

# Hunting status? Power and buffalo shooting in the Albany and Bathurst districts of the Cape Colony c. 1892 – 1916

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## *Abstract*

The hunting of buffalo in the Bathurst district of the Cape Colony during the closing decades of the 19<sup>th</sup> Century serves as a case study of the system of issuing permits to shoot big game introduced by the Game Act of 1886, and provides an opportunity to identify and interrogate the competing interests of those who wished to obtain for themselves the right to hunt these increasingly threatened animals. The administrative process by which the Department of Agriculture considered and determined permit applications is a lens through which to view the use of influence and connection in the pursuit of personal hunting interests, particularly when the clerk to the local Civil Commissioner, whose duties included recommending permit applications, sought to secure hunting opportunities for himself to the exclusion of others.

**Keywords:** Hunting; Game Act of 1886; Cape Colony; Bathurst district; Buffalo; Cape Civil Service; Albany district.

## **Introduction**

Buffalo<sup>1</sup> were once numerous in the dense bush of the valleys of the Great Fish and Kowie Rivers in the Eastern districts of the Cape Colony, but by about 1916 buffalo were locally extinct. The hunting of game was regulated throughout this period by the Game Law of 1886, a special permit being required for every buffalo hunted or killed.

The local tradition of buffalo hunting in the Bathurst district, which is remembered with nostalgia in a number of popular publications on the region,<sup>2</sup> differs from traditions in other communities in the Cape Colony

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1 African buffalo, *Syncerus caffer*.

2 D Stirk, *Southwell Settlers* (Grahamstown, privately printed, 1971), pp. 69-71; P Scotney, *The Kent family 1820-1986* (Faerie Glen, privately printed, 1986), p. 61; T Webb, *Port Alfred beachcombers* (privately printed, undated), p. 34; M Erasmus, *A river runs through it, Vol. 1, A selection of historical photographs of Port Alfred & environs* (Port Alfred, privately printed, no date), p. 350.

such as the springbuck hunting community of Graaff-Reinet,<sup>3</sup> the bushbuck hunters of districts such as Port Elizabeth<sup>4</sup> and the kudu hunting traditions of the Albany and Fort Beaufort districts. The existence of diverse local “small traditions”, and the importance of recovering them, has been highlighted by Lance van Sittert who has warned against the attempt to create a single great hunting tradition or meta-narrative in the manner of John MacKenzie.<sup>5</sup>

This paper considers buffalo hunting in the Bathurst and Albany Districts in the closing years of the 19<sup>th</sup> Century; the identity and practices of the buffalo hunters; and the fierce competition by individuals within this community to obtain for themselves the opportunity to hunt big game in one of the last areas in the Cape where it was still possible to do so. In addition, this essay explores the posting to the Bathurst district of an avid buffalo hunter as assistant to the local Civil Commissioner, as a lens into the use of influence and connection in the pursuit of personal hunting interests.

Buffalo hunting also took place in the Uitenhage district in areas such as Addo, where elephant and buffalo found refuge in the almost impenetrable bush, but fall outside the ambit of this study.<sup>6</sup>

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3 C Roche, “Fighting their battles o’er again’: The springbuck hunt in Graaff-Reinet, 1860-1908”, *Kronos*, 29 (Environmental History, November 2003), pp. 86-108. Local conservation in the Graaff-Reinet is considered by William Beinart in “The Farmer as a conservationist: Sidney Rubidge at Wellwood, Graaff-Reinet, 1913-1952”, *The rise of conservation in South Africa, settlers, livestock and the environment 1770-1950* (Oxford, Oxford University Press, 2003), pp. 304-331. Springbuck hunts in the Cape are also described in contemporary accounts such as HA Bryden, *Kloof and Karoo, sport, legend and natural history in the Cape Colony* (London, Longmans, Green & Co, 1889), pp. 220-234 (held on the farm of JB Evans in the Graaff-Reinet district); A Martin, *Home life on an ostrich farm* (London, George Philip & Son, 1890), pp. 221-223.

4 L van Sittert, “Class and canicide in Little Bess: The 1893 Port Elizabeth rabies epidemic”, *South African Historical Journal*, Vol. 48, 2003, pp. 207-234; CJ Skead, *Historical incidence of the larger land mammals in the broader Eastern Cape* (edited by A Boschhoff, G Kerley and P Lloyd), (Port Elizabeth, Nelson Mandela Metropolitan University, 2007), pp. 61-64.

5 L van Sittert, “Bringing in the wild: The commodification of wild animals in the Cape Colony/Province c 1850-1950”, *Journal of African History*, 46 (2005), pp. 269-291; JM MacKenzie, *The empire of nature* (Manchester, Manchester University Press, 1988).

6 Accounts of hunting buffalo in the Uitenhage district, in which buffalo ultimately survived, include that of W E Gill, “A Buffalo hunt in the Addo Bush”, *The State*, August 1910, pp. 232-240 (describing a hunt with Mr JT Harvey); Reference to hunting of buffalo, and a report as to animal numbers by JT Harvey is available in CJ Skead, *Historical incidence of the larger land mammals...*, pp. 27-28. A buffalo hunt in the same region near Gorah and Zuur Kop, held during July 1889 is described in DW Gess, *The African hunting and travel journals of JBS Greathead 1884-1910* (Cape Town, Creda, 2005), pp. 51-54. The attempt by Major PJ Pretorius to destroy the remaining elephants in the area is analyzed by MT Hoffman, “Major PJ Pretorius and the decimation of the Addo elephant herd in 1919-1920: Important reassessments”, *Koedoe* 36(2), 1993, pp. 23-44. Game Permits to shoot elephant and buffalo in the Uitenhage district during the period 1892 to 1905 are to be found in the Cape Archives Repository, (CAB), Agr 210, Ref 1595, Agr 211, Ref 1595 and Agr 376, Ref 1595.

## **The regulatory framework and the issue of permits**

The Game Law of 1886 contained a key provision that governed the hunting of listed game such as buffalo. Section 4 limited the hunting of listed game animals (later defined as “royal game”), including buffalo, to holders of a special permit issued free of charge by the Governor. The Forest Act of 1888 regulated the hunting of game in Crown Forests and prohibited the hunting of any game in both demarcated and un-demarcated forests without the consent of the Conservator of Forests and, where applicable, a permit in terms of Section 4 of the Game Law was also required.

Permit applications were submitted for each magisterial district of the Cape Colony in which listed game occurred, and the associated correspondence, memoranda and marginalia are preserved in the files of the former Cape Department of Agriculture held in the Cape Town Archives Repository.<sup>7</sup> The records are more comprehensive for the period commencing in 1892 but fragmentary for the years immediately following the introduction of the Game Law.

A consideration of the identity and background of the officials who processed permit applications in terms of Section 4 provides insight into the control of hunting of listed game; the identity and motives of the administrators; the struggle between local interest groups and individuals to secure for themselves the right to hunt to the exclusion of others; and the potential for cronyism and favoritism which is illustrated through the case-study of the civil servant William John Jorten Warneford.<sup>8</sup>

The issue of permits was administered from 1886 by the Department of Agriculture and fell under the jurisdiction of the Colonial Office. On 1 September 1892, with the merger of the Department of Agriculture with

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7 For the Magisterial District of Bathurst: Game Permits to Shoot, Bathurst, CAB, Agr 209, Ref 1592 (1892-1895) and Agr 376, Ref 1592 (1897 – 1901); For the Magisterial District of Albany, Game Permits to Shoot, Albany, Agr 211, Ref 1596 (1892 – 1895) and Agr 377, Ref 1596 (1900 – 1904). Further documents are to be found in the Departmental files under “Game Protection”, Agr 67, Ref 234, Agr 68, Ref 234, Agr 69, Ref 239, Agr 155 Ref 692 and Agr 156, Ref 711. Unfortunately the individual documents are simply bound together in volumes and are not individually numbered.

8 Warneford commenced his working life in the Imperial Service in Ireland, later serving in campaigns on the Eastern Cape frontier and finally holding the post of Deputy Assistant Commissary-General with the rank of Captain at the time of his retirement in 1880. He entered the Cape Civil Service on 12 September 1881 as Clerk in the Office of the Commandant-General and, after serving from 1 July 1889 to January 1893 in the Department of Agriculture, took a transfer to Port Alfred where he was employed until his retirement on 1 July 1904 at the age of 65. EF Kilpin, *The Cape of Good Hope civil service list, 1904* (Cape Town, WA Richards and Sons, 1904).

the Department of Crown Lands and Public Works, a new department was created, known as the Department of Lands, Mines and Agriculture. Prior to the merger the Chief Clerk in the Department of Agriculture was Warneford and it was he who until 31 August 1892 administered the permit applications and matters relating to game in general.

The staff of the Commissioner of Crown Lands and Public Works, being generally senior in years of service to those in the Department of Agriculture, were allocated to all the senior positions in the merged Department. Charles Currey was appointed head of the merged Department, with the designation as Secretary.<sup>9</sup> When a new Ministerial portfolio of Secretary for Agriculture was created a year later on 12 September 1893 Currey's post was re-designated as Under Secretary for Agriculture. The first incumbent as Secretary for Agriculture was John Frost, a Queenstown farmer and member of the Rhodes Cabinet, who held the post from 1893 to 1896.<sup>10</sup> William Hammond Tooke<sup>11</sup> was appointed as Chief Clerk ahead of Warneford, despite the latter being the older man and having spent 18 years in the imperial service before transferring to the Cape Civil Service only three years after Tooke had commenced his civil service career. Sydney Cowper,<sup>12</sup> who was also senior to Warneford in years in the civil service, was appointed to the post of Principal Clerk. Warneford was left as one of the four First Class Clerks, together with William Wardlaw Thompson.<sup>13</sup>

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9 Charles Currey was a veteran civil servant with 21 years service, having joined the Cape Civil Service in 1871 as a 3<sup>rd</sup> class clerk and worked his way up through the ranks in the Department of Crown Lands and Public Works. He was appointed as Assistant Commissioner of Crown Lands and Public Works and then on 15 April 1892 as Permanent Head, with the title of Secretary on 1 September 1892. EF Kilpin, *The Cape of Good Hope civil service list, 1893* (Cape Town, WA Richards and Sons, 1893), p. 212.

10 John Frost, later Sir John Frost (1828-1918) was one of the leading farmers in the Queenstown area. He served in various conflicts on the Eastern Cape frontier between 1850 and 1882. From 1874 he was the member of the Cape House of Assembly for Queenstown, holding his seat until 1907. He was held the Ministerial post of Secretary for Agriculture from 1893 to 1896. *Dictionary of South African Biography*, Vol. iv, pp. 168-169.

11 William Hammond Tooke joined the Cape Civil Service in 1878 as a Clerk in the Control and Audit Office and was promoted through the ranks in the Department of Crown Lands and Public Works. He held the position of Chief Clerk in the merged Department until he was promoted on 1 July 1901 to the post of Assistant Under Secretary for Agriculture upon the transfer of Currey. EF Kilpin, *The Cape of Good Hope civil service list, 1903* (Cape Town, WA Richards and Sons, 1903).

12 Sydney Cowper was previously employed in England from 1871 to 1875 in the office of Her Majesty's Commissioners for the Exhibition of 1851; from 1876 to 1879 under the Council for Education, South Kensington Museum; and was appointed to the Cape Civil Service in 1879, serving as Private Secretary to various Cape premiers, including JG Sprigg (1880-1881) and Thomas Upington (1884-5). In August 1896 he was appointed Assistant Secretary to the Prime Minister and in November 1897 as Secretary to the Prime Minister, receiving the CMG in 1901. EF Kilpin, *The Cape of Good Hope...*, 1903.

13 William Wardlaw Thompson, one of the four First Class Clerks, had joined the Cape Civil Service in 1878 in the Public Works Department and was appointed Chief Record Clerk, Crown Lands Office in 1885 and First Class Clerk in that Department in 1889. EF Kilpin, *The Cape of Good Hope...*, p. 259.

Warneford considered his treatment to be an unwarranted demotion and personal slight and lodged a written protest that he had been passed over after having acquitted himself well as Chief Clerk. Rather than accept his new post he chose to leave the Department of Agriculture altogether and he accepted a transfer to Port Alfred as First Clerk on the Staff of the Civil Commissioner and Resident Magistrate for the district of Bathurst with effect from 9 January 1893.<sup>14</sup> His voluminous and often controversial correspondence with his former associates and rivals in Cape Town offers key primary evidence in this essay.

With the merger, the power to grant permits to shoot listed game passed into the hands of a small group of English speaking career civil servants made up of Currey, Tooke, Cowper and Thompson that initially under the leadership of Currey and later of Tooke, remained essentially intact until at least 1904. The comments of the clerks appear from internal memoranda addressed to Currey and extensive initialed and dated marginalia on the applications as the documents made their way up through the hierarchy from the hands of the First Class Clerks to Currey, in whose name the permits were granted or declined.

Applications for permits were almost invariably submitted to the office of the local Civil Commissioner for the district in which the proposed hunt was to take place, that official being required to furnish comment and make a recommendation before the application was forwarded to the Department in Cape Town. Applicants wishing to hunt on private land were required to obtain the prior written consent of the landowner. In the case of applications for permits to hunt listed game in Crown Forests the comment of the Conservator of Forests was also required. Local Civil Commissioners and Resident Magistrates acted as a filter through which applications had to pass and empowered them to influence whether permits were granted or refused. This role was open to abuse when the Civil Commissioner or his staff were themselves keen hunters competing with members of the public for the right to hunt and the opportunity presented itself for abuses such as favoritism, cronyism and possibly even corruption.

When Warneford joined the staff of the Civil Commissioner and Resident Magistrate for the Bathurst district as First Clerk his superior was Colonel

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<sup>14</sup> CAB, Agr vol. 21, Ref 39, Warneford to Secretary for Lands, Mines and Agriculture, 4 September 1892.

TE Minto.<sup>15</sup> Minto and Warneford had much in common, both having seen extensive military service as officers in the campaigns on the Eastern Cape frontier before entering the Cape Civil Service. Subsequent to his transfer to Bathurst Warneford drafted most of Minto's official correspondence with the Department on game related matters, the letters on occasion being in Warneford's hand but signed by Minto, and Warneford from time to time acted as Resident Magistrate during Minto's absence from Port Alfred. In both his official and personal capacities, the boundaries of which often became inextricably blurred, he became one of the most prolific of all correspondents with the Department concerning matters relating to game, often unashamedly and blatantly using his position and personal connections to advance his own interests and those of his friends.

Forest policy in the Cape Colony in the late 19<sup>th</sup> Century was modeled on the previous Indian experience of senior officials in the Cape Forest Department and the Forest Act of 1888 was based upon the Madras Act of 1882. The origins of Imperial Forestry, and the nature of that policy when applied to the various parts of the British Empire and in the United States of America, are considered in detail by GA Barton,<sup>16</sup> the emphasis being on the management and preservation of natural forests and the long-term use in a way that was profitable. Brown has identified the demarcated forests as the prototype game park in the Cape Colony.<sup>17</sup> The Conservator of Forests, Eastern Conservancy (within which fell the areas to the east and west of the Fish River, and included the Crown Forests in the Bathurst District including the Kowie Forest) was Joseph Storr Lister, a veteran forest conservator who had commenced his career in the Forest Department in the Punjab in India and was appointed as Conservator in King Williamstown during May 1888.<sup>18</sup> Lister's policy regarding hunting in Forest Reserves was that game was to be encouraged to multiply so as to be available for sports hunting.

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15 Colonel TE Minto had commanded the Albany Mounted Volunteers in 1877 and, after participating in various campaigns over the years, ended his military service in 1886 with the rank of Colonel, being appointed as Acting Civil Commissioner and Resident Magistrate of Bathurst in 1889, a post that he held until his retirement in 1899. EF Kilpin, *The Cape of Good Hope...*, p. 239.

16 GA Barton, *Empire forestry and the origins of environmentalism* (Cambridge, Cambridge University Press, 2002).

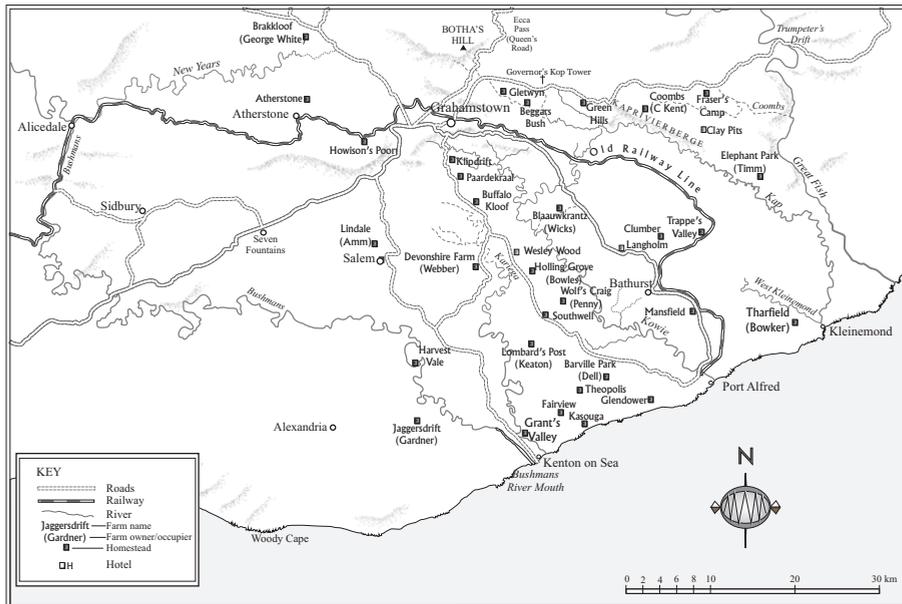
17 K Brown, "Cultural constructions of the wild: The rhetoric and practice of wildlife conservation in the Cape Colony at the turn of the twentieth century", *South African Historical Journal* 47, November 2002, pp. 75-79; K Brown, "The conservation and utilization of the natural world: silviculture in the Cape Colony, c 1902-1910", *Environment and History*, 7(4), pp. 427-447.

18 EF Kilpin, *The Cape of Good Hope...*, p. 236.

## The local extinction of buffalo in the region

The historical incidence of buffalo in the Albany and Bathurst districts was examined in detail by C J Skead.<sup>19</sup> He states that the last buffalo was shot in Albany proper in about 1878. Buffalo still occurred in the Bathurst district, the last known individual being shot by poachers on the farm Elephant Park between 1916 and 1918.<sup>20</sup> By the late 19<sup>th</sup> Century the remaining buffalo of the Bathurst and Albany districts occurred in the Bathurst district in the thick riverine forest of the Kowie River valley and on occasion roamed onto adjoining cultivated land and farms such as Blaauwkrantz, Holling Grove, Wesley Wood and Wolf's Craig in the vicinity of the villages of Bathurst and Southwell. Further east in the valley of the Great Fish River populations of buffalo survived on farms such as Elephant Park and slightly further to the north in the Albany district in the area known as The Coombs. The only other surviving remnant of the once numerous buffalo herds of the Cape Colony had found refuge in the almost impenetrable bush of the Addo area in the Uitenhage district, an area that falls outside the scope of this study.

Image 1: Map of Bathurst and Albany Districts showing locations for which permits were issued for the hunting of buffalo



Source: Map drawn by Anne Westoby

19 C J Skead, *Historical incidence of the larger land mammals in the broader Eastern Cape...*, pp. 79-84.

20 C J Skead, *Historical incidence of the larger land mammals in the broader Eastern Cape...*, pp. 83-84.

## **Hunting and the competition for the right to shoot buffalo**

Hunting of buffalo by farmers whose land adjoined the Kowie Forest was widespread before the introduction of the 1886 Game Law with the dual motivation of protecting crops and engaging in sport. One such documented hunt took place during September 1885, undertaken by Daniel John Bowles of the farm Holling Grove in the company of two other local farmers, Walter and Robert Webber. The hunt was inspired by the desire to chase and if possible kill buffalo that were roaming onto Holling Grove from the adjoining Crown Forest and doing damage to cultivated mealie and wheat lands. The hunters pursued the buffalo into the Crown Forest where Bowles was disemboweled in the process of killing a buffalo cow and was fortunate to survive the ordeal.<sup>21</sup>

### ***The first phase: Before the advent of Warneford, 1886 – 1892***

Minto recommended to the Department that a total of ten permits to shoot buffalo be issued for 1892 to individuals who wished to hunt for sport.<sup>22</sup> The first group of applicants were Rev J Wilson Thompson (a local Wesleyan Minister of Clumber); William Henry Swan; John Peter Wilmouth and Fuller Cooper, the latter two being farmers in the vicinity of Bathurst.<sup>23</sup> The next three applicants were Dr Walter Atherstone (a medical doctor then holding a Civil Service post as Acting Surgeon Superintendent at the Port Alfred Asylum), Augustus W Preston (then holding a Civil Service post as Chief Clerk to Minto) and JR Bell, all of whom wished to hunt on private land on the farms Blaauwkrantz or Wolf's Craig. The final three applicants, also to hunt on the farm Blaauwkrantz, were Dr Alexander Edington (Government Bacteriologist, Grahamstown) and Charles and George Fletcher, both local farmers.<sup>24</sup> In supporting the applications, which were all ultimately granted, Minto represented that "the majority of the men asking for permits are anxious if successful to present the animal to the Grahamstown Museum". These ten grantees were all either from the urban professional elite or the self-styled rural gentry.

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21 DW Gess, *The African hunting and travel...*, pp. 15-16; D Stirk, *Southwell Settlers...*, pp. 69-71.

22 CAB, Agr 209, Ref 1592, Minto to Department, 21 January 1892.

23 *South African Directory for 1883-1884* (Cape Town, Saul Solomon and Co, 1884), p. 28.

24 CAB, Agr 209, Ref 1592, Minto to Department, 10 February 1892.

Permit application by residents outside the district were discouraged. After the full complement of ten permits had been granted a Mr J Brent of Newcastle requested the assistance of the Civil Commissioner of Peddie in obtaining permits to shoot two buffalo in The Coombs, professing that if successful he would be prepared to send the heads to the Grahamstown Museum for scientific purposes.<sup>25</sup> Minto informed the Department that he did not recommend the grant of these permits, as if all the persons who had been granted permits “were moderately successful quite a sufficient number of animals will be slaughtered”<sup>26</sup> and the permit appears to have been refused.

Permits were not granted to persons suspected of intending to shoot for commercial gain rather than for sport and there is an implication that the authorities were particularly suspicious of foreigners. On 7 March 1892 a Mr Amos of Grahamstown submitted an application directly to Hon. A Wilmot, Member of the Legislative Council residing in Grahamstown, requesting permission to shoot two buffalo on his own farm, stating that he wanted to make use of the heads and hides.<sup>27</sup> Wilmot forwarded the request to the Department in Cape Town, adding that Amos was a “respectable farmer” and that the request did not appear to be unreasonable.<sup>28</sup> Warneford, who was at the time still employed as Chief Clerk in the Department, referred the matter to Hemming who responded that he did not recommend the grant of the permit, explaining that he believed that there was a German living on Amos’ farm who was about to leave the employ of the Albany Museum; that he had reason to believe that this man was doing a good business in sending specimens to Germany; and that he thought it likely that the hides and skins were really for this man.<sup>29</sup> The reference to the taxidermist was no doubt to Carl Wilde, a German taxidermist who had previously been on the staff of the Berlin Museum, and who was at the time employed by the Albany Museum in that capacity. Hemming suggested that a permit could be granted if Amos made a declaration that the buffalo were for his own use and not that of the German taxidermist and the permit was granted once the declaration had been lodged with the authorities.

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25 CAB, Agr 209, Ref 1592, Brent to Piers, Civil Commissioner Peddie, 29 March 1892.

26 CAB, Agr 209, Ref 1592, Minto to Department, 6 May 1892.

27 CAB, Agr 211, Ref 1596, Amos to Hon A Wilmot, MLC Grahamstown, 17 March 1892. The Amos family owned the farm Wesley Woods on the west bank of the Kowie River.

28 CAB, Agr 211, Ref 1596, Wilmot to Under Secretary of Agriculture, 19 March 1893.

29 CAB, Agr 211, Ref 1596, Hemming to Secretary for Agriculture, 23 March 1892.

Permits were also not granted to the urban or rural poor seeking to hunt for subsistence, these groups not constituting the kind of hunter for which there was any support, the hunting of rare game species being reserved for sport hunting by landowners or gentleman sportsmen resident in local towns. William and Daniel Van Wyk of Grahamstown submitted an application on 8 March 1892, through the agency of Messrs Stone and Son of Grahamstown, in which permission was sought to shoot one buffalo each in the Crown Forest in the Kowie Bush, and one kudu each in the Queen's Road area, on private farms with the consent of the landowner.<sup>30</sup> John Hemming, in whose district the Queen's Road was situated, stated that the Van Wyks were very poor and wanted the animals for food, and he therefore recommended the application.<sup>31</sup> Minto recommended that the buffalo permits should be refused, as the total of ten permits for the season had already been granted.<sup>32</sup> This is the only instance of permits being sought by persons whom Warneford later described disdainfully as "pot hunters" rather than sportsmen.

The grant of permits for scientific purposes to enable museums to build up representative specimens of local fauna, part of the Victorian enterprise,<sup>33</sup> was consistently regarded as an exception to the general rule that the animals were reserved to be shot by sportsmen. Similar special concessions were granted to museums in other areas of southern Africa such as Zululand.<sup>34</sup> Dr Selmar Schönland, appointed as director of the Albany Museum in Grahamstown during 1889, was determined to obtain specimens of buffalo for the Museum and was informed on 1 February 1890 that he had been granted a permit to shoot a buffalo in the Bathurst district for the Museum.<sup>35</sup> The hunt was not successful and the permit was subsequently renewed in 1893, the re-issue of the permit being motivated by the explanation that the Museum had no buffalo in its collection and that the animals were "fairly plentiful" in the Kowie bush.<sup>36</sup>

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30 CAB, Agr 211, Ref 1596, Stone and Son to Colonial Secretary, 8 March 1892.

31 CAB, Agr 211, Ref 1596, Hemming to Warneford, 17 March 1892.

32 CAB, Agr 211, Ref 1596, Minto to Warneford, 28 March 1892.

33 JM MacKenzie, *Museums and empire: Natural history, human cultures and colonial identities* (Manchester, Manchester University Press, 2009). A chapter is included on the Albany Museum, pp. 105-119.

34 DP McCracken, *Saving the Zululand wilderness, an early struggle for nature conservation* (Pretoria, Jacana, 2008), pp. 108-109. Shirley Brooks considers the collection of mammal specimens in Zululand for the Natal Museum under the director Dr Warren for the purpose of the "re-presentation of nature" in museum displays, *Changing nature: A critical historical geography of the Umfolozi and Hluhluwe Game Reserves, Zululand 1887-1947* (PhD diss., Queen's University, Kingston, April 2001), Chapter 6, p. 224.

35 Department of Agriculture, Cape Town to Dr S Schönland, Curator Albany Museum, Grahamstown, 1 February 1890. Albany Museum, Schönland Papers, Ref 756.

36 Department of Agriculture, Cape Town to Dr S Schönland, Curator Albany Museum, Grahamstown, 11 April 1893. Albany Museum, Schönland Papers, Ref 756; Agr 209, Ref 1582.

***The second phase: The new order and limiting permits to sportsmen, 1893 – 1894***

On 3 January 1893, only six days before taking up his new post in Bathurst, Warneford opened his campaign to shoot a buffalo and wrote to Minto seeking permission to do so on the farm Summerhill Park near Bathurst owned by AW Wagner, stating in his application that he believed that the annual net increase in buffalo was about four to five in both the Kowie Forest and The Coombs.<sup>37</sup> This permit would have had every prospect of being granted the previous year when Warneford had dealt with permit applications. This time, and despite Minto's support,<sup>38</sup> the application was refused, an official noting to Cowper that "the practice in the past has been to discourage this sort of thing as much as possible" and in another hand is added "send usual refusal".<sup>39</sup> The Departmental response to Minto, in a letter dated signed by Charles Currey, was that:<sup>40</sup>

... the rule is to grant these permits only when the object is to secure specimens of this animal for scientific purposes. Understanding Mr Warneford's object to be purely sport the Government hesitates to depart from this practice which tried to preserve the species of buffalo and the species of the larger game of the Colony.

This statement of policy was a distinct break with that of 1892, when Warneford had been Chief Clerk. Indeed, Warneford's own application for 1893 had been no different to a number of the ten applications that he had participated in approving the previous year. Minto continued to make representations on Warneford's behalf, writing to the Department that he was similarly "actuated by the desire" to preserve the large game of the Colony, but adding that he understood from reliable information received that there were two buffalo herds in the division, one numbering about 200 and the other about 85. Allowing for a margin of error, Minto estimated the annual increase at 50, and added that he had:<sup>41</sup>

... annually requested permission for the shooting of 10, by persons of reliable standing as honest and good sportsmen in the Division – by allowing these gentlemen to shoot the limited number, I have a little chance of keeping the poachers away.

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37 CAB, Agr 209, Ref 1592, Warneford to Minto, 3 January 1893.

38 CAB, Agr 209, Ref 1592, Minto to Department, 12 January 1893.

39 CAB, Agr 209, Ref 1592, Marginal note "WB" to Cowper, 19 January 1893.

40 CAB, Agr 209, Ref 1592, Currey to Minto, 28 January 1893.

41 CAB, Agr 209, Ref 1592, Minto to Department, 28 January 1893.

On 20 February 1893 the Department finally relented and granted Warneford the desired permit.<sup>42</sup>

Applicants, including ministers of religion, were prepared to make false representations to the Department in the hope of circumventing the new policy that permits would not be granted where the purpose was considered to be pure sport. On 8 May 1893, the Reverend J Wilson Thompson, a Wesleyan Minister and keen hunter who had been granted a permit the previous year when Warneford was still Chief Clerk, made application directly to the Under Colonial Secretary, Cape Town. This was an effort to by-pass the Civil Commissioner for Bathurst, for a permit to shoot a buffalo for the Grahamstown Museum on Summerhill Farm owned by Mr Wagner, at the same time, he alleged that there were about 70 to 80 buffalo in the neighborhood.<sup>43</sup> This was the same farm for which Warneford had been granted a permit shortly before. The representation that the buffalo was to be shot for “scientific purposes” was false, and was no doubt made in the hope that this would improve the prospects of a permit being granted. Once the application had been forwarded to the Department an official with sharp eyes added a marginal note to the effect that Dr Schönland had already received permission to shoot a buffalo bull in the Kowie Bush for the Albany Museum and instructed that Rev Thompson was to be informed that Dr Schönland had already shot a specimen for the museum “this year”.<sup>44</sup> The application was referred back to the Civil Commissioner, Minto reporting that:<sup>45</sup>

... there are a number of buffalo in this division and Mr Thompson who is a good sportsman might be allowed to shoot one, but I think he should produce a request from the curator of the Museum to shoot one for that institution if the Government is determined not to allow one to be shot except for Museum purposes. I believe one buffalo has been shot in this Division for the Museum this year.

Currey instructed that Thompson was to be informed that Dr Schönland had already shot a specimen for the museum that year but that if the curator desired another specimen “we will of course authorise Mr Thompson to shoot as requested”.<sup>46</sup> Needless to say, no request from Dr Schönland was forthcoming and the permit was not granted. Thompson was not prepared to

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42 CAB, Agr 209, Ref 1592, Department to Minto, 20 February 1893.

43 CAB, Agr 209, Ref 1592, Thompson to Under Colonial Secretary, Cape Town, 8 May 1893.

44 CAB, Agr 209, Ref 1592, Marginal note, 17 May 1893.

45 CAB, Agr 209, Ref 1592, Minto to Department, 25 May 1893.

46 CAB, Agr 209, Ref 1592, Marginal note, 30 May 1893.

take no for an answer and on 6 June 1893 wrote directly to Hon. John Laing, Commissioner of Crown Lands, requesting permission to shoot a buffalo on George Penny's farm, Wolf's Craig, without disclosing that his previous application to hunt buffalo on Summerhill Farm had already been refused.<sup>47</sup> Bowker, one of the clerks, added a marginal note that Thompson, having received an unsatisfactory answer, had sought to "give us the go by" in writing directly to Laing.<sup>48</sup> Thompson was duly informed by the Department:<sup>49</sup>

With a view to the preservation of the few remaining specimens of Big Game in the Colony, it has been found advisable to restrict as far as possible the issue of permits to shoot for the purpose of mere sport, and I am to state that your application to shoot a buffalo on the farm of Mr Penny in the division of Bathurst cannot therefore be acceded to.

The refusal of Thompson's application to shoot a buffalo for the purposes of sport on Penny's farm Wolf's Craig was followed shortly thereafter on 16 June 1893 by an application by George Penny himself to shoot one buffalo on his own farm, this application being recommended by Minto with the comment that there were a large number of buffalo on Penny's farm and that he "assiduously preserves them from destruction."<sup>50</sup> The permit was granted to Penny on 21 June 1893, but it is left open to doubt whether the beneficiary thereof was Penny or Thompson. In accordance with the policy of granting permits to landowners, HC Kent was allowed to shoot two buffalo bulls on his father's farm "Whitcomb" in The Coombs<sup>51</sup> and permission was granted to Job Timm to shoot a buffalo on his own farm Elephant Park.<sup>52</sup>

Applications were also received from members of the rural poor who sought the opportunity of shooting buffalo on Crown land, James Edward Pittaway (of Martindale, Kap River) requesting to shoot a buffalo bull in the Kowie Forest on the west side of the Kowie River and Edwin Purdon and Thomas Brown Jnr (both of Clumber) to hunt in the Kowie Forest on the East side. The applications of Pittaway, Purdon and Brown were all in the same handwriting, and the signatures of the applicants show them to be persons who were scarcely literate.<sup>53</sup> Warneford recommended that the permits be refused, emphasizing at length that should permits be granted to persons

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47 CAB, Agr 209, Ref 1592, Rev JW Thompson to Hon John Laing, Commissioner of Crown Lands, 6 June 1893.

48 CAB, Agr 209, Ref 1592, Marginal note W Bowker, 13 June 1893.

49 CAB, Agr 209, Ref 1592, Department to Rev Thompson, 15 June 1893.

50 CAB, Agr 209, Ref 1592, Minto to Department, 16 June 1893.

51 CAB, Agr 209, Ref 1592, HC Kent, 23 June 1893.

52 CAB, Agr 211, Ref 1596, Department to Civil Commissioner Bathurst, 23 September 1893.

53 CAB, Agr 211, Ref 1596, Pittaway, Purdon and Brown to Department, 5 July and 13 July 1893.

other than landowners these be to elite sportsmen and not ordinary members of the public.<sup>54</sup> The three applicants were informed that their applications had been declined, the Department once again repeating that, in the interests of protecting big game in the Colony, it was necessary to restrict as far as possible the issue of permits for the purpose of mere sport.<sup>55</sup> Warneford's own permit had been inspired by pure sport, but it would appear that the real reason for the refusal was that Warneford was considered to belong to a class which had an "entitlement" to shoot buffalo for sport whereas the other applicants were of a social status which denied them a similar "entitlement".

The year 1894 brought into the open Warneford's blatant and unashamed manipulation of the permit system to ensure that he obtained a permit for himself and caused the abandonment of the policy adopted by the Department in 1893.

The first application, submitted on 3 January 1894, was for Warneford to hunt a buffalo on Crown land in the Kowie Forest rather than on private land.<sup>56</sup> Cowper suggested that this application should be considered with other applications that might be received in due course prior the commencement of the open season<sup>57</sup> and Warneford was informed accordingly.<sup>58</sup> Not being satisfied with the response he wrote directly to Cowper, informing him that he had discussed a buffalo permit for himself with Currey directly during a visit to Cape Town, and that Currey "very kindly thought it could be managed and that I was to send in the official application." Warneford went on to appeal to Cowper, as a sportsman, to reconsider his request and claimed that he had not applied early so as to anticipate other applications but rather because he wished to make arrangements "as the early bird in this case catches the worm."<sup>59</sup> Significantly for our argument, the personal appeal to Cowper as a fellow gentleman and sportsman was effective and the desired permit was finally issued on 27 January 1894.<sup>60</sup>

Whilst Warneford's application was being considered other applications were received by the Civil Commissioner's office but these were not forwarded to

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54 CAB, Agr 211, Ref 1596, Warneford to Cowper, 17 July 1893.

55 CAB, Agr 209, Ref 1592, Department to Warneford, 2 August 1893.

56 CAB, Agr 209, Ref 1592, Minto to Department, 3 January 1894.

57 CAB, Agr 209, Ref 1592, Marginal note Cowper.

58 CAB, Agr 209, Ref 1592, Department to Warneford, 10 January 1894.

59 CAB, Agr 209, Ref 1592, Warneford to Cowper, 17 January 1894.

60 CAB, Agr 209, Ref 1592, Permit issued on 27 January 1894 to Warneford to shoot one buffalo in the Kowie Forest "in the coming season".

the Department until Warneford had been granted his preferential permit. Two applications that were received shortly after Warneford's application were withheld, being those of two medical doctors of Port Alfred, BB Newnham, and Walter Atherstone, both of whom wished to shoot a buffalo bull each in the Crown Forest.<sup>61</sup> John Landsdell sought a similar permit to shoot a buffalo on Crown Land on the Kowie River;<sup>62</sup> JC Fletcher of the farm Wellington requested a permit to shoot a buffalo on the farm Blaauwkrantz;<sup>63</sup> and WE Pike to shoot a buffalo on his farm Dundas.<sup>64</sup> Minto only forwarded these applications to the Department on 21 February 1894, with the comment that there were about 300 buffalo in the division; that he "knew all the applicants to be keen good sportsmen"; and that he recommended the grant of the permits.<sup>65</sup> The five permits were duly granted. Applications were also granted to landowners to shoot buffalo on their own land or that of fellow landowners. George Penny was granted a permit to shoot a buffalo bull on his farm Wolf's Craig;<sup>66</sup> HC Kent to shoot a bull on his father's farm Whitcomb<sup>67</sup> and Edwin Clayton of Fish River Mouth to shoot a buffalo at The Coombs on the Kent's farm.

Despite the fact that permits were granted to local residents to shoot buffalo, Warneford tried to ensure that such permits were denied to sportsmen from outside his district. Thus on 11 May 1894 Thomas Brown of Guildford in the Cathcart district applied for permission for his son to shoot a buffalo in the Kowie East bush, stating that "they want sport when they come down to Albany on leave". A report under the signature of Minto motivated the refusal of the permit on the ground that while permits were frequently denied to farmers and others resident in the district, it would seem hardly fair to give them to residents outside.<sup>68</sup> On 25 May 1894 Warneford, presumably in an attempt to motivate the denial of permits to outsiders, reduced his estimate of the number of buffalo in the district from 300 and advised the Department that he estimated the number of buffalo in the Kowie Forest to be limited

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61 CAB, Agr 209, Ref 1592, Application BB Newnham, 6 January 1894; Application W Atherstone, 24 January 1894.

62 CAB, Agr 209, Ref 1592, Application John Landsdell, 30 January 1894.

63 CAB, Agr 209, Ref 1592, Application JC Fletcher, 14 February 1894.

64 CAB, Agr 209, Ref 1592, Application E Pike, February 1894.

65 CAB, Agr 209, Ref 1592, Letter Minto to Department, 21 February 1894.

66 CAB, Agr 209, Ref 1592, G Penny to Civil Commissioner Bathurst, 11 March 1894. The permit was granted by Currey on 29 March 1894.

67 CAB, Agr 209, Ref 1592, HE Kent, 7 March 1894; Minto to Department, 14 March 1894; Permit granted 29 March 1894.

68 CAB, Agr 211, Ref 1596, Minto to Thompson, 17 May 1894.

to only 50 or 55, and those in the Fish River (in the district known as The Coombs) to about 80, adding that “at the rate that they have been shot in the past few years, they will soon be exterminated.”<sup>69</sup> Thompson immediately noted the reduction and added a marginal note to this letter that “Warneford has a permit to shoot one himself this season,” and that the Department had been informed on 21 February 1894 that the estimated number of animals in the division was 300 and that Warneford had informed the Department as recently as 3 January 1894 that the annual increase was 4 to 5 animals in the Kowie Bush and the same for The Coombs. Despite Warneford’s attempts to limit the grant of permits to those resident in the district, Brown was granted a permit, the Department informing Warneford that no further permits would be granted that year.<sup>70</sup>

The grant of the permits to Warneford and Drs Newnham and Atherstone to shoot buffalo in Crown Forests came to the attention of Joseph Lister, the Conservator of Forests, who had not been consulted or informed before the permits were granted. Lister raised the issue of the grant of the three permits to hunt in the Crown Forest, stating that:<sup>71</sup>

I have learned indirectly that Dr Newnham, Dr Atherstone and JJ Warneford of Port Alfred have recently received permits to shoot one buffalo each in the Kowie Forest. I would bring to your notice that the number of buffalo in these forests is rapidly diminishing and, if not rigidly protected, they will become exterminated in the near future... Also that you will now inform the gentlemen named, that they cannot use beaters or delegate to others the permission they have received. I understand that they are issuing invitations and organizing a big hunt. I would also enquire for what period the permits are available and the conditions upon which they are issued. Usually on these occasions much other game is destroyed.

The Department noted the comments of Lister, and Thompson prepared a memorandum that reveals his concerns:<sup>72</sup>

I do not see that we can do anything in the matter this year except to refuse further permits. We cannot now impose restrictions on the permits issued which have been issued unconditionally. But we might write off to Warneford and ask him, in case he is one of the numbers of the projected hunt, to discourage as much as possible extensive driving and disturbance of game by a large body of hunters and beaters and also reckless slaughter of smaller

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69 CAB, Agr 68, Ref 234, Warneford to Department, 25 May 1894.

70 CAB, Agr 211, Ref 1596, Cowper to Warneford, 14 June 1894.

71 CAB, Agr 209, Ref 1592, Lister to Currey, 27 June 1894.

72 CAB, Agr 209, Ref 1592, Internal memorandum WW Thompson, 5 July 1894.

game. After his many reports on game matters, it seems strange that he should contemplate a “big hunt”. Mr Lister has I hope been misinformed in his case. I would suggest that no buffalo shooting at all should be allowed in the Kowie Bush next season.

Warneford reacted strongly and at length to the Department’s letter, clarifying his intentions and seeking to ensure that the permits that had been granted to him and his friends were not revoked or limited in any way. He wrote a personal letter to Currey in which he placed the blame for the reduction in buffalo numbers not upon hunters but upon woodcutters cutting wood in the forests (to whom Lister’s office granted permits to cut wood), advancing the argument that sportsmen such as himself performed an essential role in combatting poaching in Crown Forests:<sup>73</sup>

... but to give just two or three permits each season to men really interested in preserving these splendid game animals (may I include myself), is I may venture to say so, not an unwise step, as the mere knowledge that these few sportsmen have these permits will deter others from poaching – ie for fear of being caught.

Warneford assured Currey that the complaints that had been made regarding his proposed hunt were grossly misleading, provided a detailed description of a buffalo hunt and continued to motivate the grant of permits to shoot in Crown Forests to men such as himself. Apparently feeling it necessary to protect the reputation of his friend Dr Walter Atherstone, he wrote again to Currey that Atherstone was “notoriously one of the last men to do an unsportsmanlike thing”.<sup>74</sup> The objections and concerns of Lister were brushed aside after the intervention of the political authority in favor of Warneford and his friends, Currey informing Lister that the Secretary Agriculture, John Frost, had directed him to respond that the permits already granted for the 1894 season would not be restricted for the area for which they were available, the Secretary “not being disposed” to force any restriction in that regard upon the permit holders, particularly in the light of the explanation that had been provided by Warneford.<sup>75</sup>

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73 CAB, Agr 209, Ref 1592, Warneford to Currey, 3 August 1894.

74 CAB, Agr 209, Ref 1592, Warneford to Currey, 15 August 1894.

75 CAB, Agr 209, Ref 1592, Currey to Lister, 11 August 1894, Warneford’s letter dated 3 August 1894 was attached.

### ***The third phase: Subversion of policy by political intervention, 1895***

The identity of Warneford's two or three men "really interested" in preserving buffalo who should be granted permits to kill them during 1895 was soon revealed, the three candidates selected being Warneford himself (to hunt on the farms Percieval or Radies Vley in The Coombs); George Penny (for his farm Wolf's Craig); and Dr Newnham (for Crown land in the Kowie Forest). On 17 January 1895 Warneford applied to the Department for the grant of these three permits, motivating the grant of one or two permits "to men who will not abuse them", as a method of combatting poaching. He suggested that a poacher could never feel sure that one of the licensees might not appear on the scene, and that poachers would otherwise feel secure in having the "vast forests" to themselves.<sup>76</sup> The request for permits in three different areas was probably designed to give the three applicants the opportunity to hunt in all three localities.

The attempt by Warneford to secure the only three permits for the year 1895 for himself and his friends posed a number of challenges. It would, if acceded to, have restricted the permits issued for 1895 to men who had already held permits during the previous two hunting seasons. The application for Dr Newnham was contrary to the assurance given to Lister that no permits would be granted during 1895 to hunt buffalo in Crown forest. Penny was the only one of the three on who owned the land on which buffalo occurred. The new argument about deterring poachers was also clearly spurious as the area was vast; the permit holders were unlikely to be out hunting in more than one locality at a time and probably not during office hours on week days; and furthermore the permit holders were limited to the open season which was not a consideration or limitation to possible poachers.

Thompson prepared an internal memorandum dated 25 January 1895 in which he pointed out that assurances had been given to Lister that no permits would be issued to shoot on Crown land in the Kowie Forest and that in the circumstances a permit could not be issued to Dr Newnham to hunt in the Kowie Bush. To grant permits to Penny and Warneford, and to refuse them to owners of property who might be protecting the animals (and who should be encouraged in their efforts by being allowed to shoot one occasionally) would be unfair. Thompson accordingly recommended that, if only three permits

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<sup>76</sup> CAB Agr 209, Ref 1592, Warneford, as Acting Civil Commissioner and Resident Magistrate, Bathurst to Department, 17 January 1895.

were to be allowed, it would be preferable that no permits at all be granted for the 1895 season and that the buffalo be given a chance to increase. On the other hand, if more than three buffalo could be shot without doing any harm to the population, he queried why the three permits proposed by Warneford should be the only ones to be granted.<sup>77</sup>

Warneford continued to promote his own interests and those of his friends and on 26 January 1895 submitted an application for the grant of a fourth permit to Elijah Pike of the farm Dundas in The Coombs. This application was accompanied by the explanation that the purpose of the permit was to enable Pike to join him in the hunt for which he had already asked permission, and that not more than one animal would be killed between them.<sup>78</sup>

Currey decided not to grant any of the three permits and resolved that, in view of the scarcity of buffalo in the district and the need for numbers to increase, no permits would be granted for the 1895 season to hunt buffalo in the Bathurst district.<sup>79</sup>

In a repetition of his 1893 and 1894 campaigns, and despite the decision having been taken that no permits would be granted for 1895, Warneford still attempted to have the policy reversed. On 23 March 1895 George Penny addressed a letter to Warneford, requesting him to approach Government on his behalf, motivating the grant of a permit to him on a number of grounds, in a memorandum the author of which was probably Warneford himself.<sup>80</sup> Warneford supported the application and suggested that the Government “would recognize the wisdom of distinguishing between those who aid in protecting this fine game, and those who aid the slaughter of it”, concluding by stating that it was not unreasonable for a landowner, on whose land these were a large number of buffalo, to be allowed to kill one of them.<sup>81</sup> The authorities were unmoved by Penny’s application, Cowper noting that a decision had been taken not to grant permits to shoot buffalo in the Bathurst district during the 1895 season so as to enable buffalo numbers to increase.<sup>82</sup> On 4 April 1895 the Department refused Penny’s application and advised that although Penny’s efforts at protection were appreciated it did not seem

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77 CAB, Agr 209, Ref 1592, Internal memorandum WW Thompson, 25 January 1895.

78 CAB, Agr 209, Ref 1592, Warneford to Department, 26 January 1895.

79 CAB, Agr 209, Ref 1592, Currey to Civil Commissioner Bathurst, 11 February 1895.

80 CAB, Agr 209, Ref 1592, George Penny, 22 March 1895.

81 CAB, Agr 209, Ref 1592, Warneford to Department, 23 March 1895.

82 CAB, Agr 209, Ref 1592, Marginal note Cowper, 29 March 1895.

too much to ask for landowners to “hold their hand” for a season.<sup>83</sup>

Someone with connection to the political authority, most probably Warneford, must have then lobbied John Frost, the Secretary of Agriculture, to have the decision to refuse a permit to Penny overturned. There is an undated note on file that John Frost understood from Penny that the number of buffalo on his farm Wolf’s Craig had considerably increased; that he did not make use of the permit granted him the previous year; and that Frost wished permission to be granted for the shooting of two buffalo bulls on that farm. An unidentified official noted that he knew nothing of this, and Thompson sought guidance from Currey, commenting that it appeared that Frost wanted the permit to be granted and would send the permit himself. Thompson enquired whether, with this one exception, the decision to refuse all permits would still be adhered to.<sup>84</sup> On 12 June 1895, Currey advised Warneford that, on further consideration, Frost had decided to make a special exception in the case of Penny, and to grant him permits for two buffalo bulls for Wolf’s Craig.<sup>85</sup> During the course of the political intervention in the administrative process the number of buffalo bulls for which the permit was requested was increased from one to two animals, presumably for the benefit of Warneford and his friends. This was the second year that Frost had personally intervened to assist Warneford and his associates. Frost and Warneford were probably well known to each other, having served contemporaneously as officers during the same frontier conflicts in the Eastern Cape. It was probably also no coincidence that Frost, in addition to being Secretary for Agriculture, was also the Member of the Legislative Assembly for the Queenstown parliamentary constituency, in which town Warneford had served until June 1889 as Clerk to the Civil Commissioner and Resident Magistrate prior to his transfer to the Department of Agriculture as Chief Clerk. There is no evidence that Frost ever intervened to assist any other applicants.

George Penny and his sponsors were still not satisfied and on 13 June 1895 Currey addressed a memorandum to Frost, informing him that Penny now wished his permit to be extended to the Crown Forest adjoining his farm. He drew attention to Lister’s remarks on the subject and pointed out that the Department would have great difficulty resisting applications from others if Penny’s request were to be granted. Penny had held permits for 1893 and

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83 CAB, Agr 209, Ref 1592, Currey to Warneford, 4 April 1895.

84 CAB, Agr 209, Ref 1592, Marginal note Thompson to Currey, 11 June 1896.

85 CAB, Agr 209, Ref 1592, Currey to Warneford, 12 June 1895.

1894, and a special exception had been made for the farm Wolf's Craig for 1895, but he hoped that Penny would be informed that the Crown Forests were to be preserved rigidly.<sup>86</sup>

The Department, having granted one permit as an exception, was now faced with more applications for permits to hunt buffalo, one of these being that of Warneford, the consideration of which had stood over pending the finalization of the Penny application.<sup>87</sup> The applicants were Charles and John Wilmot of Highlands (to shoot one buffalo between them on Penny's farm Wolf's Craig); J McDougal (for his farm Claypits); and GR Fletcher<sup>88</sup> and W Warneford (to hunt on the farm Whitcoomb in The Coombs owned by Kent family). McDougal's application was submitted through the office of John Hemming, Civil Commissioner of Albany. McDougal was suspected of involvement in the incident of the unlawful shooting of a buffalo on the farm Langholm the previous year and Warneford, who had been instrumental in his conviction and was unaware of the application, expressed personal outrage, adding that the grant of a permit to such a man demonstrated a loss of confidence in the local Civil Commissioner's office and "stultifies us" in the eyes of the farmers.<sup>89</sup> McDougal had motivated his request by representing that the buffalo's were destroying the crops on his farm but this would appear spurious, as McDougal was in reality a keen buffalo hunter.

Having failed in his attempts to obtain a permit to shoot a buffalo in the Bathurst district, Warneford next addressed a letter to John Hemming, expressing the hope that he would recommend his application to shoot a buffalo bull in the Fish River Bush in the Albany district. In support of this application he stated that "I am informed on the best authority these animals are, this year, exceptionally numerous", and that "Government is protecting buffalo in this division for this season, and this explains why I ask through your office."<sup>90</sup> He failed to disclose that his application to shoot a buffalo in the Bathurst division was still pending. Hemming recommended the grant of the permit but recommended that no further shooting be allowed thereafter,<sup>91</sup>

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86 CAB, Agr 209, Ref 1592, Internal memorandum Currey to Secretary for Agriculture, 13 June 1895.

87 CAB, Agr 209, Ref 1592, Undated marginal note on memorandum to Secretary for Agriculture of 13 June 1895.

88 George Fletcher was a farmer of the farm Mt. Wellington, Cuylerville near Port Alfred, *South African Directory for 1883-1884* (Cape Town, Saul Solomon & Co), p. 29.

89 CAB, Agr 209, Ref 1592, Warneford to Currey, 27 July 1895.

90 CAB, Agr 210, Warneford to Hemming, 25 May 1895.

91 CAB, Agr 210, Hemming to Department, 30 May 1895.

but Lister opposed the grant of the permit.<sup>92</sup> Thompson suggested in a marginal note dated 25 June 1895 that the Department should refuse all four applications but, clearly because the administrative consideration of permit applications was now subverted to decisions of the politicians, enquired whether his superiors wished the permits to be granted.<sup>93</sup> Currey noted that the correct response ought to be that, due to the number of applications received that year and the growing scarcity of buffalo, Frost did not see his way to authorizing the grant of these permits.<sup>94</sup> Frost ultimately overruled Currey's decision and a memorandum addressed to Frost states that it was understood that he wished all applications for permits to shoot buffalo on private farms to be granted for 1895, but then refused the following year and a year or two thereafter.<sup>95</sup>

Frost's decision was that private landowners should be allowed to shoot buffalo on their own land during 1895, but that no permits were to be granted the following year so as to allow the animals to increase.<sup>96</sup> The practical effect of this decision, as noted by Thompson on 11 July 1895, was that the only application that could be granted was that of McDougal to shoot on his own farm, all the other applicants not qualifying.<sup>97</sup> In the result, a permit was issued to McDougal on 13 July 1895 to shoot on his farm Claypits and the three other applications, including that of Warneford, were refused.

Hunting of buffalo without permits appears to have been commonplace. In response to a request from Currey to the Civil Commissioners of Bathurst and of Albany that they report to him on this subject, Warneford responded:<sup>98</sup>

Two years ago, when I first came here, I was a guest in a house where I saw a fresh buffalo head, freshly killed, and in my asking about it was told that it was the head of a bull killed in the preceding December (ie out of season). As I was a guest in the house I refrained from asking by whom. I wish that the recent conviction of Clark and others, who were sentenced to pay £10 each for killing a buffalo out of season, will have an excellent and lasting deterrent effect.

Warneford's report confirmed that hunting and poaching was conditioned by issues of class and behavior perceived as making up the gentleman's code

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92 CAB, Agr 210, Lister to Currey, 1 July 1895.

93 CAB, Agr 209, Ref 1592, Internal memorandum Thompson to Currey, 25 June 1895.

94 CAB, Agr 209, Ref 1592, Undated marginal note of Currey.

95 CAB, Agr 209, Ref 1592, Memorandum Currey to Secretary for Agriculture, 5 July 1895.

96 CAB, Agr 209, Ref 1592, Marginal note Thompson, 6 July 1895.

97 CAB, Agr 209, Ref 1592, Internal memorandum Thompson, 11 July 1895.

98 CAB, Agr 209, Ref 1592, Warneford to Department, 4 July 1895.

of conduct. When a guest in the house of a poacher Warneford, despite his position in the Office of the Resident Magistrate, felt constrained by the gentlemen's code not even to raise the issue or to later mention the name of the transgressor. On the other hand, when poachers with whom he had no personal connection were prosecuted for the same contravention he had no hesitation in hearing the case and making an example of the accused.

### ***The fourth phase: Permits for private landowners, 1896 – 1897***

Warneford's attempts to obtain a permit in his own name to shoot buffalo for the 1895 season having failed, he soon opened his campaign for 1896 despite being aware of the decision of Frost that no permits were to be issued that year. He commenced his campaign by addressing simultaneous personal letters to Lister and Cowper. In his approach to Lister, who to his knowledge opposed the grant of permits to shoot buffalo in Crown Forest, he wrote:<sup>99</sup>

...may I hope that you will give me your recommendation in regard to one buffalo (bull) in Kowie Forest, where we have done our very best in the past two years to hinder the poaching that undoubtedly used to go on there – and with the good result that buffaloes have greatly increased (one big bull the other day ran out on to a neighboring farm, a thing unknown for many years). I ran in the owner of “Langholm”, a farm adjoining the forest a few months ago for killing a buffalo out of season and without a permit, and he and his two conferants were fined £10 each – a lesson they are not likely to forget. Without in any way presuming to offer advice, yet if you could before recommending permits most kindly give us an idea as to whom the applicants are, we might possibly be in a position to tell you what their status and claims are. Personally I apply early because in hunting buffalos one has to look out for one or two experienced men to go with you.

In a letter addressed to Cowper a few days later, Warneford represented that he would rather not recommend more permits than there was a likelihood of being granted, and that he would be “awfully obliged” if he could be given some idea of the number of permits that would be allowed. He went on to explain that although he understood that no permits would be granted for the Government Reserves in the Kowie Forest (rather a remarkable statement in the light of his application to Lister five days previously to be permitted to do so), he hoped that the Department would see the “desirability” of granting one or two permits for shooting buffalo on private farms. He then went

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<sup>99</sup> CAB, FS 3/1/48, Ref 570, Warneford to Lister, 25 November 1895.

on to suggest the candidates to whom these permits should be granted. He proposed that as George Penny of Wolf's Craig had been issued two permits the previous year, one permit be issued to Bowles of Holling Grove "and might may name be put down for one on the same farm. Bowles, Penny and I could then go out twice in the season, once on Bowles' permit and once on mine (It takes three hunters to go after one buffalo)."<sup>100</sup> Thompson noted on the margin of the letter: "Why Penny? He does not recommend a permit for him. I suppose he means 1 Penny; 1 Bowles; 1 Warneford". With regard to The Coombs, Warneford recommended that, because the Timms of the farm Elephant Park had been issued with two permits the previous season, that Pike of the farm Dundas and van der Merwe of the farms Percieval and Radies' Vley both be issued with one permit each.<sup>101</sup> This letter was written before any applications had even been submitted by the men recommended for permits and was a clear attempt to arrange the grant of permits prior to any applications being received.

Image 2: Buffalo hunt, Elephant Park July 1897, Left to right: Job, Fred and Rio Timm and JB Greathead



Source: Photo by JB Greathead.

Before his letter could be responded to Warneford wrote again to Cowper, stating that he would receive no better Christmas present "than a couple of

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<sup>100</sup> CAB, Agr 209, Ref 1592, Warneford to Cowper, 30 November 1895.

<sup>101</sup> CAB, Agr 209, Ref 1592, To this statement Thompson noted in the margin: "No. Job Timm got a permit for one".

lines to tell me that my claims to a permit to shoot one buffalo have been admitted (and between you and I, I honestly think I have some little claim)". He added that if the grant of permits to shoot on farms adjacent to the Kowie Forest were objected to, he had secured permission from the owners of the farms Clay Pits and Coombs Vale.<sup>102</sup> The owner of Clay Pits was McDougal, the same man who had been implicated by Warneford in the unlawful killing of a buffalo on Langholm, and the grant of a permit to whom had engendered Warneford's previous expressions of outrage.

Image 3: Buffalo hunt, Elephant Park, July 1897, with beaters and dog handlers armed with sticks, one holding a freshly severed baboon head



Source: Photo by JB Greathead.

The personal approach to Cowper almost yielded Warneford's Christmas present and Cowper noted to Thompson that "he supposed" that the permit could be issued<sup>103</sup>. Thompson prepared an internal memorandum to Currey dated 13 December 1895,<sup>104</sup> in which he sought instructions. In his submission Thompson referred to the Departmental decision of 6 July 1895 that no permits at all were to be granted for the Kowie Bush during 1896, but suggested that some permits might be granted to landowners who preserved buffalo carefully on their own farms, so as to encourage them to look after the game. He commented that Warneford was most "pertinacious in applying for a permit for himself" and that, though not a landowner, he had "evinced

102 CAB, Agr 209, Ref 1592, Warneford to Cowper, 9 December 1895. The application was accompanied by a consent signed on 9 December 1895 by the owner of Coombs Vale, WR Dixon. The letter itself is written out in Warneford's own hand, Dixon adding an almost illegible signature.

103 CAB, Agr 209, Ref 1592, Marginal note Cowper to Thompson.

104 CAB, Agr 209, Ref 1592, Internal memorandum Thompson, 13 December 1895.

much interest in game preservation and it seems hard to refuse him.” Currey referred the matter for decision to Frost for a final decision<sup>105</sup> The final decision was that of Frost, and Currey initialed a minute dated 10 January 1896 indicating that Frost understood that there were very few buffalo left and it was his view that they were to be protected. In no case would he allow anyone, unless actually an owner of land on which buffalo were living, to shoot any. The buffalo should, however, be protected entirely for the year 1896.<sup>106</sup> This decision appears to have been final and there is no evidence that any permits were granted during 1896 to shoot buffalo in either the Bathurst or Albany districts. Unfortunately that year brought a new and even deadlier threat to the remaining isolated populations of buffalo – that of rinderpest.

During July 1897 Greathead accompanied the Timm family of Elephant Park on a buffalo hunt on their farm during which a young buffalo cow was shot. There are a number of photographs taken after the hunt, one including Greathead and the owners of the farm, Job, Fred and Rio Timm standing behind the dead buffalo. Another image in the series shows the head of the buffalo on the ground with the African beaters and dog handlers crowded around. A third image, taken after the head of the buffalo had been cut off as a trophy, shows the dog handlers who had assisted in the hunt standing around with the dogs used in the chase tethered on chains.

Image 4: After the hunt, beaters with pack of dogs used in the hunt and severed buffalo head, Elephant Park, July 1897



Source: Photo by JB Greathead.

105 CAB, Agr 209, Ref 1592, Memorandum Currey to Frost, 13 December 1895.

106 CAB, Agr 209, Ref 1592, File note dated 10 January 1896, initialed by Currey.

### ***The fifth phase: Total prohibition by proclamation, 1898 – 1900***

Due to concerns at the diminishing herds, to which the ravages of rinderpest most probably contributed,<sup>107</sup> the remaining buffalo were protected in the Bathurst District by Proclamation for a period of three years from 22 October 1897 to 21 October 1900.<sup>108</sup> There is no evidence that any permits were granted during this period of official protection. Hewitt refers to a statement of JC Penny (presumably of the Wolf's Craig family) that the Buffalo perished in the Kowie Bush during the rinderpest epidemic.<sup>109</sup> It would appear that some individuals survived in or near the Kowie bush, such as on Wolf's Craig, for a few more years.

### ***The final phase: Limited hunting and local extinction 1901 – 1916***

On 4 March 1901 and after the expiry of the period of three years protection, Warneford once again and for the last time renewed his campaign to shoot a buffalo and wrote to Tooke, Currey's successor, asking what chance there was of his obtaining permission to kill a buffalo on George Penny's farm Wolf's Craig, describing Penny as his friend. He continued putting forward the spurious argument that the grant of permits to a selected few sportsmen deterred poachers, suggesting that the grant to him of such a permit "would really honestly do good, as it would encourage him to see to the protection of the herd – and deter poaching from outsiders."<sup>110</sup> William Scully, the then acting Civil Commissioner for Bathurst, having been requested for a recommendation, replied that the local Divisional Council had resolved the previous week to recommend that buffalo be specially protected by Proclamation for a further three year period, and that he was accordingly unable to recommend Warneford's application.<sup>111</sup> In an internal submission Thompson commented that Scully had reported to the Department that there were now only 15 buffalo left in the Bathurst district, a diminution of the 50 individuals estimated to exist in 1899, and enquired why this had happened.<sup>112</sup> An official added a marginal note to the application: "Please. This

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107 CJ Skead, *Historical incidence of the larger land mammals...*, p. 82.

108 Proclamation 462/1897 issued in terms of Section 11 of the Game Law.

109 J Hewitt, *A guide to the vertebrate fauna of the eastern Cape Province, Part 1 – Mammals and Birds* (Grahamstown, Albany Museum, 1931), p. 51.

110 CAB, Agr 376, Ref 1592, Warneford to Tooke, 4 March 1901.

111 CAB, Agr 376, Ref 1592, Scully to Under Secretary for Agriculture, 19 May 1901.

112 CAB, Agr 376, Ref 1592, Internal memorandum Thompson, 28 March 1901.

is very lamentable. I wonder Warneford asked.”<sup>113</sup> The permit was declined.<sup>114</sup> Scully’s census return for 3 April 1901 confirmed the decline in numbers, it being reported that the number of buffalo in the division were limited to 15 and 20 individuals.<sup>115</sup>

During December 1899, when the South African War was still far from over, Warneford lobbied for position for himself and wrote directly to Joseph Chamberlain, requesting to be considered for a post in either the Transvaal or the Orange Free State “at the conclusion of the present military operations”. Chamberlain referred the letter to Alfred Milner with the comment that Warneford should be informed that it was premature to consider his application “at the present time”.<sup>116</sup>

Warneford’s final use of his connections for personal advantage came with his retirement and during January 1904 he wrote personally to Cowper (who was no longer an official in the Department of Agriculture but was Secretary to the Prime Minister of the Cape) requesting that his retirement from the civil service be postponed to from 1 June to 30 June 1904, citing financial reasons.<sup>117</sup> Cowper wrote to the Attorney General Thomas Graham<sup>118</sup> on Warneford’s behalf, requesting that if he could “possibly oblige old Warneford I should be grateful. He did good work in the Department of Agriculture under me in ’92 and is a worthy though erratic old cuss.”<sup>119</sup> The request was duly acceded to. Faced with the prospect of retiring after a lifetime of service with the designation of Chief Clerk to the Civil Commissioner and Resident Magistrate of Bathurst, Warneford addressed a letter dated 3 June 1904 to Lonsdale, Assistant Secretary to the Law Department, and requested that he be pensioned as Assistant Resident Magistrate for Bathurst, without the additional designation of Clerk to the Civil Commissioner, explaining that it would cost the government nothing as he sought only the title and not any associated financial benefit. Warneford added that after 18 years service in the army and 23½ years in the civil service his relatives in England might regard him as “very small beer” if he ended his career as a Clerk and that the

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113 CAB, Agr 376, Ref 1592, Marginal note dated 29 March 1901.

114 CAB, Agr 376, Ref 1592, Department to Warneford, 30 March 1901.

115 CAB, Agr 376, Ref 1596, Census return submitted by Scully, 3 April 1901.

116 CAB, GH, vol1/466, Ref 131, Joseph Chamberlain to Alfred Milner, 1 December 1899.

117 CAB, Agr 1394, Vol. 1, Ref 1583, Warneford to Cowper, 26 January 1904.

118 Thomas L Graham, Q.C. was Attorney General of the Cape from 19 February 1902 to 21 February 1904. He was succeeded by Victor Sampson, K.C.

119 CAB, Agr 1394, Vol.1, Ref 1583, Cowper to Graham, 2 February 1904.

indulgence sought would do him a “kindness”.<sup>120</sup> Lonsdale’s superiors had no objection, and Warnford returned to England on his retirement with his vanity and need for social status and recognition satisfied.<sup>121</sup>

## **The Buffalo hunting experience**

Buffalo hunting for sport was engaged in by men as a social activity and the difficulty and danger associated with the animal and the endurance required in traversing the almost impervious thickets of the riverine bush would have added to the experience.

Unlike the numerous accounts of buffalo hunting elsewhere in Southern Africa there are very few such first hand accounts for the Bathurst district. One of the most detailed narratives is that of Henry Melladew, an international sportsman who had hunted extensively on the continents of America and Asia, and who described hunting buffalo in the Kowie Bush during the period 1891 to 1892.<sup>122</sup> He describes how he and three companions, one of whom was probably the professional soldier Colonel RFJ Gascoigne to whom the book is dedicated, obtained permission to shoot two buffalo in Crown Forest at the Kowie. Farmers consented to the hunters crossing private land adjoining the forest and the hunt itself was assisted by two local farmers with a pack of ten hunting dogs of all descriptions.<sup>123</sup> The dogs were used to follow and rush the herd, thereby bringing one or two animals to bay and affording the hunters time to approach. He graphically describes the strenuous physical activity of traversing the thick Kowie bush, with the hunters walking up steep slopes and down into valleys, stooping and creeping under low bushes and

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120 CAB, Agr 1394, Vol. 1, Ref 1583, Warnford to Lonsdale, 3 June 1904.

121 Warnford’s need for recognition is also explained by the status achieved by his children. His son Gonville Warnford entered the imperial service and served as a Captain in the Indian Staff Corps and Assistant Political Resident in Aden. He was killed whilst on duty in the hinterland of Aden on 3 March 1904 and there is a brass memorial plaque for him, and other members of the Warnford family, at St. Michael’s Church, Highworth, Wiltshire, England. One daughter Winifred married a successful barrister, Thomas Joseph Strangman, (later Sir Thomas) during 1896, who was appointed Attorney General at Bombay, India and his daughter Beatrix married Major O’Neal Seagrave, an Irish-born army officer who served in South Africa and was awarded the D.S.O in 1902. (Available at: <http://www.annmariejones.me.uk/family>, and the website of St. Michael’s Church: [http://www.oodwooc.co.uk/ph\\_highworth.htm](http://www.oodwooc.co.uk/ph_highworth.htm)), as accessed on 8 July 2013.

122 H Melladew, *Sport and travel papers* (London, T Fisher Unwin, 1909), pp. 160-167. The book was printed for private circulation only.

123 The hunting of the buffalo with dogs in the thick riverine bush of the region was not a recent innovation. WT Black, *The Fish River Bush South Africa and its Wild Animals* (Edinburgh, Young J Petland, 1901), which reproduces a series of articles that originally appeared during 1853, states that the buffalo were hunted with dogs to bring them to bay, so as to afford the hunter the chance of a good shot.

stumbling over creepers. What was possibly more important for Melladew than the chase, which was ultimately unsuccessful, was the companionship of male friends, the enjoyment of the open air, and the opportunity to camp together in tents which he describes as being erected in a campsite on green grass at the edge of the Kowie Bush, to which the tired hunters returned at the end of each day's exertion and, after supper and over their pipes, talked over the events of the day.

JB Greathead describes the similar enjoyment of the outdoors, in spartan conditions, in the company of men during the course of a buffalo hunt held during July 1906 on Charles Kent's farm at The Coombs. He describes the companionship of the hunt, as he and Kent rode together into the buffalo veldt, breakfasting together at an old hut "in the heart of the bush". He and Kent spent a cold night in the middle of winter in a hut without a door, spending two days in pursuit of the buffalo without result.<sup>124</sup> A further account is that of Frank Pym, director of the King Williamstown museum, who obtained permission during 1906 to shoot "Wol Zak", one of the remaining bulls in the district, as a specimen for the Museum. The bull was shot on the farm Elephant Park with the assistance of the local landowners Job Timm of Elephant Park and William Pike of Dundas.<sup>125</sup>

These two buffalo hunts are no doubt typical of many others, the narrators emphasizing the excitement of the chase, the enjoyment of male company, physical exertion and endurance and camping in the open air. The actual killing of the animal was simply an added bonus, the lack of which does not appear to have detracted from the enjoyment of the whole. After all, as Robert Morrell recognized, in the context of the Natal Midlands, the importance of hunting, the dangers of the wild, the pleasure of communing with nature and skill with firearms all played an important role in masculine values in colonial society.<sup>126</sup>

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<sup>124</sup> DW Gess, *The African hunting and travel...*, p. 264.

<sup>125</sup> FAO Pym, *Visitor's guide to the collections contained in the King Williamstown Museum* (c.1907); CJ Skead, *Historical incidence of the larger land mammals...*, pp. 82-83. The remains of Wol Zak, together with a group photograph of his hunters, are on display at the Museum.

<sup>126</sup> R Morrell, *From boys to gentlemen, settler masculinity in colonial Natal 1880-1920* (Pretoria, University of South Africa, 2001), p. 81.

## Conclusion

The official exchanges of correspondence between buffalo hunters, local officials and the authorities in Cape Town provide valuable insights into hunting in the Cape Colony and the politics of the competition to control the identity of those who would be allowed to hunt the few remaining buffalo.

The struggle for the opportunity to shoot buffalo pitted competing interest groups one against another. Over a period of time, and as the number of animals were reduced, ever further groups were excluded from the opportunity to hunt. The first to be denied the right to hunt were the rural and urban poor who hunted for subsistence or any form of commercial gain, this being condemned by sportsmen and officials alike as “pot hunters” and “unsportsmanlike”. Africans and poor white farmers were, as elsewhere in the world, regarded as direct threats to game.<sup>127</sup> This left only the “gentleman” recreation hunters who were designated as being the only “true sportsmen” and it was for them that hunting was reserved. The next contestation was between the sporting interests of local sportsmen and those from outside the district, the locals succeeding in persuading the authorities to exclude the foreigners.

The final struggle for the right to hunt was between the local urban elite and the rural landowners, with the latter eventually succeeding in gaining the upper hand on the pretext that the buffalo came onto on their private land, that they took steps to preserve the animals, and that they should accordingly be rewarded with the grant of a limited number of permits. Because the buffalo were restricted to the thick bush of the river valleys, control over hunting buffalo in the region came to be controlled by small communities of landowners whose farms adjoined these areas.<sup>128</sup> In the Bathurst district a small community of English speaking and mostly Wesleyan descendants of 1820 settlers, clustered around the villages of Southwell, Bathurst and Clumber controlled buffalo hunting. Further to the east near the Fish River Valley and in the valley of The Coombs families such as Timm, Pike and Kent enjoyed a similar position.

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127 WM Adams, “Sportsman’s shot, poacher’s pot: Hunting, local people and the history of conservation”, Chapter 8, *Recreational hunting, conservation and rural livelihoods: Science and practice* (edited by B Dickson, J Hutton and WM Adams), (Oxford, Wiley-Blackwell, 2009), pp. 127-140.

128 The consequences of enclosure of private farmland is explored by L van Sittert, “Holding the line: The rural enclosure movement in the Cape Colony, c 1865-1910,” *Journal of African History*, 43, 2002, pp. 95-118; L van Sittert, “Bringing in the wild: The commodification of wild animals in the Cape Colony/Province c1850-1950”, *Journal of African History*, 46, 2005, p. 278.

The files of the Department of Agriculture reveal that no applications were made during this period by Africans for permits to shoot buffalo in the Bathurst or Albany districts. A contributory factor was the limitation upon African hunting pursuant to the Peace Preservation Act, 13 of 1878. The operation of the Act, initially intended to disarm Africans from a military point of view, was later extended to the broader Eastern Cape and prohibited all except those with a special permit from being in possession of arms, weapons, bullets, gunpowder and ammunition. The definition of arms and weapons was broad enough to include assegais and spears, thus effectively precluding Africans from hunting all but small game with the assistance of dogs.<sup>129</sup> Warneford reported to the Department during 1894 that Africans were never seen with an assegai in the Bathurst district, the carrying of these weapons being prohibited. He added that when Africans were employed as beaters on private farms they were furnished with sticks and never with assegais.<sup>130</sup> This statement appears to be confirmed by the images included in this article depicting beaters assisting in a buffalo hunt at Elephant Park during 1897.

The buffalo of the Bathurst and Albany districts were not capable of being enclosed and moved freely through the thick bush of the region, from public land to private land and from the land of one private landowner to that of another. The limited impetus for buffalo preservation in the Bathurst district was not from what has been described as the “economic and sporting instincts of farmers”,<sup>131</sup> but instead characterized by attempts by officials in Cape Town to decree from a distance that the locals desist from or limit hunting. “Commodification” of the buffalo, to use the phraseology of van Sittert, did not take place unlike the case of wild animals such as the ostrich, kudu or springbuck that were more easily contained and “privatized”.

This intense competition for permits in the Bathurst district was complicated by the personal hunting ambitions of Warneford who sought to use his position and influence to control the identity of those to whom permits were granted. His subordination of the permit system to his own personal interests

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129 The introduction of the policy of disarmament of Africans in the Transkei and the broader Eastern Cape pursuant to the provisions of the Peace Preservation Act, 1878, is considered, in WK Storey, *Guns, race and colonial power in colonial South Africa* (Cambridge, Cambridge University Press), 2008, pp. 210-252; WK Storey “Guns, race and skill in nineteenth-century Southern Africa”, *Technology and Culture*, 45(4), October 2004, pp. 687-711.

130 CAB, Agr 68, Ref 234, Warneford to the Department of Agriculture, 15 September 1894.

131 K Brown, “Cultural constructions of the wild: The rhetoric and practice of wildlife conservation in the Cape Colony at the turn of the twentieth century”, *South African Historical Journal*, 47, November 2002, pp. 75-95.

and those of his friends is well documented. In pursuit of these interests Warneford blatantly and unashamedly utilized his personal influence and connections with former colleagues in the Department of Agriculture, and on occasion with the political head John Frost, to obtain favors and exceptions to the established policy, gaining opportunities to hunt buffalo denied to others. This misuse of position for own advantage was also present in other jurisdictions such as Zululand, where complaints were made that Resident Magistrates, who were empowered to grant of permits, refused permission to the public to hunt while hunting when they liked.<sup>132</sup> Such local abuses were probably limited to some extent in the Cape Colony because the ultimate discretion to grant permits vested in the hands officials in Cape Town rather than at local level. Warneford's conduct frustrated attempts to limit hunting; undermined a consistent policy; and must have created a sense of injustice in those who were denied rights that he obtained for himself and his associates. His was an ongoing and gross example of a civil servant using his own position to further his own personal interests in conflict with his duty.

The story of the buffalo and their hunters provides evidence of a local hunting tradition, unique in its own way, that makes up a part of the patch-work quilt of small traditions and exceptions to general trends in the narrative of hunting and game in the late 19<sup>th</sup> Century Cape Colony.

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132 B Ellis, "Game conservation in Zululand 1824-1947, changing perspectives", *Natalia*, 23 and 24, 1993/4, pp. 27-44 and esp. p. 38. D McCracken also comments that the magistrates of Zululand, who decided on the grant of permits, were powerful men, not least when it came to deciding who would and who would not be allowed to shoot. A complainant stated that there was "no rule to go by except the personal good will of the magistrate". DP McCracken, *Saving the Zululand wilderness, an early struggle for nature conservation* (Pretoria, Jacana, 2008), p. 142. Shirley Brooks in *Changing nature: A critical historical geography of the Umfolozi and Hluhluwe Game Reserves, Zululand 1887-1947* (PhD diss., Queen's University, Kingston, April 2001), p. 153, points to the conduct of the Resident Commissioner for Zululand, Sir Melmoth Osborn, who consistently advised the Governor to refuse hunting licenses to people who made application to hunt "royal game", and advocated penalties for those who shot rhino, none of which prevented him from shooting rhino himself.