' in *Gender and History*, **16:2**, August 2004, 233-260.
- Ray, Raka.** 'Masculinity, Femininity And Servitude: Domestic Workers In Calcutta In The Late Twentieth Century,' in *Feminist Studies*, **26:3**, 2000.
- Riekert, J.** 'Race, Sex and the Law in Colonial Natal,' in *Journal of Natal and Zulu History*, **6**, 1983, 82-97.
- Russell, Marion J.** 'American Slave Discontent in Records of the High Courts,' in *The Journal of Negro History*, **31:4**, October, 1946, 411-434.
- Sakar, Sumit.** 'The Kalki-Avatar of Bikrampur: A Village Scandal in Early Twentieth Century Bengal,' in Guha, Ranajit (ed.) *Subaltern Studies VI: Writings on South Asian History and Society*. Delhi: Oxford University Press, 1989.
- Scully, Pamela.** 'Criminality and Conflict in Rural Stellenbosch, South African, 1870-1900,' in *The Journal of African History*, **30:2**, 1989, 289-300.
- Scully, Pamela.** Rape, Race and Colonial Culture: The Sexual Politics of Identity in the Nineteenth Century Cape Colony, South Africa,' in the *American Historical Review*, **100:2**, April 1995, 335-359.
- Sharpe, Jenny.** 'The Unspeakable Limits of Rape: Colonial Violence and Counter-Insurgency,' in *Genders*, **10**, Spring 1991, 25-46.
- Sinha, Mrinalini.** 'Giving Masculinity a History: Some Contributions from the Historiography of Colonial India,' in *Gender and History*, **11:3**, November 1999, 445-460.
- Spiller, Peter.** 'The Jury System in Colonial Natal, 1846-1910,' in *Journal of Natal and Zulu History*, **11**, 1986, 1-11.
- Spivak, Gayatri Chakravorty.** 'Can the Subaltern Speak,' in *Marxism and the Interpretation of Culture*. Nelson, Cary and Grossberg, Lawrence (eds.) London: Macmillan Education, 1988.
- Steenkamp, P.A., Harding, N. M., van Heerden, F. R., van Wyk, B-E.** 'Fatal Datura poisoning: identification of atropine and scopolamine by high performance liquid chromatography/photodiode array/mass spectrometry,' in *Forensic Science International*, **145:1**, October 2004, 31-40.

- Stoler, Ann L.** 'Carnal Knowledge and Imperial Power: Gender, Race and Mortality in Colonial Asia,' in Di Leonardo, M. (ed.) *Gender at the Crossroads of Knowledge: Feminist Anthropology in the Postmodern Era*. Berkeley: University of California Press, 1991.
- Stoler, Ann L.** 'Making Empire Respectable: The Politics of Race and Sexual Morality in 20<sup>th</sup> Century Colonial Cultures,' in *American Ethnologist*, **16**:4, November 1989, 634-660.
- Stoler, Ann L.** 'Rethinking Colonial Categories: European Communities and the Boundaries of Rule,' in *Comparative Studies in Society and History*, **31**:1. January 1989, 134-161.
- Stoler, Ann L.** 'Sexual Affronts and Racial Frontiers: European Identities and the Cultural Politics of Exclusion in Colonial Southeast Asia,' in *Comparative Studies in Society and History*, **34**:3, July 1992, 514-551.
- Stoler, Ann L.** 'Tense and Tender Ties: Sex, Sentiment and Empire in American History and Postcolonial Studies,' in *Journal of American History*, **88**:3, December 2001, 829-865.
- Strobel, M.** 'Gender and Race in the Nineteenth- and Twentieth-Century British Empire,' in Bridenthal, R. and Koonz, C. (eds.) *Becoming Visible: Women in European History*. Boston: Houghton Mifflin, 1977.
- Swan, Maureen.** 'The 1913 Natal Indian Strike,' in *Journal of Southern African Studies*, **10**:2, April 1984, 239-258.
- Towner, Lawrence W.** 'A Fondness for Freedom?: Servant Protest in Puritan Society,' in *The William and Mary Quarterly*, 3rd Ser., **19**:2, April, 1962.
- Turrell, Rob.** 'The 'Singular Case' of Mietjie Bontnaal, the Bushmanland Murderess,' in *Journal of Southern African Studies*, **29**:1, March 2003.
- Vahed, Goolam.** 'Giving Till it Hurts?: Durban's Indians and the First World War,' in *Journal of Natal and Zulu History*, **19**, 2001, 39-58.
- Vahed, Goolam.** 'Construction of Community and Identity among Indians in Colonial Natal, 1860-1910: The Role of the Muhurram Festival,' in *Journal of African History*, **43**, 2002, 77-93.
- Vahed, Goolam.** 'Swami Shankeranand and the Consolidation of Hinduism,' in *Journal for the Study of Religion*, **10**:2, September 1997.
- Vahed, Goolam.** 'The Making of Indianess: Indian Politics in South Africa during the 1930's and 1940's,' in *Journal of Natal and Zulu History*, **7**, 1997.

- Vahed, Goolam.** 'Uprooting, Rerooting: Culture, Religion, and Community among Indentured Muslim Migrants in Colonial Natal, 1860-1911,' in *South African Historical Journal*, **45**, November 2001, 191.
- van der Spuy, Patricia.** 'Making Himself Master': Galant's Rebellion Revisited,' in *South African Historical Journal*, **34**, May 1996, 1-28.
- van Helten, Jean Jacques and Williams, Keith.** 'The Crying Need of South Africa': The Emigration of Single British Women to the Transvaal, 1901-1910,' in the *Journal of Southern African Studies*, **10:1**, October 1983, 17-38.
- van Onselen, Charles.** 'The Witches of Suburbia: Domestic Service on the Witwatersrand, 1890-1914,' in *Studies on the Social and Economic History of the Witwatersrand, 1886-1914, Vol. II*. Johannesburg: Ravan Press, 1982.
- Viljoen, Russel.** 'Till Murder Do Us Part': The Story of Griet and Hendrik Eksteen,' in *South African Historical Journal*, **33**, November 1995, 13-32.
- West, Michael.** 'Indian Politics in South Africa: 1860 to the present,' in *South Asia Bulletin*, **7:1-2**, 97-111, 1987.

...but maybe you will find that justice lies sometimes just in the doing

*David William Cohen – 16<sup>th</sup> May 2004*