

Index

Adderley, Rosanne Marion, 104 banishment and the law, 197-8 African Society House, 214 Africans, liberated, 116, 122, 123 See also prize slaves 'Afrikaner' identity, 45 amaXhosa, 46, 47 Anatomy Act (1832), 279, 280-1 Anderson, Clare, 12, 35, 36, 262 Anti-Slavery Act, 116 Anti-Slavery Reporter, 114 Apologeticus (Grotius), 201 Arnot, Sandford, 206 Auret, Pieter (Peter), 160, 161 Australian colonies, 4, 46, 50, 51, 281 Chartist principles and practices in regarding traitors, 238 convicts outnumbering free settlers in, 54 indigenous population of, 53 low opinion of Bigge, 52 political power in, 53 See also Bigge, John Thomas, reports concerning Australian colonies; New South Wales; Norfolk Island; Van Diemen's Land Australian (newspaper), 98, 250, 251, 263 account of suppression of the Advertiser, attack on Bigge in, 98 on the relationship between Bigge and Edwards, 99-100 report in, that Edwards was a spy for Bigge, 99 report concerning Edwards' connection to Bigge, 100-1 Australian Courts Act (1828), 282 Baartman, Teunis, 43

controversy concerning, 200 and the differences between transportation and banishment, 197-8 English and Dutch views of, 200 and the legal system of the VOC, 198, 199 Truter and Denyssen's legal opinions concerning, 200-2 Bannister, Saxe, 254 Barnard, Anne, 62, 106 Barry, James, 221, 246 brilliant intellect of, 221 cordial dealings of with Hudson, 221 duel fought by, 225 as the 'little doctor', 221 mystery/scandal regarding the sex of, 221 - 3as an outstanding surgeon and surgical pioneer, 221 penchant for reckless driving, 221 poodles all named 'Psyche', 223-4 See also placard scandal Batavia (Java), 42 Batavian interregnum, the (1803-1806), 44 Batavian Republic, 43 Bathurst (New South Wales town), Edwards's time at, 248, 252 illegal convict movement on the Bathurst frontier, 255 Bathurst, Henry, third Earl Bathurst, 45, 64, 70, 73, 76, 80, 95, 146, 157, 171–2, 200, 242 advice to Somerset on the prosecution of memorials for libel, 183-4 correspondence with Somerset, 78-9, 208 correspondence with colonial governors, 78,80 criticisms of New South Wales administration, 76

301

Baines, Edward, 88, 89, 236, 238

Pentrich uprising, 89

Ballantyne, Tony, 11

allegations against Oliver concerning the



302 Index

Bathurst, Henry, third Earl Bathurst (cont.) investigation into the identity and on the curtailment of colonial background of Edwards, 60 government powers, 208 investigations in Van Diemen's Land, 5, deference to Somerset in their 51 and the issue of 'salutary terror', 53 correspondence, 77 description of Somerset as a 'Jockey', 77 opinion of the Burnett memorial libel doubts concerning the legality of case, 180-1 Edwards's libel sentence, 189 poor reputation of, in Australia, 52 dual administration system of, 79-80 recommendation of the implementation of English law in Trinidad, 175 on the errors made by Somerset, 208 exasperation with Somerset, 66, 77 report on the Courts of Justice, 175 farewell to the colonial governors, 78 on Somerset's actions having Greville's description of, 64-6 significance in colonies other than the haphazard way of handling papers and Cape, 205 correspondence, 67 warm personal relationship with Somerset, 194-5 humorous nature of, 66 instructions to Somerset to release See also Bigge, John Thomas, reports Edwards, 261, 268 concerning Australian colonies; Bigge, interest in the Edwards-Somerset libel John Thomas, reports concerning New South Wales; prize slave scandal case, 179 key elements in managing the and investigations Bigge, John Thomas, reports concerning interpersonal relations of colonial governance, 76-7 Australian colonies, 25-6, 52 on the legality of political removal, criticism of the reports, 98 209 - 10key outcome of the Bigge reports, 54 on the legality of Somerset's executive motives behind the commission, 53 power, 208 recommendations concerning convicts, pragmatic nature of, 66 54-5 private correspondence of, 79 recommendations leading to greater proposal for an advisory council, 210 colonial rights and constitutional development, 55 relationship with colonial officials, 78 reprimand of Somerset, 70-1, 76 Bigge, John Thomas, reports concerning skill as a manager, 66 New South Wales, 51 warning to Somerset concerning the general reports, 9-10, 23 judicial reforms following the reports, apprentice slave system, 150 Bayly, C. A., 10, 194, 205 'Beaufort influence', 75, 76, 96 report on judicial establishments, 35-6 Bennett, J. M., 9-10, 98, 99, 101 report noting escapes from New South Bentick, W., 219 Wales, 35 Benton, Lauren, 111 biography, transnational, 11 Bigge, John Thomas, 5, 19, 25, 39, 60, 98, Bird, Christopher, 41, 177 109, 115, 134, 170, 171–2, 188–9, conflicts of, with Somerset, 61 Bird, William Wilberforce, 105, 107, 116, 197, 246, 251, 266 complaints of Somerset to, concerning 138, 161 Groene Rivier property, 124 Denyssen and Greig, 225, 232 concern over the harsh sentencing of personal benefits from the prize slave Edwards, 179 system, 121 correspondence with Somerset, 25 protestations of his innocence in the as an information-gathering bureaucrat, prize slave scandal, 127 strategies to profit from the prize slave system, 123, 124 instructions concerning convicts and Birkwood, W. J., 123 convict transportation, 53 investigation into criminal law and Bishop, Sophia, 221 jurisprudence, 180 Blackstone, William, 57, 145, 186, investigation into Edwards' allegations 204 Blackwood's Edinburgh Magazine, 47 against Somerset, 61-2



Index 303

Blair, Charles, 19, 105, 106, 107, 116, generational shift in eighteenth-century 119, 129, 130, 134-5, 139, 144, 146, notions of governance, 71 151 government reform investigations into accusations against, as a political liability the Cape and Australian colonies, 6 for Somerset, 151 national identity of, 3 denial of cruelty towards Cousins, 135 'Old Corruption' in, 5, 14, 43, 92, 121 overhaul of imperial administration, 4 dispute with Corbitt over Malamo, 135-6, 137 political and social upheavals after gossip concerning Blair's 'transactions', Waterloo, 45-6, 53 126 - 7transformations from the eighteenth to as the 'great Prize Negro Merchant', 125 the nineteenth century, 75 personal benefits of the prize slave See also British colonial subjects system, 121 'British and the Cape, The' (Peires), 51-2 protestations of his innocence in the British colonial subjects, 181, 211 prize slave scandal, 127 definition of, 167 legal rights/status of, 167, 176, 211, return to England (1820), 123 sale of his Stellenberg estate, 124, 125 251 strategies to profit from the prize slave See also settler societies system, 123, 124 Brougham, Henry, 15, 16, 48, 66, 91, 209, temper of, 130, 135 241, 242, 243 See also prize slave libel trial, of Edwards on Oliver the Spy and the placard and Cooke; prize slave scandal and scandal, 241 investigations concerning Brown, Christopher Leslie, 155, 158 Blanketeers March (1817), 46 Bryant, Mary, 35 Blasphemous and Seditious Libels Act Buckingham, James Silk, deportation case (1819), 168-9, 179, 198 of, 206 reported in the Advertiser, 206 parliamentary debates concerning, 197 - 8buggery, 224 repeal of the banishment clause of, Burbidge, Peter, 28, 30 Burdett, Francis, 91 207 Bourke, Richard, 81, 249 Burnett, Bishop, 16, 17, 95, 96, 156, 166, Brand, Christoffel Joseph, 176, 177, 178 192, 230, 241-2, 243 defence of Edward during his appeal of banishment for libel, 197, 198 the Edwards-Somerset libel daring escape, 200 conviction, 184, 185-7 on Oliver the Spy, 240-1 defence of Edwards during the prize trial for a memorial libeling the Cape slave libel trial, 145 judiciary, 179 on the sentence of transportation for Buxton, Thomas Fowell, 49, 113 libel as 'illegal', 179 Byron (George Gordon, Lord Byron), use of Cicero's defence of Milo in opinion of the Hortons, 68 defending Edwards, 184 Bridekirk, William, 217, 219 Calcutta Journal, 206 Brisbane, Thomas, 246, 261, 266 Calderón, Luisa, 204 involvement of, with Edwards and Caldwell, Maria, 67 subsequent political debate Campbell v. Hall (1774), 203 concerning, 253-4 Canning, George, 82, 89 Cape Advisory Council, 210-11 conceptions of freedom in, and Cape Colony, 4, 9 subsequent opposition to slavery, 155 activists/reformers in, 48 alliance in, between the Cape Dutch concepts of good governance in, 101 gentry and the ruling British conservative reaction to revolutionary challenges in North America and administration, 43, 151, 158 Europe, 10 British subsidised emigration scheme for controversial nature of colonial settlers (the '1820' settlers) in, 46, 47, 274 - 5administrators in, 10 emigration initiatives of, 46 the 'Cape Patriot movement' in, 43, 201



304 Index

Cape Colony (cont.) Charter of Justice (1828), 174, 211 as 'Cape of Torments', 39 Christie, John Harvie, 86 as a conquered colony remaining under Cirencester Park, 67 a Roman-Dutch legal system, 57 Cloete, Abraham Josias, 225 Customs Department of, 105, 115, 121 Cloete, Hendrik, 145, 176, 178 defence of Cooke by, 144-5 domination of the Cape Dutch over Clune, Frank, 13, 262, 277 other European settlers, 43 geographical location of, and the slave Cobbett, William, 5 trade, 115 Colebrooke, William, 5, 19, 25, 39, 60, 109, 115, 134, 171-2, 189, 209, as a highly litigious society, 140 labour market of in the 1820s, 111 the prize slave system of, 110-11 concern over the harsh sentencing of public opinion in and the government Edwards, 179 investigation into criminal law and regime change in the colonial jurisprudence, 180 investigation into Edwards's allegations administration of, 211 slave trading in, 112-13 against Somerset, 61-2 use of slave labour, 112 opinion of the Burnett memorial libel wine industry boom, 111, 112 case, 180-1 Collier, Robert, 32 See also Batavian interregnum, the (1803-1806); Cape Colony, petition Collins, David, 58 for a free press in; Cape Colony, Colonial Office, 9, 11, 23, 72 populations of; espionage/spies, in the and the accusations against Somerset, 72 - 3Cape Colony; Roman-Dutch legal system, in the Cape accusations of 'Liberalism' against, 74 Cape Colony, petition for a free press in, as an amalgam of gentlemen's club and 96 the official civil service, 69 government attempts to gain clerks of, 67-8 information on signatories, 96 concern over the sentencing in the Edwards-Somerset libel case, 179 list of signatories sent by Somerset to the organisation comparable to that of a secretary of state, 96 private house, 67 Cape Colony, demographics of, 53 Dutch population, 42 original staffing of, 64 indigenous Khoekhoen population, 42, origins in the eighteenth century, 64 137 poor operating and physical conditions legal questions regarding the sovereignty of, 63-4 of, 57-8 public opinion concerning, 70, 73-4 percentage of colonial population living reaction to the prize slave scandal and investigation, 109 in Cape Town, 42 settler population, 41 relations with House of Commons, 70, 71, 73–4 slave and 'free black' population, 42 'Cape Patriot' movement, 43, 201 response to scandals initiated by Cape Town, population of, 42 Edwards, 18, 62 Cape Town Gazette, 123 slow movement into bureaucratic Carnall, John, 156, 245, 246 efficiency, 67 colonial officials, accusation of misconduct Cartledge, James, 238 Castle, John, 89 against, 9-10 Castlereagh (Robert Stewart, Viscount Commentaries on the Laws of England (Blackstone), 57 Castlereagh), 89 Cato Street conspiracy, 84, 88 Commission of Eastern Inquiry, 5, 8, 9, fate of the conspirators, 84-5 25, 48, 49, 51-2, 61, 82, 97, 109, 115, 116, 119, 120, 123, 152, 166, Catton Hall, 68 Causer, Timothy, 2 175, 208, 210, 282 Ceylon, 5 complaints brought to, by prize slaves, Charouneau, William, 31 116



Index 305

investigation into the trial and sentencing of Edwards for libel, 189-90 the 'job' of, 120 report on the complaints of Burnett, 241 - 2report on the prize slave libel trial, 149 on the role of truth in civil prosecutions for defamation, 141 on the slippage between private dispute and public complaint, 142, 146 See also prize slave scandal and investigations Commissions of Inquiry, Parliamentary, 9, 18, 23, 39, 51, 57, 59, 61–2, 101 reduction of executive power by, 77 See also Bigge, John Thomas, reports concerning Australian colonies, Bigge, John Thomas, reports concerning New South Wales Committee of Secrecy (1817), 88, 89 convict escapes, 247, 252 attempted escapes from New South Wales, 36 escapes from Australia to India, 36 gendered view of, 252 historiography of, 35 by sea, 35-7 suicide as a form of escape, 247 convicts, 281 mutinies amongst, 33 rights of, 58 suicides and murder-suicides of, 258 - 9transportation, 53 debates concerning educated ('gentlemen') convicts, 248, 249 See also convict escapes; penal colonies Cooke, Lancelot, 8, 19, 20, 105, 106, 107, 130, 134-5, 151 acquittal of, 21 arrest of, 20 charges brought against Cooke and Edwards by Denyssen, 108 complaints concerning Blair's conduct in the assignment of prize slaves, 108 departure for England, 160 exposé by (with Edwards) of prize slaves, 8, 20, 79, 158 filing of a civil suit against Blair, 107 memorial to Somerset (by Cooke and Edwards), 108, 130-1 response to Blair's insults, 130 speculation that Cooke should defend his honour against Blair with a duel, 132

See also prize slave libel trial, of Edwards and Cooke Corbitt, William, dispute with Blair over Malamo, 135-6, 137 Cory, G. E., 224 Cousins, William, 122 fate of, 135 on the temper of Blair, 130, 135 trial of, 20 Cox, Charles, 278 court martial of, 279 as part of a 'foul conspiracy', 279 Craddock, John, 111 Crotty, Martin, 52 Cruikshank, George, 89 Darling, Ralph, 4, 21, 55, 57, 58, 207, 248, 252, 255, 270, 271, 274 accusations of cruelty and tyranny against, 260 complaints concerning the investigation of Edwards' identity, 272 conflicts with Chief Justice Forbes, 250 as an example of gubernatorial mismanagement, 249 hierarchical and militaristic outlook of, 249 importance of Darling clearing his name in regards to the treatment of Edwards, 271-2 insistence that New South Wales was a penal colony only, 56 letter exonerating himself from the mistreatment of Edwards, 279 policy regarding 'gentlemen' convicts, 249 and the question of Edwards's identity as Kaye, 266, 267 similarities with Somerset, 55 Dashwood, Francis, 125-6 De Grey, William (Chief Justice), 204 Deane, Thomas Kift, 216 defamation/defamation law, 21, 142, 166, 174, 175 and amende honorable, 140-1, 170 and amende profitable, 170 compatibility and differences of English and Dutch laws concerning, 144, 174 confusion over the question of truth in, 170 criminal defamation, 141 gender dimensions, 141 non-legal methods of redress, 140-1 the role of truth in civil prosecutions, 141, 142, 169



306 Index

Denijssen (Denyssen), Daniel, 43, 44-5, applications to work for the Commission 145, 151, 152, 161, 172, 177, 178,of Eastern Inquiry, 26, 27, 39, 63, 83, 193 113 attacked in satirical placards, 182 anecdote concerning an old slave's view call for an exemplary sentence in the of England's goodness, 154-5 Edwards-Somerset libel case, 179 arrests of, 20, 21, 125, 157, 162, 253 arrival at the Cape Colony, 113 as 'Dog Dan', 44 Edwards's attacks on his service and assertions of his genteel social loyalty, 45, 108 credentials, 26-7 attack on the character and actions of on executive power, 205 legal opinion concerning banishment, Denyssen, 151-2 at Bathurst, New South Wales, 248, 252 200 - 2letter defending himself against under the influence of the anti-Edwards's charges, 152, 153 government opposition, 155, 156 an opponent of Anglicisation, 45 on the betrayal of British reformist proficiency in the English language, 177 ideals, 153 prosecution of Edwards in the boasts concerning money, 38 Edwards-Somerset libel case, 187-8, as a British 'patriot', 153, 157 burial of, 258 charges against Somerset, 16, 61 prosecution of Edwards in the placard scandal, 226 children of, 248 retirement of, 45 colonial contexts in which Edwards Somerset's complaints concerning, 225 came to prominence, 18 dissection, 280-1 colorful escapades of, 8 of convicts and Aboriginal people in complaints concerning legal pluralism, colonial Australia, 281 horror of, 279-80 reported connection to the Bigge Dixon, Charles, 123-4 commissions, 100-1 Donkin, Rufane, 41, 61, 96, 236-7 continuing protests against the Cape cost-cutting during his tenure as administration, 8, 151-2 governor, 92 controversies concerning, 13 opinion of Somerset, 91 as a covert agent for Bigge, 6 squashing of espionage operations when difficulty in establishing the status and governor, 92, 93 identity of, 12-13 Dooling, Wayne, 112 reported dissection of Edwards's body, 'Dreyer's Corner', 214 276, 278-9, 280 Dutch East India Company (Vereenigde escapes of, 245-6, 247, 248 Oostindische Compagnie [VOC]), 43, evidence compiled against, 9 144-5 exposé by (with Cooke), of the treatment forced migration network of, 201 of former prize slaves, 8, 20, 79 legacy of, at Cape Colony, 153 genuine outrage over the situation of legal system of, 198, 199 prize slaves at the Cape, 157 Dutch Reformed Church, 49 and habeas corpus legal arguments on Dyke, R., 97 behalf of, 254-5 identification as an escaped prisoner, 248 Eddy, J. J., 11, 66, 69, 75 'imperial careering' of, 11 Edwards, Elizabeth. See Rens, Elizabeth independent spirit of, 2 Catharina (Elisabeth Edwards) 'infamous Character' of, 75 Edwards, George, 84, 85, 87, 241, 265 legal training of, 8 as an agent provocateur, 85 letters to Bathurst concerning his Edwards, William (Alexander Loe Kaye), conviction for libel, 189 3, 11, 12, 22–3, 39, 48, 59, 63, 105, link to Bigge's activities in New South 130, 249, 282, 284 Wales and Australia, 98, 100-1 accusations of spying against, 98, 99 on the manipulation and betrayal of the application to remain in Cape Colony, Abolition Act by corrupt officials, 153 - 4



> Index 307

> > 261 - 2

marriage of, 244 in Mauritius, 63 mental suffering and possible madness of, 256, 259 motives of, 23 move from Java to Mauritius, 26 near-shipwreck of, 245 notary and legal work of, 38, 83-4 notoriety of, 3, 27, 34 as a 'politician', 269 problems in assigning meaning to the suicide of, 259-60 reasons for Edwards's attack on Somerset, 19 reasons for Edwards's leaving the Frederick, 253 recapture after his escapes, 246, 252 recurring bouts of 'Java fever' suffered by, 26 reward offered for the capture of, 251 scandals instigated by, 71 sentencing for leaving the Frederick, 253, 255 suicide of, 2-3, 247, 256-8, 282 suicide attempts of, 246, 247, 256 taking of the name William Edwards (transition from Kaye to Edwards), 8, various publications of, 269-70 at Wellington Valley, 248, 269 See also Edwards, William, false accusations against as agent provocateur George Edwards; Edwards, William, investigations concerning the identity of; Edwards, William, and the placard scandal; Edwards, William, as a political activist; Edwards, William, trial of for horse stealing; Edwards, William, trial of for libeling Somerset; prize slave libel scandal, Edwards' pre-trial involvement in; prize slave libel scandal and investigations; prize slave libel trial, of Edwards and Cooke Edwards, William, false accusations against as agent provocateur George Edwards, 84, 88 defence of, 85 testimony of witnesses for, 85-6

complaints concerning the investigation of Edwards' identity, 272 Darling's investigation into the matter, 267 debates in the Sydney press, 267-8 earliest evidence for the link between Edwards and Kaye, 263-4 Hay's opinion of the investigation, 272-3, 274 height differences between Edwards and Kaye, 262 identification of Edwards as Kaye on arrival in Cape Colony, 265, 266-7 identification of Edwards as Kaye on arrival in New South Wales, 265-7 identification of Edwards as Kaye by the Commissioners of Inquiry and Somerset, 264-5 investigations into the identity/ background of, 23, 60 primary thrust of the investigation, and the secretary of state's response to Elisabeth Edwards' petition concerning, 271 and use of convict records to determine identity, 262-3 Edwards, William, and the placard scandal accusation by Edwards's servant (Daniel Lee) against Edwards, 226-7, 230 the Court of Justice's dismissal of the case, 230 denial by Edwards of any involvement, Denyssen's proposed motives for Edwards's involvement, 230 Edwards's challenge to the fiscal to produce a respectable witness, 234 Edwards's opinion of the scandal given to the Commission of Eastern Inquiry, 234 - 5Edwards and other 'radical', as persons of suspicion in, 219, 225 failure of the investigation to come to any conclusion, 231 recognition by Edwards of the damage done to him by the scandal, 232 concerning the identity of, 260, 265, Somerset's reaction to the dismissal of charges against Edwards, 231 and the accessibility and manipulation of unreliability of the evidence against

Edwards, 234

Bigge's suspicions concerning the identity of Edwards, 264, 266

broader political implications of,

use of a notary to defend himself, 87

Edwards, William, investigations

convict records, 263

267, 275



308 Index

Edwards, William, as a political activist, the prosecution's case against Edwards, 37, 38, 269 172 - 3,205and the cause of the Khoekhoen, 50 the prosecution's response to Edwards's difficulty establishing Edwards's motives defence appeal, 187-8 for, 160 questions concerning the legitimacy of doubts concerning Edwards's motives the sentence of transportation, 187, amongst anti-Somerset activists, 159 268 insistence by Edwards on his identity as representation by Brand during a lawyer, 38 Edwards' appeal, 184-5, 186-7 involvement in Cape Colony politics, self-defence of Edwards at the initial 18-19 trial, 170 upholding of Edwards's sentence on lack of clues as to the origin of his activism, 37-8 appeal, 188 negligible influence of Philip on, 49 witness of the manumitted slave while incarcerated, 214–15 'Carolina', 171-2 Edwards, William, trial of, for horse Ellé, Jean, 20, 103, 104, 107, 113, 130 apprenticeship to Samuel Murray, 106, stealing, 20 acquittal of, after the first arrest and 123 trial, 21 involvement in the prize slave scandal, guilty verdict after the second arrest and 109 wages as a cook, 106 trial, 21 sentence of, 21, 27 See also prize slave scandal and Edwards, William, trial of for libeling investigations Somerset, 160-1, 166, 167 Epstein, James, 156, 205 espionage/spies, 83, 243-4 the Act of Accusation made against anti-spying paranoia and the concept of Edwards at, 168 arguments concerning which laws English liberty, 87 (Dutch or English) should apply at the arguments against state-sponsored trial and sentencing, 178-9 espionage in Britain, 234 appeal by Edwards of his conviction, 184 and British military success in India, arrest of Edwards, 162, 195 93 conviction of Edwards, 184 government spies, 87 Court of Justice ruling that Edwards had as part of a wider reformist agenda, 90-1 confessed, 177-8 political liability of, 93 defence claim that the letters of Edwards state-sponsored espionage as a foreign were forged, 184, 186-7 invention, 88 difficulty in determining the intent of use of informers against popular Edwards's letters regarding, 161 radicalism, 87 See also espionage/spies, in the Cape Edwards's list of witnesses, 170-2 incarceration of Edwards, 209, 214-15, Colony; Royal Mail, the, and 245 espionage practices judicial actions brought against Edwards espionage/spies, in the Cape Colony, 92, by Somerset because of the letters, 93, 191-2 161 - 2the opening of private correspondence letters sent to Somerset by Edwards by Somerset's informers, 95-6 regarding the 'house molestation' Evans, Raymond, 52 charges, 160-1 Evans, Thomas, 31, 32 muzzling of the Cape press from executive power, 205 covering the trial, 170 Denyssen's opinion of, 205 possible motivations for Edwards's See also banishment, and the law letters to Somerset, 162–3 expression, freedom of, 21 presentation by Edwards's defence that William Parr was the true culprit, Fabrigas v. Mostyn (1773), 203

proposed punishment of Edwards and

the doctrine of Roman law, 173-4



Index 309

Fairbairn, John, 13, 14, 15, 47, 48, 49, 94,	Habeas Corpus Act (1679), 199
95, 209	Hall, Edward Smith, 250, 260, 268, 269,
as co-editor of the <i>Advertiser</i> , 47–8	270
use of nicknames by, 223	Halloran, Laurence, 277
doubts concerning Edwards's motives,	Hammond, Thomas, 217
159	Hammonds, Barbara, 237–8
Farquhar, Robert T., 113, 114	Hammonds, J. L., 237–8
Fatal Shore, The (Hughes), 2	Harling, Philip, 168
Faure, Abraham, 49	Hartwell, Philip Harmot, 278
'felony attaint', legal doctrine of, 58	Hastings, Warren, 145
Findlay, John, 216	Hay, Robert, 67, 69
fiscal, 152	and the Colonial Office report on
duties of, 44	Edwards, 37
Edwards's speech against, 148–9	opinion of the investigation into
placard of deriding the fiscal, 148	Edwards' identity, 272–3, 274
unpopularity of, 148	Hero (ship), 26, 84
Flanagan, Owen, 263	Hirst, John, 247
Flanagan, Patrick, 263	History of the Reign of George III (Baines),
Forbes, Francis, 58, 207, 252	90
conflicts with Darling, 250	History of South Africa (Theal), 14
insistence on holding executive power to	Hoffman, Jan Bernard, 121, 140
newly minted constitutional dictates,	evidence to the Commissioners, 121–2
250	Hogarth, William, 280
Ford, Lisa, 164, 204, 254	Hollett, William, 124
Four Stages of Cruelty (Hogarth), 280	Holmes, Rachel, 223
France, 87	Holy Alliance, the, 15
Francis, D. P., 97	honour, 78–9, 166
Frykenius, Simon Hendrik, 180	See also prize slave scandal and
Fyans, Foster, 2	investigations, themes of honour in
Q WWW. 24	Hopley, W. M., 97
Garrow, William, 31	Horton, Anne Beatrix, 68
Gibson, Andrew, 277	Lord Byron's praise of her beauty, 68
Gloucester Journal, 32	Horton, Robert Wilmot, 63, 68, 69, 71,
Goldsmith, Charles, 30	74, 75, 81, 92, 150, 249
Goulburn, Henry, 236	on the Cape government being 'under
governance. See imperial governance	public opinion', 73
Great Reform Act (1832), 18	as the 'chief protagonist of
Greig, George, 13, 15, 16, 21, 47, 48, 49,	Anglicisation', 153
85, 92, 192, 204, 207, 230, 240	exasperation at having to defend
actions of Somerset against, 196, 197	Somerset, 73
complaints concerning search warrants	invaluable service to the Colonial Office,
issued against him, 232–3	68
on the government's handling of the	on the law of conquest and colonial
placard scandal, 242	governance, 181
Somerset's animosity towards and	Howell, James, 97, 214
distrust of, 192	Howell's Circulating Library and
as a suspect in the placard scandal, 226,	Stationers, 214
227	Hudson, Samuel, 22, 96, 97, 132, 182,
Greville, Charles, 64–6, 68	187, 209, 245, 251
Griffin, William, 238	account of Shee's disfigurement, 228
Grotius, Hugo, 201	on the Cooke–Edwards libel trial, 147, 148
habeas corpus	on the departure of Greig, Burnett and
legal arguments concerning Edwards	Wilmot from the Cape to London,
and, 254–5	244
periodic suspension of, 11	on English and Dutch placards, 215



310 Index

Hudson, Samuel (cont.) Jane (ship), 34 gossip concerning Blair's 'transactions', Java. See Batavia (Java) 126 - 7Jones, William. See Oliver, William (real on the incarceration of Edwards, 209 name W. J. Richards, aka William on Oliver the Spy, 239-40 Jones) placard deriding the fiscal, 148 Jury, James, 85 on rumours and gossip at Howell's book shop, 214 Kable, Henry, 58 Hughes, Robert, 2 Kable, Susanna, 58 Karskens, Grace, 247, 252 account of 'suicide lotteries', 2 Hughes, Thomas, 32 Kaye, Alexander Loe (William Edwards), humanitarianism, British, 121 162, 199 Hume, Joseph, 48, 66, 72, 181, 240 arrival in Sydney, 33-4 assigned to solicitor Thomas Wylde, 34 Humphreys, Samuel, 30 Hunt, George, 84, 86-7 as a banker, 30, 31 Huskisson, William, 271 birth and baptism of, 7, 28 Hutchinson, William, 33, 34, 36, 248 escapes of, 6, 34 as the person who identified Edwards as imprisonment in King's Bench prison Kaye, 224, 248, 265 after a fuel bill dispute, 31-2 imperial governance, debates inaccurate reports that he was sent to concerning, 11, 247, 253-4 Van Diemen's Land after his factionalism in colonial administrative conviction, 33 politics, 41, 62, 91 indictment for assault, 32 implications of obscure/local scandals on involvement in attempted mutiny on the imperial power relations, 75-6 convict transport Atlas, 33 importance of theatre to the involvement in property speculation, 28 marriage of, 30 governmentality of imperial society, 156 - 7movements within the convict system of New South Wales, 34 interpersonal controversies that mark notary and legal work of, 19, 20, 28 imperial governance, 23 systemic problems of, 61 precarious financial position of, 31 transformation after the Napoleonic press reports of his trial for horse Wars, 39 stealing, 32 transition from a Dutch to British time in Batavia (Java), 35 imperial system at Cape, 22 trial and conviction for horse stealing, 6, Imperial Meridian (Bayly), 10 variants of his surname, 28, 31 indentured servants, Irish, 227 See also Edwards, William, investigations link between indentured servants and concerning the identity of the system of unfree labour at the Kaye, Charles (brother of Alexander Loe Cape, 227 Kaye), 29, 30 Kaye, Edward Shackfield (son of as part of the Cape underclass, 227, 228 Alexander Loe Kaye), 31 Kaye, Margaret (mother of Alexander Loe India, 205 British actions against the press in, 206 Kaye), 28, 29, 31 Kaye, Mary (sister of Alexander Loe Kaye), 29, 30, 162 British military success in, 93 information-gathering/collection, 23, 80, 101, 243 low opinion of her brother Alexander, and informal intelligence networks, 62, 29-30 Kaye, Thomas (brother of Alexander Loe 215 potential stigma of espionage in, 243 Kaye), 19 death of in the British-American War role of gossip and interpersonal correspondence in, 62-3, 93 (1814), 29'word on the street' and the means of Kaye, Thomas (father of Alexander Loe spreading libelous writings, 215-16 Kaye), 28, 29, 31 Ingram, John, 226, 227, 235 bankruptcy of, 29



Index 311

Kekewich (Justice), 195, 196 Kercher, Bruce, 247 Khoekhoen ('Hottentots') rights of parents over children, 118 legal status, 118 Kostal, R. W., 202 Krumpholtz, Philip, 86 Lady Campbell (ship), 25 Laidlaw, Zoë, 11, 62, 77 law, 202 constitutional law, 164 decline in seditious libel prosecutions in English law, 169 Dutch law and the 'foreignness' of the Cape administration, 183 law of conquest, 166, 181 law as a threat to tranquility, 165 'Laws of War', 203 maritime law regarding prize slaves, 104 - 5See also banishment, and the law; defamation/defamation law; legal pluralism; libel; Roman-Dutch legal system, in the Cape Law of Libel (Holt), 145 Le Victor (ship), 111 capture of, 103 See also Le Victor, alleged slave passengers of Le Victor, alleged slave passengers of Denis, 103 Jean-Pierre, 103 Louisa, 103 See also Ellé, Jean Lee, Daniel, involvement in the placard scandal, 226-7, 228, 230, 235, 241-2arrest of, 230 attempted coercion of Lee by O'Grady, 228 - 9beating of, 235 coerced confession while drunk, 234 Edwards's dismissal of, 234 rumours of concerning bribery to commit perjury, 234 Leeds Mercury, 89 legal pluralism, 166, 194, 211 blurring of the lines between Roman-Dutch and English law in libel cases, 178 complaints concerning indiscriminate application of Roman, English, and Dutch law, 175-6 concern across the British empire in relation to, 164

debates concerning the Edwards-Somerset libel trial, 178-9 problems with, in settler societies, 204-5, 212 and the relationship between civil and common law, 174 libel, 174 blurring of the lines between Roman-Dutch and English law in libel cases, 178 criminal libel, 141, 167, 179 decline in seditious libel prosecutions in English law, 169 difficulty in defining, 164 the risk of libel trials, 168 seditious libel actions, 166 under Dutch-Roman law, 166, 169, 187 Libel Act of 1792 (Fox's Act), 168 liberalism, 224 radical liberalism, 205 liberty and security, relationship between, 22 Liverpool (Robert Banks Jenkinson, second earl of Liverpool), 82, 84 Loe, Margaret (aunt of Alexander Loe Kaye), 28, 31 death of, 30 London Missionary Society, 48, 49 Louis decision, 111 Luddites, attacks of, 46 MacDonald, Helen, 279, 281 Macmillan, W. M., 15, 282 view of Edwards as a 'bounder', 15 Macquarie, Lachlan, 52, 54, 99, 101 'Macquarie Bicentennial', 52 Mahony, Thomas, 214 Malamo, dispute over between Blair and Corbitt, 135-6, 137 Mansfield (William Murray, first earl of Mansfield, Lord Chief Justice), 166, 203, 204 Mascarenes Islands, 113 Mason, John, 137, 138 Mauritius, 5, 113 Maxwell-Stewart, Hamish, 33, 279 McCallum, P. F., 156 McLachlin, N. D., 69 Melville (Henry Dundas, first Viscount Melville), 145 Métairie, Claude Guillaume, 103, 104 Meurant, Louis, 92, 193, 214, 235 on Edwards's speech against the fiscal, on spies in the Cape Colony, 93 Miller, Linus, 263



312 Index

Minerva (ship), 98, 244, 245, 248, 265, exposure as a government agent, 88, 89 fate after the Pentrich uprising, 237 266 Mixed Commissions, the (1819), 111 hatred of, by the English populace, 91 Murray, George, 271 historiography on, 237-8 as 'Oliver the Spy', 88, 89, 236 Murray, Samuel, 106 See also Oliver, William (real name W. J. Napoleonic Wars, 111 Richards, aka William Jones), in the shifting of the legal system after, 111 Cape Colony social and economic upheaval following, Oliver, William (real name W. J. Richards, 10 - 11aka William Jones), in the Cape Narrative of a Residence in South Africa Colony, 238-9, 240 Burnett's view of, 240-1 (Pringle), 14, 92, 97 Neal, David, 247 Edwards's view of, 240 Nederburgh, Sebastian Cornelis, 180 and opposition attacks on Britain's Tory New South Wales, 5, 199 government, 241 administration of, 9, 51 and the placard scandal, 241 as Somerset's 'Jackall', 239 and British emigration policy, 46 centralisation of population in, 54 as a symbol of the excesses of the as a colony of settlement rather than of Somerset regime, 239 conquest, 57 usefulness as a covert operative, 239 dissection of prisoner bodies in, 281 Olivier, N. J. J., 174 establishment of a Legislative Council Order in Council (1808), 115 for, 55 Ordinance 19, 117 establishment of a Supreme Court for, Ordinance 50, 50, 282 Ordinance 60, 159 55 Oriental Herald, 206 free immigrant population of, 53 as a free or 'slave' society, 247 Ovens, T., 265 independent press of, 207 Parr, Thomas William, 185-6 legal issues concerning its character as a penal settlement, 58-9 Parker, George, 85 paternalism, 139 litigation in, 251 in the Cape slave system, 137 migrant and emancipist population of, and family structure in Cape slave rights of convicts not in accordance with society, 137-8 English law, 58 pervasiveness throughout the prize slave New South Wales Act (1823), 55, 57, 58, investigations, 135 207, 250, 254 patronage/patronage networks, 121, 128 Norfolk Island, 1-2, 54, 255 Peel, Robert, 249 cemetery of, 276 Peires, Jeff, 51-2 first suicide reported on, 2 penal colonies lurid reputation of, 2 ad hoc legal arrangements in, 254, as 'the modern Gomorrah', 1 274 - 5myth of murder-suicide lotteries in, 2, emancipist sentiments concerning, 259 250-1as 'Norfolk's fell Isle', 1 reform of, 50-1 notaries, use of, 87 Pentrich uprising (1817), 46, 88 allegations against Oliver concerning, 89 O'Grady, Roger, 228, 230 fate of the leaders of, 88 Perceval, Dudley, 41, 80 attempted coercion of Lee in the placard scandal, 228-9 duties of, 80 wrote love letter for Lee in exchange for ennui of, 80 information, 229-30 letter book of, 80 Oliver, William (real name W. J. Richards, opinion of Somerset, 41-2 aka William Jones), 88, 89, 236, 238, reports to London concerning the Cape 243 Colony, 81



Index 313

on the weaknesses in Somerset's character, 81 Perceval, Spencer, 41, 80 'Peterloo' massacre (1819), 46 Philip, John, 14, 15, 16, 48, 49, 94, 95, return to London as a lobbyist, 49 as superintendent of the London Missionary Society in the Cape, 48-9 Pickering, Paul, 87, 237, 238 Picton, Thomas, 204 Pigou, H. M., 106-7, 133, 134 See also prize slave scandal and investigations Pitt, William (the younger), 87 'spy system' of, 243 placard scandal, 22, 225, 242 advantageous opportunities for the government created by, 232 attempts by witnesses to reconcile their own propriety with the salacious content of the placard, 217-19 as a dirty tricks campaign manufactured by the authorities, 243 first appearance and disappearance of the placard, 216-17 G. E. Cory's account of, 224 immediate responses of the colonial administration, 219 inability to prove facts, 224-5 initial public sympathy for Somerset and Barry, 231-2 legal pluralism and the comic aspects, 219 in the oppositional politics of the Cape, origins of, 216 political implications of, 231, 241, 242 - 4response in London, 240 reward offered for information concerning, 233, 234, 235-6 Somerset and Barry's appearance together in the wake of, 219 text of the offending placard, 216 use of search warrants during, 232-3 witnesses to the placard, 217 See also Edwards, William, and the placard scandal; Lee, Daniel, involvement of in the placard scandal; O'Grady, Roger, attempted coercion of Lee in the placard scandal placards, 209, 215 against the Cape authorities' perverting English concepts of law, 182

examples in Dutch, 183 examples in English, 182 prominent place for the posting of, 213 as 'word on the street' and the means of spreading libelous writings, 215-16 See also 'Dreyer's Corner'; placard scandal Plasket, Richard, 165, 284 on the law as a threat to tranquility, 165 politieke uitzetting [political removal] Bathurst's belief concerning, 209-10 Somerset's attempts to justify the legality of, 196-7 Somerset's use of against Greig, 196 See also banishment, and the law Port Macquarie, 248, 255 Porter, Bernard, 237 Porter, William, 45 Powley, F. G., 97 Pringle, Thomas, 13, 14, 15, 17, 47, 48, 49, 158, 206, 209 assessment of Edwards as an 'adventurer', 14 on the 'Cape Reign of Terror', 14, 92 co-editor of Blackwood's Edinburgh Magazine, 47 co-editor of the South African Commercial Advertiser, 47-8 complaints concerning search warrants issued against him, 232-3 determination to publish an exposé of the Cape administration, 209 disjunctures between the published work and private correspondence, 17 doubts concerning Edwards's motives, 159 fear that his private correspondence was under surveillance, 94 fear of the possibility of incarceration, financial ruin of, 14 on the intimidation of the Cape population by Somerset's administration, 97 letter to Brougham, 15, 16 letter to Fairbairn, 16 low opinion of Edwards, 14, 15, 17 on the object of the 'Placard Plot', 232 opinion of the Commissioners of Inquiry, 97 return to Britain, 49 as secretary of the Anti-Slavery Society in London, 49 use of nicknames by, 223 'Whig principles' of, 209



314 Index

prize slave libel scandal, Edwards's prize slave libel trial, of Edwards and pre-trial involvement in, 124, 158 Cooke, 77, 131, 139, 144, 148, 159, compiling of testimony by, concerning 166 Blair's corruption, 108 acquittal of Edwards and Cooke, 149, dismissive attitude of, towards Blair's 160 supporters, 132-3 Brand's defence of Edwards, 145 and the drawing up of Cooke's Cloete's defence of Cooke, 144-5 complaint, 107 basis of the indictment, 139 information provided by, to the as both a cause célèbre and a form of Commissioners of Eastern Inquiry, public entertainment, 147 charges against Cooke, 108, 140 letter of, to the Commissioners of the charges against Edwards, 108, 140 Court of Justice, 151-2, 155, 156 Cooke's defence against the charges, manipulation of the scandal by Edwards 142 - 3for local/metropolitan audiences, 131 Denyssen's arguments against the memorial of, brought to the Lords defences of Cooke and Edwards, Commissioners of His Majesty's 143 - 4Treasury, 130-1 Edwards's attack on the Cape regime prize slave libel scandal and investigations, and the fiscal during, 140, 148-9 97, 120, 131, 138 Edwards's charged with contempt of Blair's primary defence, 127-8 court, 140 charges brought against Cooke and Edwards's defence, 143 Edwards by Denyssen, 108 Edwards's vehement protest against the circumstantial evidence presented at, 128 fiscal during, 140, 148 colonial and imperial context of, 109 failings of the Cape administration Colonial Office reaction to, 109 brought to light during, 146-7 informal nature of the investigation, grandstanding of Edwards during, 131 128 - 9implications of the acquittal for the Cape investigations concerning Blair's control administration, 149 key element of, concerning the uses of over the distribution of prize slaves, 122, 132 the memorial, 141-2 origins of the scandal, 106-7, 133-4 key points of, concerning the memorial, the prize slave system at the Cape 142 Colony, 110-11 libel as a breach of the peace, 139 protestations by Blair and Bird of their newspaper reports of, 147 innocence in the scandal, 127 as a political liability for the Somerset testimony during, as almost exclusively administration, 149, 150, 151 by British subjects, 138-9 the prosecution's case against Edwards testimony of prize slaves during, 120 during, 77-8 See also prize slave libel scandal and ruling of concerning allowing witnesses investigations, themes of honour in; to the truth or falsehood of the prize slave libel trial, of Edwards and memorial, 142 Cooke Somerset's complaints concerning, 147 prize slave libel scandal and investigations, unusual nature of (as a criminal libel themes of honour in, 131, 132 case), 141 Edwards' imagined dialogue between See also Stephen, James, opinion on Cooke and Ellé, 134 Fiscal v. Cooke, Edwards and Hoffman the honour culture between the Dutch case and the British, 133 prize slaves, 110, 116, 120, 151 complaints of, 116-17 the manner in which honour and status were conceived in Cape slave society, corruption in the prize slave system, 132 134 - 5length of apprenticeship for, 121 the pervasiveness of paternalism maritime law regarding prize slaves, throughout the investigations, 135, 104 - 5mistreatment of, 151



Index 315

Wylde's opinion of, 211 See also banishment, and the law

Ross, Lynette, 258

the prize slave system in imperial context, 110 as slaves seized by the British navy, 19, 20, 105 as a source of real income, 122 treatment as real property, 125-6 as under the authority of the local Customs Department, 105 See also Africans, liberated; prize slave scandal and investigations public opinion and the Cape government being 'under public opinion', 73 concerning the Colonial Office, 70, 73-4 Publications Act (1819), 168, 169 Racehorse (ship), 103 Records of the Cape Colony (Theal), 17, 194 Reminiscences (Meurant), 92 Rens, Elizabeth Catharina (Elizabeth Edwards), 244, 245, 247, 253 attempts by to raise money after Edwards's death, 269-70 authorisation by Darling of money for after Edwards's death, 270 Bigge's description of, 268 case brought by Elizabeth to the Supreme Court concerning Edwards's identity, 268-9, 270 inheritance from her mother, 270 petition regarding her husband's mistreatment and sentence, 252-3, the secretary of state's response to her petition, 270-1 time with her husband at Port Macquarie, 248 Researches in South Africa (Philip), 50 Reynolds, Thomas, 89 Richards, W. J. See Oliver, William Riches, Isaac, 85, 86 Rise of South Africa (Cory), 224 Ritchie, John, 98 Robben Island, 199, 245 Roberts, David Andrew, 52, 248, 252, on illegal convict movement on the Bathurst frontier, 255 Roberts, Michael, 75 Roman-Dutch legal system in the Cape, 57, 164, 166, 174, 175 and laws concerning marriage and inheritance, 175 protests against Dutch law in the

Ross, Robert, 9 Royal Mail, 94 Royal Navy, 111 Samboo, testimony of, 119 Sandys, Francis, 206 Saunders, Charles, 116 Scallyways of Sydney Cove (Clune), 13 scandals, as a way of understanding social and political relations, 224 settler societies, 211 and the problems of legal pluralism, 204-5, 212 settler rights, 167 Shackfield, Edward (father-in-law of Alexander Loe Kaye), 31 Shackfield, Susanna (wife of Alexander Loe Kaye), 30, 31 Shee, Daniel, 228, 235 disfigurement of, 228, 235 Shortt, Francis, 277, 278 Shuttleworth, Thomas, 29, 30 Sidmouth (Henry Addington, first Viscount Sidmouth), 89, 236 Sitwell (Under-Sheriff), 245, 246 Six Acts (1819), 11, 84, 168, 198 slaves/slavery Christian slaves, 117 as slave-owners' volk [people], 137-8 difficulty of eliminating the slave trade in the Cape Colony, 114 illegal slave trade in the south-west Indian Ocean, 113 number of captured slaves entering the British colonial system, 104-5 office of the Guardian of, 120 in parliamentary debates, 108–9 preparation for liberation, 115 shifting master-slave relations, 137 slave children (see also Malamo), 119 value of slaves captured at sea, 104 See also prize slaves; slavery, abolition of slavery, abolition of, 19, 20, 104, 151 abolition as central to the conception of Britishness, 154 adherence to the cause of in Britain, 158 Edwards's view of the Abolition Act, 153 - 4Somerset, Lord Charles, 8, 9, 14, 16, 25, 31, 57, 70, 96, 132, 146, 151, 200, 236, 262, 266

animosity towards Edwards, 195

sentencing of Edwards for libel, 183



316 Index

Somerset, Lord Charles (cont.) use of paid informers by, 93-4 autocratic powers of, 41, 196 vexatious nature of his second term as belief that Bird had gathered governor, 60-1, 213 conspirators ('the Aviary') against vicissitudes of, 17 warm personal relationship of, with him, 61 collapse of the parliamentary Bigge, 194-5 See also Edwards, William, trial of for proceedings against, 82 colourful background of, 39 libeling Somerset; placard scandal; complaints concerning Greig, 232 politieke uitzetting [political removal]; Somerset, Lord Charles, relationship complaints concerning the inaction of of with the press; Somerset, Lord Fiscal Denyssen in prosecuting cases, Charles, specific allegations of correspondence with Bigge, 25, 194-5 corruption made against chronic habit of misreading Britain's Somerset, Lord Charles, relationship of changing political climate, 243 with the press discrediting of Wilmot by, 231 attempted executive banishment of effect of the Edwards-Somerset libel Greig by Somerset, 197, 200 trial on, 188-9 determination to move against Greig and executive actions of, having significance his editors, 192 in colonies other than the Cape, 205 suppression of the Cape Colony's first extravagance of, 92 newspaper, 13 and the factionalism of colonial use of government informers to gather administrative politics, 41, 62, 91 information on the press, 191-2 Somerset, Lord Charles, specific failure to recognise the changing political climate surrounding him, 73 allegations of corruption made gubernatorial mismanagement, 249 against, 61 as liability to the Tory administration, 41 attacking the liberty of the press, 61 miscalculation in bringing libel charges deportation without trial, 61 against Edwards and Cooke, 149 distributing liberated Africans, 61 mistress of, 171-2 See also 'Sorcerer Colt' nickname ('Llama'), 223 Somerset, Lord Edward, 18, 31 defence of his brother before Parliament, as 'one of the villains of South African history', 41 opinion of Pringle, Philip and Wright, Somerset, Lord Granville, 71, 73, 75, 208 94 - 5advice to Horton on handling Edwards's Perceval's opinion of his character, 81 anti-government crusade, 71 period of time spent as governor of the on the character of Lord Charles Cape, 39 Somerset, 74 persecution of Pringle by, 14 on the conduct of Cape politics, 149-50 on the problems for the Colonial Office popularity with the Dutch elite of the and the Tories due to the Somerset Cape, 41 proclamation concerning chattel slavery critics, 72-3 (1823), 117-18, 119reply of to Horton's complaint, 73-4 questions concerning an adequate Somerset, Henry, 61 defence of against allegations, 73-5 'Sorcerer Colt' (horse), 61 reaction to Edwards's letter to the South Africa, 14, 53 Council of Justice, 155 See also Cape Colony return to London to answer his critics South African Commercial Advertiser, 13, (1826), 8122, 47, 95, 164, 192, 207, 213, 241 and the right of banishment by executive account of the prize slave libel trial in, order, 21 21 comical aspects of the fiscal's on the significance of the placard scandal for its political ends, 242-3 suppression of, 193 suspicion that Edwards used a false confrontation with the colonial name, 191 government, 21



> Index 317

on the government's handling of the theatre, importance of, to the placard scandal, 242 official suppression by the fiscal, 192-3 156 - 7report of the Buckingham deportation case in, 206 suppression of publication by the Somerset administration during the Edwards-Somerset libel trial, 192 South African Journal [Het Nederduitsch Zuid-Afrikaansche Tijdscrift], 49 sovereignty, 164, 203, 211, 212 in conquered territories, 22, 197 Spa Fields riots (1816), 46 trials in the wake of, 89 Spies and Bloodites!!! (anonymous), 88, 89 State of the Cape of Good Hope (W. W. Bird), 115 Statistical, Historical, and Political Description of the Colony of New South Wales (Wentworth), 98, 251 Stephen, James, 58, 68-9, 80, 143, 146, 157, 200, 208, 274 on the condition of the Cape penal 200 - 2colony, 274 opinion concerning Somerset's use of executive banishment, 203-4 opinion in the Fiscal v. Cooke, Edwards and Hoffman case, 179-80 Stockenstrom, Andries, 16 Sudds, Joseph, 260 suicide, as a punishable offence, 258 and Roberts), 52 Sydney Gazette on the Australian's attempts to discredit Edwards, 100 on the dissection of Edwards's body after his death, 276-7, 278 report on escaped prisoners, 34 reporting Edwards' connection to the Bigge Commissions, 100-1 Sydney Monitor, 207, 250 on the corruption of Darling, 260-1 on dissection of Edwards's body, 276-8 gendered view of convict escapes in, 252 on the injustice of Edwards's sentence for libel, 183 obituary of Edwards in, 260

Taylor, David Passmore, 84, 85 Taylor, Henry, 78 admiration of Bathurst's managerial skills, 66 Telfair, Charles, 114 'Belle Ombre' estate of, 114 Theal, George McCall, 14, 17

governmentality of imperial society, Thompson, E. P., 88, 89 Thompson, Patrick, 260 Tory Party/Tories, 241 Reformist Tories, 127 ultra-Tories, 82 transportation, 53 differences between transportation and banishment, 197-8 and English law, 199 on the sentence of transportation for libel as 'illegal', 179 use of, against Cape inhabitants during the VOC period, 199-200 Transportation Act (1718), 199 Transportation Act (1826), 254-5 Treaty of Amiens (1802), 43 Truter, Johannes Andreas (Sir John), 43-4, 57, 86, 177, 196 legal opinion concerning banishment, opinion of Cooke's and Burnett's memorials, 180 poor advice given to Somerset by, 191 proficiency in English, 177 retirement of, 45 Turner, William, 89 Turning Points in Australian History (Crotty

van der Stel, Willem Adrian, 145 Van Diemen's Land, 5, 199 administration of, 51 and British emigration policy, 46 as a colony of settlement rather than of conquest, 57 dissection of Aboriginal and prisoner bodies in, 281 van Leeuwen, Simon, 187 van Niekerk, J. P., 111 van Ryneveld, William, 107, 144

Ward, Kerry, 201 Wardell, Robert, 98, 250, 251 Warden, John, 124 Waterloo, Battle of, 18 Watson, R. L., 154 Wellington Valley (the 'Valley of Swells'), 248 Wentworth, D'Arcy, 98 Wentworth, William Charles, 98, 250, 251 West Indies, 205



318 Index

Whig Party/Whigs, 165, 168, 241 Wickwar, W. Hardy, 169 Wilberforce, William, 49, 155 Williams, James Onslow, 125–6 Wilmot, Benjamin, 230, 231 Wilson, Kathleen, 156 Wright, Thomas Edward, 278 Wright, William, 94 Wylde, John, 34, 45, 211, 282 on Roman–Dutch law, 211 Wylde, Thomas, 34 death of, 34