

PHASE 1 HERITAGE IMPACT ASSESSMENT OF WEST STREET AND ERF 4721 GREEN POINT, CAPE TOWN

Prepared for

Styleprops 120 (Pty) Ltd

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1 Introduction

The Archaeology Contracts Office of the University of Cape Town was appointed by Styleprops 120 Pty Ltd to conduct a heritage impact assessment of 2 portions of land located in Green Point, Cape Town. This consists of erf 4721 Green Point, Cape Town (1200m²) and West Street, Green Point Cape Town which lie immediately adjacent to erf 167710 (1192m²) Green Point, Cape Town (Prestwich Place) which has been recently identified as part of an informal paupers burial ground, long forgotten and completely developed since the mid-19th

century. These three pieces of land together form the land owned by Styleprops 120 for which a large development to be known as Prestwich Place is planned. By June 2003, the necessary development permits were in place to commence development activities on erf 167710. After demolition of the standing structures, human remains were identified on the site. Disinterment of the remains commenced along with a simultaneous and extensive public consultation process¹ as required by the regulations attached to the National Heritage Resources Act (see Appendix 2 for technical report). The disinterment permit issued by SAHRA in terms of section 36 of the National heritage Resources Act to the Archaeology Contracts Office has since been suspended due to pressure from the “Hands Off Prestwich Place Ad Hoc Committee” who hold the opinion that the site has special significance, and should not be disturbed, despite the fact that the identity of the remains is largely unknown short of a number of preliminary observations made by the archaeologists working on the site. A formal appeal hearing was arranged. The result of this was that the excavation permit awarded to the ACO was revalidated and work permitted to continue (the Statement from the Appeal committee is included in Appendix 3). In the meantime, excavation permit applications have been lodged to disinter human remains that are believed to occur under West Street and erf 4721 which will be affected by the proposed development. It is within this context that this Heritage Impact Assessment evaluates the impacts to archaeological material within the proposed development area.

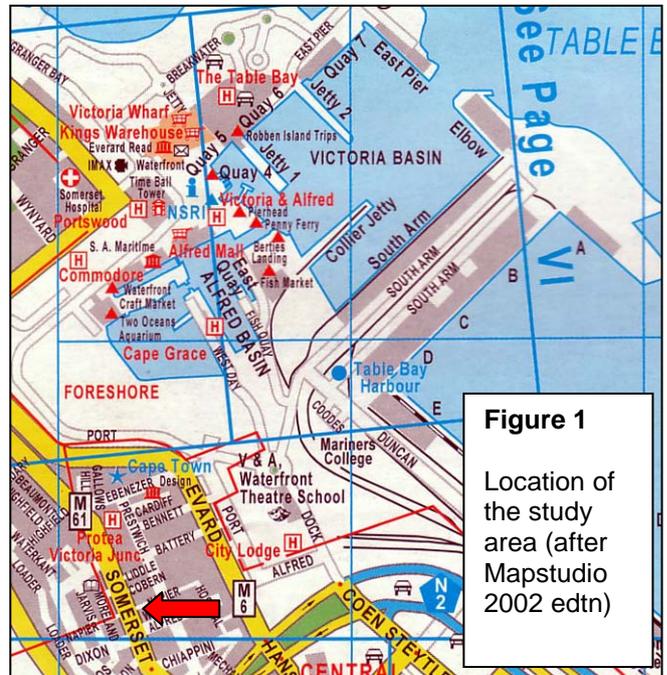


Figure 1
Location of the study area (after Mapstudio 2002 edtn)

2 Historical Context

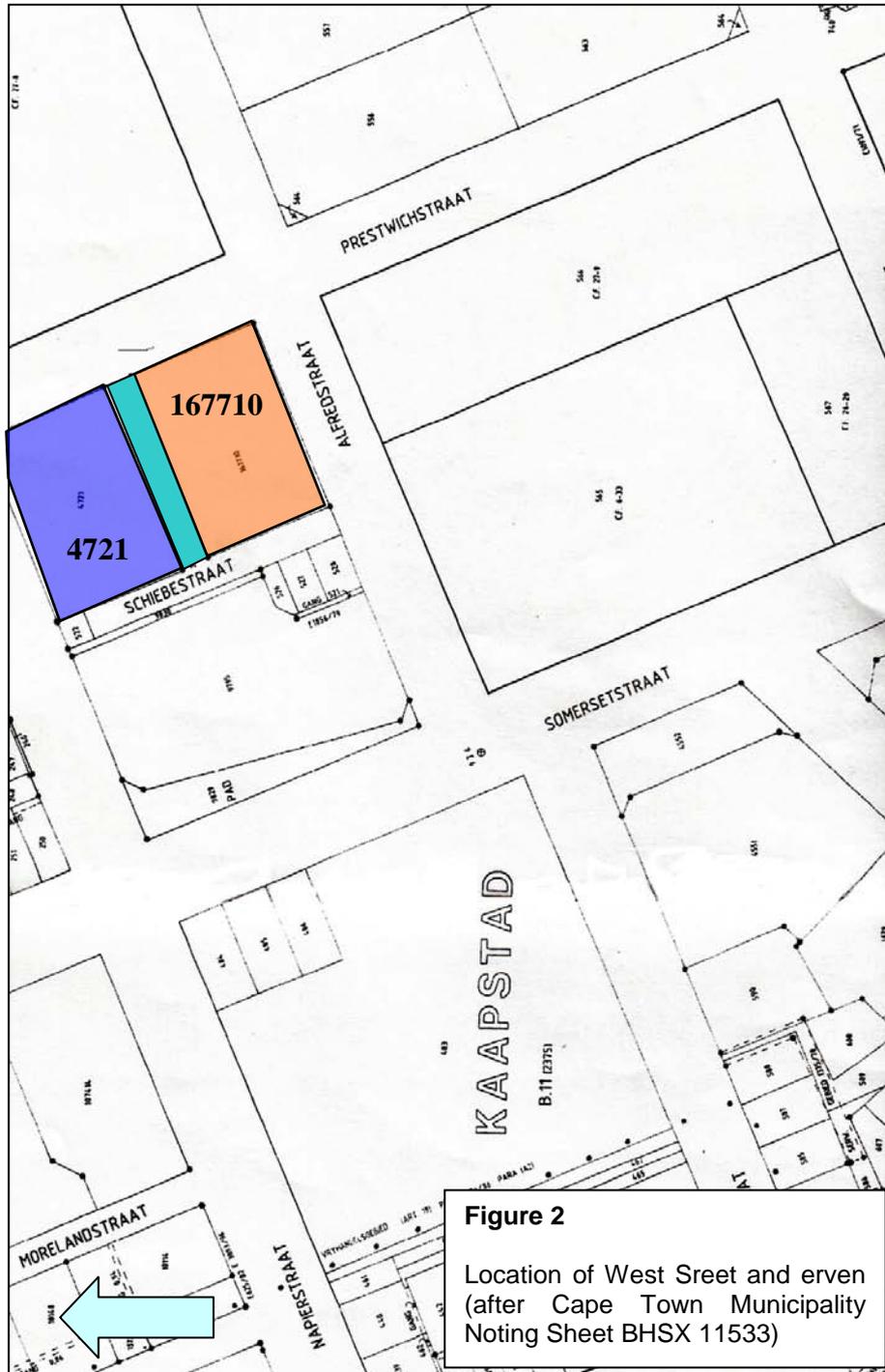
2.1 Green Point – Historical summary.

2.1.1 The 17th century

Green Point consisted of a flat coastal plain in front of Signal Hill, punctuated by some prominent dunes. A large *vlei* existed close to the present site of Green Point Stadium, while seasonal swamps characterized much of the Common. The granite and Malmsbury shale geological substrates of the area would have provided trace elements necessary for the

¹ Public consultation conducted by Antonia Malan of the Cultural Sites and Resources Forum and followed up by further meetings organized by SAHRA.

raising of domestic animals. Early maps describe Green Point as being the location of a “hottentot village” on the outskirts of Cape Town.² These people were probably the remnants of indigenous groups who would have grazed their herds on the Common but had become displaced by European settlement. In 1997 the remains of 4 human individuals displaying Khoi Khoi characteristics



² The journal of Robert Jacob Gordon, 1777 - 1786, Cape Travels.

were found buried in traditional style (with pot and broken grindstones) under 19th century houses in Cobern Street, Green Point.³ Dated to about 1000 years before present, these archaeological finds testify to a long history of use of the area.

According to Picard, Green Point Common was the grazing area of the Dutch East India Company cattle herds.⁴ The Dutch referred to the area as the Waterplaats or Waterfront – the true coast of the Atlantic Ocean. By the end of the 17th century there appears to have been no permanent structures or settlement in the area.

2.1.2 The 18th century

During the early 18th century Green Point was largely undeveloped, the closest permanent structures being the Chavonnes Battery (built in 1715) and the execution ground (Gallows Hill) situated behind where the Victoria and Alfred Waterfront is today. In 1743, the Dutch attempted to build a mole (hence the name Mouille point) out into Table Bay to protect the anchorage. Funding was supplied through extra tax levies and labour provided by convicts, slaves and Dutch East India Company employees. The mole was not a success and quickly destroyed by the Atlantic storms.⁵

Much of Green Point, just west of the city and close to where Somerset Road is today was a bleak area characterized by the graveyards of the Dutch Reformed Church, the military graveyard and a great many informal graves of unknown persons – possibly slaves, paupers, criminals and smallpox victims. The gallows and place of torture (situated on a prominent sand dune) was an ever-present reminder of the brutal justice system of the time.⁶ Antonia Malan has compiled a detailed chronology of the area and the development of the burial grounds. This is included in Appendix 1.

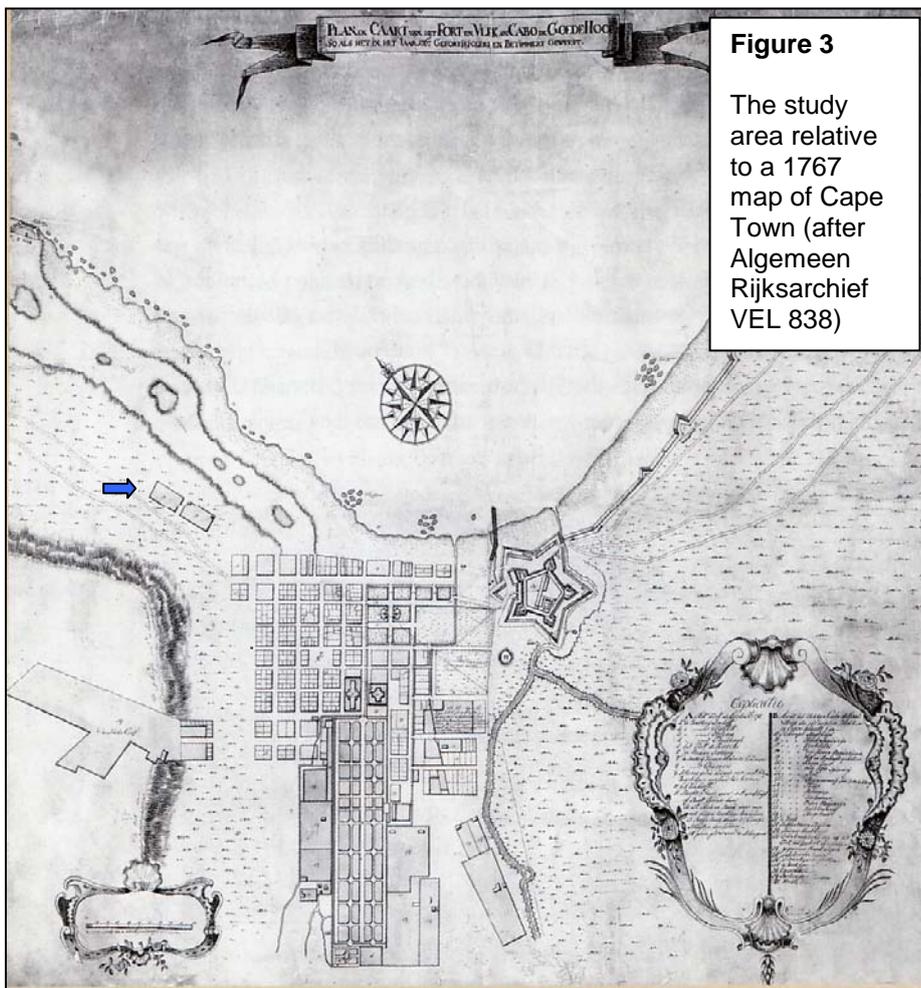


Figure 3

The study area relative to a 1767 map of Cape Town (after Algemeen Rijksarchief VEL 838)

³ Cox, G. 1999. Cobern Street burial ground: investigating the identity and life histories of the underclass of 18th century Cape Town. Unpublished MA dissertation, Dept Archaeology, University of Cape Town.

⁴ Picard, H.J. 1969. Gentlemen's Walk. Cape Town: Struik.

⁵ Malan, A, 1993. Historical Assessment of Granger Bay and Mouille Point. University of Cape Town: ACO.

⁶ Hart, T.J.G. 2001. A Conservation Plan for the Chavonnes Battery. University of Cape Town: ACO.

2.1.3 The 19th Century

After the occupation of the Cape by the British (1806), a more tolerant attitude to religion followed, with the recognitions of religions other than that of the Dutch Reformed Church. A result of this was that different religious groups were granted their own burial grounds, whereas before anyone who was not a member of the Dutch Reformed Church could not be buried in official cemeteries. By 1820, Green Point was the official burial

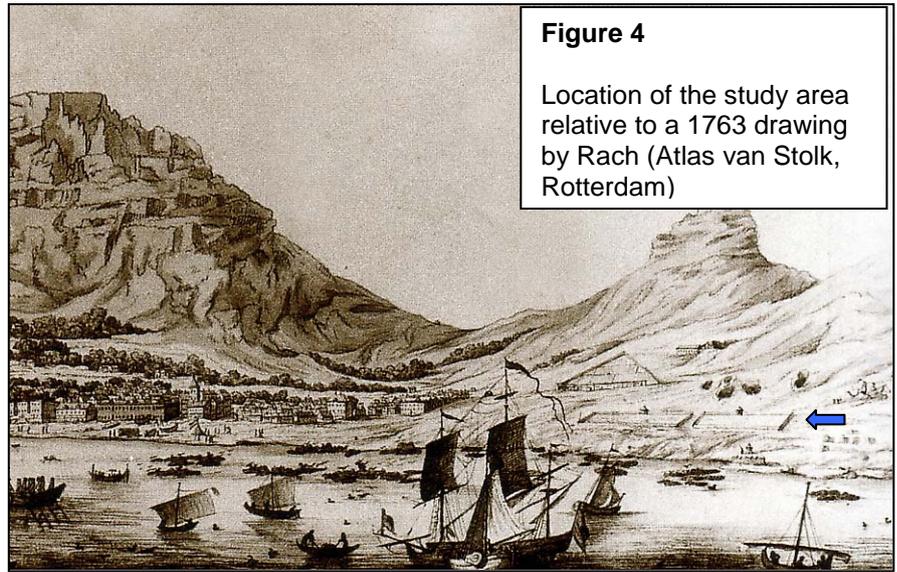


Figure 4

Location of the study area relative to a 1763 drawing by Rach (Atlas van Stolk, Rotterdam)

area of the city with ground set aside for disposal of the remains of a number of religious groups. However, even at that time development pressure saw urban expansion beginning to take place on the outside (west) of Buitengracht Street. One of the first structures built was the old Somerset Hospital (just opposite the Prestwich Place site where the Police Head Quarters are now situated). By 1827, open land on the outside of the official cemeteries was subdivided and sold by the Burgher Senate for private development and appears to have been fully built over with private dwellings and businesses by 1833. The last official burials that took place in the various formal cemeteries in Green Point was in 1886, hereafter burials were supposed to take place in Maitland, and the Green Point graveyards officially closed.⁷

The disused cemeteries of Green Point came to be known as a place of disgrace due to the condition of the vaults and poor upkeep of the grounds. Motivated by various church groups, members of the public, who wished to dispose of the land, the matter went to Parliament where the pro's and con's of disinterring the disused graveyards was debated at length. Eventually in 1906 the Disused Cemeteries Act was passed and the churches were permitted to use the land for worthy causes. One of the first organisations to benefit was the Salesian Institute who obtained

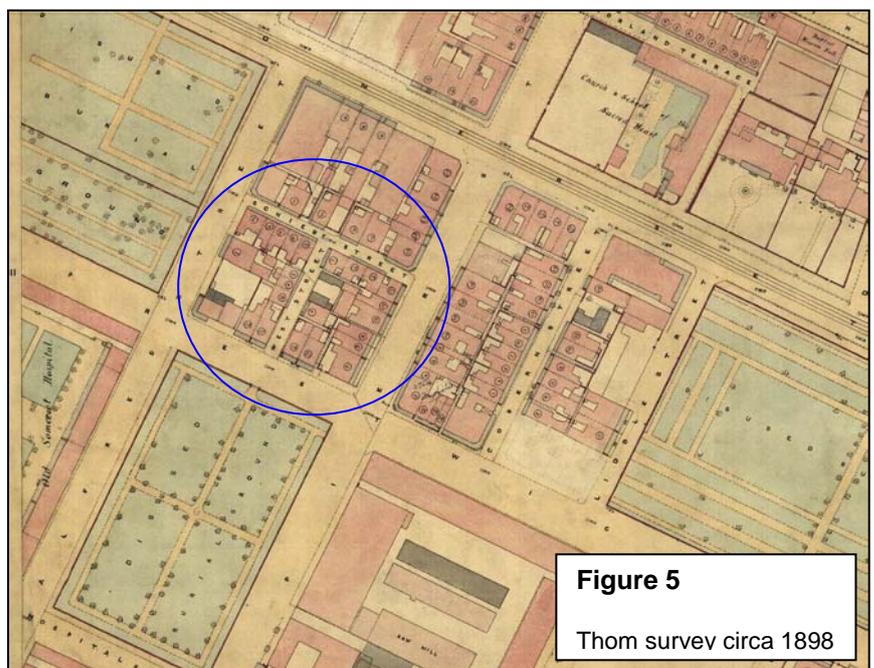


Figure 5

Thom survey circa 1898

⁷ Laidler, PW and Gelfand, M. 1971. South Africa: Its medical history 1652-1898. Cape Town: Struik.

rights to build their school on the site of the Roman Catholic and Military Burial Grounds. The bodies were disinterred in 1907 with the assistance of free convict labour from the nearby Break Water Prison.⁸ Eventually all the formal graveyards were put to alternative use after the remains were removed for re-interment in Maitland cemetery.

3 History of archaeological research

The discovery of human remains in and around Cape Town is a fairly common occurrence, with most organisations who have the capacity to disinter accidentally discovered human remains (Iziko Museums, Universities) doing so on a regular basis. Most of these accidental discoveries come about as a result of laying of services and construction activities. Remains have been found throughout the city bowl, on the old Woodstock Beach area, and in more recent times, Green Point. In every instance, these finds were made during the course of development activities.

3.1 Cobern Street (1995)

Archaeologists have generally been aware that the Green Point area was used as a burying ground for many years, however they have generally assumed that the remains have been disinterred and relocated. The accidental discovery of human remains on the site of “long Life Lettering” in Cobern Street alerted the archaeological community to the fact that this was not the case. A rescue excavation at the Cobern Street site produced some 67 in-tact human skeletons, and the partial remains of a further 54. At the time of the discovery, the archaeological team had no idea of the identity of the remains, as according to the historic maps of the area, the find site lay outside of the boundaries of any of the historic cemeteries, and furthermore, had lain under the foundations of a house built in the early 19th century. A period of intensive research followed the discovery, which resulted in a number of significant scientific papers being produced as well as two highly detailed MSC dissertations on the subject.⁹ These have contributed significantly to understanding the archaeology of slavery and the underclass in Cape Town.

3.2 Victoria Junction (1996)

The Archaeology Contracts Office thereafter worked at the St Georges and the Ebenezer Cemeteries (now Victoria Junction), which were supposedly disinterred by convict labour after 1906. These excavations showed that although the crypts had been emptied of human remains, the site contained a significant amount of disarticulated human bone and a number of complete skeletons.¹⁰

3.3 I&J site (1996)

Subsequent excavations at the site of the South African Missionary Society cemetery site prior to development of the site then owned by I&J, revealed that the remains had been

⁸ Kilcullen, J. 1996 Salesian Institute. Cape Town: Salesian Press.

⁹ Masters dissertations by Glenda Cox and Heather Appolonio.

¹⁰ Halkett, D.J. 1995 Report on the Archaeological monitoring of earthmoving on parts of the Victoria Junction site, Somerset Road. ACO report prepared for the Newport Property Group.

largely exhumed before the site had been used for a large ice factory in the early 20th century.¹¹

3.4 Marina – Victoria and Alfred Waterfront (2000)

Human remains accidentally discovered were disinterred by ACO. These consisted of a large quantity of densely buried, and largely intact human skeletons subsequently identified as being part of a massive early 19th century burial paupers burial ground (possibly known as the “White Sands”) that existed close to where the inner basin is today. Many of the graves would have been destroyed when the basin was excavated in the late 19th century.

As a result of observations made over the last 10 years, archaeologists have concluded that despite the fact that legislation was passed by Act of Parliament in 1906 enabling the clearing of the disused cemeteries, the quality of disinterment of remains that took place shortly after that time was highly variable. Furthermore, there are areas on Green Point, the extent and limits of which remain unknown, that still contain large quantities of human remains.¹²

4 Predicted impacts

4.1 The Implications of developing West Street and Napier House

The proponent of the Prestwich Place development intends to consolidate West Street (currently owned by the City of Cape Town) into the overall Prestwich Place development, which will span both erven and the street. This means that the street will be closed, and in all likelihood subject to bulk excavation for purposes of underground parking.

4.1.1 West Street

The human remains found on the adjacent erf 167710 extend under the pavement bordering the block, and there is very little doubt that they exist under West Street as well. The density of finds on erf amounts to roughly one individual per m² throughout and there is no reason to assume that the density of such will be any less under West Street. It is possible that some may have become displaced as a result of under street service construction, however the number of individuals under West Street is estimated to be between 400 and 600 individuals. The development of the area will necessitate the removal of human remains.

4.1.2 Erf 4721 Napier House

The third property to be consolidated lies on the north west side of West Street. The erf is occupied by a large industrial style building of three floors in height that was built circa 1957 when various houses on the erf were demolished. The building has a basement, which extends over half the erf, this has drive-in access off Prestwich Street. The developer intends to demolish this building known as Napier House and construct basement parking under the building to be erected. Napier house is not considered to be a conservation-worthy structure.

¹¹ Hart. T.J.G Phase 1 archaeological assessment of the site of the old South African Missionary Society graveyard, Green Point. ACO report prepared for Grinaker projects and Properties.

¹² Halkett, D.J. 2000 A report on the exhumation of human remains from an historic cemetery at the Marina Residential development, V&A Waterfront. ACO report for V&A Waterfront (Pty) Ltd.

While the presence of human remains can be predicted under West Street, their presence under Napier House remains un-verified, but anticipated. The Cobern Street site, as the crow flies is less than 100 m away from Napier House. What is known is that the basement, which extends over half the erf has encroached to a depth which eliminates the possibility of in-tact burials existing in the basement area. The other half of the building does not have a basement. It is possible that the burials may have been disinterred when the building was erected in the mid-20th century, although it is more likely that they were simply removed from footings and deep foundations with the result that partially disarticulated skeletons and human bones lie strewn below the cement floors of the existing building.

If development of Napier House does not impact fully articulated human remains, there is a very strong possibility that human bone exists somewhere on the site. This will have to be removed before the construction phase commences.

4.2 Establishing the significance of West Street and Napier House

The heritage significance of the site is closely associated with the age and identity of who ever was buried in these areas. The problem that we face in establishing significance is that there are a great many un-answered questions about Green Point Paupers Cemetery, especially its extent, the circumstances under it was used, the groupings of people who were buried there, and in particular who has the right to claim kinship or be considered an interested community. Erf 167710 of Prestwich Place is considered to be a contested site, - the "Hands Off Prestwich Place Ad Hoc Committee", a grouping of persons who consider the site to be high significance has lodged an appeal against the further disinterment of human remains from the site. Given these circumstances, and faced with an insecure knowledge of the place, information pertinent to establishing significance is reviewed.

4.2.1 Who was buried in the unmarked cemeteries of Green Point?

The Dutch Reformed Church – the official and only recognised Church of the Dutch East India Company reserved burial grounds for members of the church or VOC establishment, and also provided cemeteries for its military dead. Anyone else, including slaves baptised in the Dutch Reformed Church, had to be buried outside of the official burial grounds. Hence there are no formal records of who was buried where, individual burial plots were never allocated, mapped or numbered. Furthermore, the few regulations that were in place with respect to the burial of human remains were regularly flouted. Slaves, non-Dutch Reformed Church members, free-blacks, executed criminals, suicide victims, unidentified shipwreck victims, smallpox victims and persons who died in either the Company or old Somerset Hospitals who's bodies were not claimed were buried on the outskirts of the town.

In the early days of the VOC occupation, the official cemetery was situated at what is now Church Square in Cape Town. High ranking officials were buried within the Church while lower ranking soldiers and sailors were buried on the outside. By 1709 un-baptised blacks had to be buried "elsewhere".¹³ The Company Hospital employed a carpenter to make caskets when wood was available, otherwise corpses were wrapped up in blankets or sacking and buried in the dunes outside the town.

¹³ DRC G1 3/1:169

With respect to the burial of slaves, initially they were buried in gunny sacking or blankets, however after 1710, slaves who died at the lodge were buried in coffins, however at times when mortality rates were high, blankets had to be used. The remains, which were not permitted to be buried in the official burial grounds were buried in open land, the dunes and beaches. The smallpox epidemic of 1713 has such a devastating effect that 200 slaves and 25% of the European population died. By the time of the second epidemic struck in 1755, the official cemeteries were overflowing with un-decomposed bodies being exposed by grave-diggers to make way for new victims. The situation was so critical that areas outside the official cemeteries were used and the company was forced to open a new cemetery adjacent to the military cemetery close to Somerset Road. According to Laidler and Gelfand, bodies were buried hurriedly within 24 hours of death, often in the clothes in which they died. Mass graves were used to dispose of the remains of victims found on the streets.

Historical observations by early writers of the Cape refer to the great many graveyards off Somerset Road, however details of the burials of paupers and slaves are scant. Images by Schumacher and Gordon depict humble graves situated on the outskirts of the old Dutch Reformed burial ground in Green Point. Schumacher makes reference to the area as being the “burial place of slaves”, but unfortunately the depiction is very limited in detail.

Archival research has revealed that there is a fair quantity of anecdotal evidence that describes the burial of slaves and paupers, however locational details are variable and vague – alluding to the Somerset Road area and the Amsterdam and Chavonnes Batteries and the flats towards the Light House – ie: Moulie Point. There are few reliable clues in the historic texts that allow us to determine the extent of the pauper’s graves, nor are there reliable death registers as many interments were not registered. Slave owners tried to save undertaker’s fees by doing the burial themselves.¹⁴

The analysis of the human remains discovered at Cobern Street has indicated that a very diverse group of people were buried there. Isotopic studies have shown that a number of individuals had origins in tropical countries and died after spending their later lives at the Cape. Included with this group are 6 individuals with dental decoration. Other persons buried at Cobern Street show isotope signatures consistent with immigrants from Europe, some show isotope signatures of persons born and raised locally¹⁵. A preliminary metrical analysis of the human remains has revealed that the Coburn Street humans represent the full range of physical features characteristic of the range of modern South Africans excluding Khoisan groups who were not represented in the historic phase (only pre-colonial phase) at Cobern Street¹⁶.

Drawing from both archaeological evidence and arrival information, indications are that the areas between Alfred Street and the Green Point Traffic Department (if not further) was traditionally used for the burial of people who were not recognised as members of the Dutch Reformed Church. It stands to reason that many of these people were slaves, some were persons of other religions, executed criminals and suicide deaths¹⁷ and unidentified victims of shipwrecks. Disease, especially smallpox, would have contributed significantly to the shallow

¹⁴ Cox, G. 1999. Cobern Street burial ground: investigating the identity and life histories of the underclass of 18th century Cape Town. Unpublished MA dissertation, Dept Archaeology, University of Cape Town.

¹⁵ Cox shire et al

¹⁶ A.G. Morris and D. Constant ,1999. The Cobern Street Cemetery: Using cranial variation to reconstruct the biological diversity of the common people of 18th century Cape Town. Paper presented to the World Archaeology Congress.

¹⁷ Robert Jacob Gordon’s remains probably lie in this area.

and hurried burial methods used at both Prestwich Place and Cobern Streets. These were the ordinary people of Cape Town – artisans, labourers, fishermen, sailors, maids, washerwomen and their children. The lack of written records means that without the most detailed scientific analysis, it is not possible to relate any of the remains to individual families or even extended families, however the broad truth that cannot be denied is that the remains are the ancestors of today's Capetonians.

4.3 Significance

In general terms, West street and Napier House lie on land that has very special heritage significance on a number of levels.

4.3.1 Social significance

More than 67 000 slaves were imported into the Cape during the 18th and early 19th centuries. They worked the lands of the Cape, built Cape Town – the historic buildings that make up many of our local heritage sites and today upmarket wine estates are the legacy of their endeavours. Their mortal remains lie in countless unmarked graves in Cape Town and on the historic farms of the Cape. Ten years after the birth of a democratic South Africa the only acknowledgement of their existence is the re-naming of a building (Cultural History Museum – Slave Lodge). The promise of dedicated museums and heritage slave walks around Cape Town has yet to be realised, while the only identified archaeological signature of a slave lodge – that at Vergelegen has been backfilled into obscurity. Even more obscure is the heritage legacy of “free blacks” as well as poor European immigrants who made up the rank and file of the VOC or settled in the Cape in the early 1800's. Robert Jacob Gordon, who was one of the most significant early travellers and explorers, diarist and amateur naturalists committed suicide following the public disgrace he suffered when the Cape fell to British in 1795. Like so many others, he was buried in an anonymous grave close to Somerset Road.

Within the Green Point burial grounds lie the routes of the people who make up the essential character of the Cape as we know it today. The human remains are of the very few tangible elements of the history of the underclass and slavery.

4.3.2 Research Significance

Human remains are considered to be a research opportunity by scientists as a great deal of what occurred in a person's life is represented in some way in their mortal remains. The battery of modern forensic and chemical techniques available has been strengthened by the enormous potential offered by advances in DNA analysis. While it may not be possible to trace remains back to individual families, it may be possible to trace them to a community level. Furthermore, it is possible to trace everything from a geographical origin of a person to their age at death, sex, nutritional status, lifestyle, disease and even cause of death. By using these methods scientists are able to reconstruct significant portions of lost history about people, their communities and the conditions under which they lived and died.

The study of human remains is a contentious issue in the light of this country's history of apartheid, and the discipline of physical anthropology, which has been seen to focus on the differences between groups of people rather than their similarities. While these broader

issues certainly need to be actively debated with a goal towards establishing an acceptable policy towards the treatment of human remains, we must bear in mind the scientific importance of the remains and that they are not only of heritage significance now given the current context, but must be accessible to future generations who may have different attitudes and seek to answer research questions of their own, or commemorate this heritage in a different way.

4.3.3 Historic Landscape

Past attitudes towards the burial grounds in Green Point have changed over time. What was a place of burial and commemoration in the early 19th century became valuable real estate – pauper’s graves were not even acknowledged in any of the deeds transfers of the 1820 to 1830 period and were developed, apparently without concern for the remains of hundreds of people buried there. In time, even the formal cemeteries were unceremoniously exhumed and moved into mass graves at Maitland. Like many of the world’s major cities, cemeteries have been regarded as facilities with a limited period of use, and expediently removed in favour of development or other activities of greater pecuniary benefit.

While the physical process of disinterment to make way for development activities is a fairly common event throughout the world, the particular political and social history of South Africa renders the Green Point situation a little different. The places where the underclass, especially slaves were buried, is one of very few tangible elements of a lost history, the archaeology or physical manifestation of which is un-celebrated. For this reason, the “place” has significance for it was the choice of place, the method of burial and the spatial relationship between the burial sites and the City, which are witness to the attitudes of the time.

5 Evaluation of Impacts

- ***Will the disinterment of human remains diminish the historical significance of Green Point in this context?***

The fact that Green Point used to house most of the formal cemeteries of Cape Town has largely been forgotten until the issue has been rejuvenated by the large amount of interest invoked by the recent discoveries. It is highly likely that most guests who stay at the Victoria Junction Hotel are unaware that the site used to be St Georges and Ebenezer Burial Ground, or that human remains were found on the site by archaeologists prior to its development. The only remaining reminder is a stone wall around the hotel which used to be the cemetery boundary wall – its significance, for obvious reasons, remains un-advertised. Similarly, it is little known fact that the cemetery of the South African Missionary Society lay on ground now occupied by the Foundry Development in Prestwich Street, the remains having been disinterred in the early 20th century to make way for the basement of an ice factory.

History has shown that burial grounds lose their significance over time, but once disinterred, the actual place itself is not only forgotten but commemoration of the “place” is often discouraged in order to sanitise development opportunities. Unless there is a memorial established on, or close to the burial site, the site and the broader area will lose its significance over time.

- ***What are the cumulative impacts of development impacting Green Point as a place of burial?***

There is no doubt that continued urban renewal in the Green Point area will result in the unearthing of hundreds, if not thousands of human remains.

Although the disinterment of the remains can be achieved before development activities take place, there is very limited institutional capacity to temporarily accommodate the amount of material, neither SAHRA, Heritage Western Cape or local government have a comprehensive burial handling policy nor is there an acceptable place of adequate permanent storage and/or commemoration. While it is possible to temporarily accommodate the remains from Prestwich Place, West Street and Napier House, there is a critical need for the authorities to consider the implications of the bigger development picture. Both licensed facilities (UCT Medical School and Iziko Museums) for the storage of human remains are nearly full. In the immediate future the lack of facilities for accommodating the remains will impact archaeologists' capacities to do disinterment work, and in so doing threaten development activity in the affected areas. It is this combination of factors that will aggravate the social impacts that the disinterment of human remains will inevitably cause, affect our local capacity to house and treat the remains with suitable dignity, and ultimately affect the material itself through the excessive transportation and handling.

Unless immediate practical solutions are identified, development activities in the Green Point area will be negatively impacted by both physical constraints on the ability of institutions to carry out the required work, but also the unresolved social issues with respect to commemoration and memorialisation, which will result in disruption to development programmes.

5.1 The specific impacts of development of West Street and Napier House

It is expected that the development of these two portions of land will result in the exposure of a further 800-1000 sets of human remains, which were interred under similar circumstances to both Cobern Street and Prestwich Place. We believe this to be a mere portion of the paupers' burial ground. Provided that suitable storage is found for the remains, disinterment of the remains is possible, but will require a large team and several months. The social concerns that were experienced at Prestwich Place are the same as that for West Street and Napier House, and as such have already been expressed. Similarly, any restrictions on excavation permits that may be imposed on the Prestwich Place site, are equally applicable to West Street, Napier House or any other site that may be developed in the area. Depending on how the disinterment is accomplished, the impacts to heritage that can result are both negative and positive. These are summarised in Table 1.

6 Concluding summary

The main significance of Napier House and West Street lies in the events that took place before the land fell in private ownership in 1827. The subsequent history of the place is typical of many Cape Town City Blocks reflecting cosmopolitan ownership and use, the displacement of some owners and tenants in terms of the group areas act, the demolition of 19th century buildings to make way for the industrial building that now covers much of the erf today.

The controversies that plagued the Prestwich Place site emanate from the assumed identity of human remains that were buried in the wider area before 1827 – the poor people of Cape Town including slaves. It must be acknowledged that this heritage is un-celebrated and very seldom reflected in the places, buildings and farms around the Cape. The greatest danger of any development is depending on how the development is accomplished; it will result in damage to the significance of the place.

- The no-development option will result in the loss of the remains themselves to future generations (they are unlikely to last for another 100 years given the subsurface conditions) but may go some way to satisfying the immediate requirements of the “Hands Off Prestwich Place Ad Hoc Committee”, and give particular status to the burial site itself. However cessation of development will have a very serious impact on the local economy, the Green Point City Improvement District, the Green Point community and the developers themselves.
- Development of the sites will have an immediate devastating impact if disinterment is not carried out prior to commencement of construction work. However, careful disinterment of the remains before development takes place will effectively eliminate such an impact, and in many ways will contribute to conservation of the remains in that they are removed from an environment in which they will eventually decompose, to an environment in which this process can be controlled. It may come to pass that future forensic methods will permit future generations to trace descendants and tell the story of past lives far more effectively than we are able to do today. We must acknowledge that value systems and the baggage of politics changes over time. The kinds of research questions that people ask in the future may be very different to that of today. It behoves us to ensure that our own descendants will have the opportunity to further the understanding of what will in time be their own heritage.
- Besides measures for the conservation of heritage for future generations, there is an urgent and most legitimate need to honour and commemorate the lost heritage of slavery, the paupers of Cape Town. It is already been pointed out that storage of the remains within the depositories of one of the local institutions is physically unfeasible. Furthermore, even if it was, this is not a desirable option as it is inadequate in terms of commemoration and recognition. If the remains are to be disinterred, they must be commemorated at site nearby or at a prominent place in Cape Town, which could serve as both a mausoleum and cultural centre.

There is no easy solution to resolving the impacts of development of not only the three portions of land that will make up Prestwich Place, but also the broader Green Point area which is currently a local growth point. Whatever option is favoured (including the no-go option) it will have negative impacts that involve not only the material itself but also the local cultural, social and economic environment. A compromise that does least harm to the material itself, does not penalise a private developer unduly for a state heritage issue, but at the same time honours the site and the remains is called for. In terms of the long-term conservation of the material itself, the ultimate need for disinterment is inescapable, as is the need for definitive leadership from SAHRA, local government and the community to identify an appropriate place of memory and re-interment.

7 Table 1

Development option	Positive	Negative	Action
No development	<p>Remains stay on site.</p> <p>Context of remains are retained.</p> <p>Remains can be commemorated <i>in situ</i>.</p> <p>Significance of the “place” is retained.</p>	<p>Severe financial impacts to state, authorities and developer, impacts investors, construction firms, job loss.</p> <p>Loss of development confidence in Green Point.</p> <p>PP Site not large enough to accommodate disinterment from other areas.</p> <p>Remains not accessible to science.</p> <p>Remains will be lost to future generations due to buried environment resulting in ultimate destruction of the material.</p> <p>Obligation for authorities to maintain the empty site/memorial in perpetuity.</p> <p>Developers nation-wide will avoid reporting finds of human remains and dispose of them illegally.</p>	<p>State will be required to appropriate land and pay out developer, fund erection of a memorial/tomb and see to its indefinite maintenance.</p> <p>Local authority will have to identify extent of burial ground in order to establish limitations on development and services renewal/maintenance.</p>
Development with design options to limit sub-surface requirements (ie retaining bulk of burials under building)	<p>Bulk of remains stay on site.</p> <p>Limited context of remains are retained</p> <p>Remains can be commemorated <i>in situ</i></p> <p>Some significance of the “place” is retained</p> <p>Limited sample of remains available to science</p> <p>Some significance of the place retained through on site memorial</p> <p>Suitable crypt/tomb (should be large enough to accommodate human remains up to 10 000 in number) will allow for future development needs</p>	<p>Loss of basement parking amenity, loss of bulk</p> <p>Context is partially compromised by presence of development Property marketability compromised by human remains close to a place of residence or work</p> <p>Remains will be lost to future generations due to buried environment resulting in ultimate destruction of the material</p> <p>Storage space required for disinterred remains</p>	<p>Developer will need to appoint archaeologists to disinter remains from areas to be impacted</p> <p>Authorities will need to assist in Identification of place of storage and erection of on-site memorial</p>
Development with disinterment, institutional storage only	<p>Favours development and investor confidence.</p> <p>Human remains available to</p>	<p>Institutional storage very limited and to all intents unavailable</p>	<p>Developer will need to appoint archaeologists to disinter remains from areas to be impacted</p>

	<p>science.</p> <p>Human remains available to future generations</p>	<p>Context and significance of the “place” will be lost in time</p> <p>No tangible accessible memorial to lost heritage, history of the underclass</p>	<p>Authorities will need to assist in identification of place of storage as institutions are already filled to capacity.</p>
<p>Development with full disinterment, re-interment in memorial crypt or centre, on-site memorial</p>	<p>Favours development and investor confidence</p> <p>Human remains available to science</p> <p>Human remains cared for under controlled conditions, area available to future generations</p> <p>Accessible crypt/tomb and museum acknowledges lost heritage</p> <p>Significance of the place retained through on site memorial</p> <p>Suitable crypt/tomb (should be large enough to accommodate human remains up to 10 000 in number) will allow for future development needs</p>	<p>Some loss of context significance through removal of remains.</p> <p>Will require substantial commitment from government to fund identification of a suitable crypt, establishment of a museum and memorial close to the find site.</p> <p>Poses serious interim storage problems for institutions (state assistance will be required)</p> <p>Developer required to fund disinterment</p>	<p>Developer will need to appoint archaeologists to disinter remains from areas to be impacted.</p> <p>Authorities will need to assist in identification of a suitable location for a memorial crypt, seek funding for a museum and staff.</p> <p>Authorities will need to demarcate a conservation area with special guidelines for developers, assist in the construction of site memorials</p>
<p>Development without formal disinterment – ie destruction of the material</p>	<p>Status quo in the area until now – fast illegal means of avoiding delays and not compromising development</p>	<p>Illegal in terms of Heritage Legislation, Human Tissues Act, cemeteries control measures</p> <p>Complete loss of heritage significance</p>	<p>Unacceptable</p>

8 APPENDIX 1

GREEN POINT: DISTRICT ONE

(A chronology prepared by Antonia Malan, Historical Archaeology Research Group 26 November 2003)

1713 Smallpox epidemic of 1713. In Company Slave Lodge 200 of 570 slaves died. When planks used up, dead were buried without coffins. Air in Table Valley so foul that search parties scoured the flats, covering innumerable exposed and decomposing bodies with sand [Laidler & Gelfand 1971:55].

1715 Adolf Burgers, gravedigger, reported that during the period of his appointment, many burghers had ordered graves for their slaves, and afterwards countermanded their orders, having the graves made themselves - that consequently often the slaves were buried in very slovenly manner, and the holes made very shallow, so that often the bodies became exposed after burial; begs that henceforth no freemen be any longer allowed to bury their slaves themselves [Leibbrandt 1905:41 no.701. Official gravedigger complained that freemen usurped his job and inefficiently buried bodies were uncovered and devoured by hyaenas, jackals and dogs [Laidler & Gelfand 1971:551].

1715 Chavonnes Battery started being built, serving mainly as prison; outside were the slave burial grounds [Bickford-Smith 1994:131].

1726 Valentyn's map shows gibbets and wheels atop mound north of the town [NLSA]. Valentyn wrote: 'Indeed, so many folk died [in 1713 smallpox epidemic] that at last hardly anyone could be found (even at a high daily pay) to care for the sick, so that many of such poor folk died of sheer discomfort, most being buried without coffins since there was not enough wood at the Cape' [Valentyn 1971:217].

c1740 Mentzel wrote: 'The clergy did not normally officiate at funerals, but they might attend the funeral procession if invited to do so. The Consistory charged 50 Cape gulden for a burial plot in the churchyard; the amount was doubled for a foreigner or one who had died on board ship. There was another cemetery for those who could not or would not pay this fee. Formerly this cemetery was situated between the Castle and the town, towards the mountain side, but, with the expansion of the town, another cemetery was formed on the west side facing the Bay and near to the big battery. Near this cemetery are also found the vaults for the graves of the Chinese who had been banished to the Cape. In the same locality is situated a burial-ground for slaves, as well as the wheel and the gibbet, upon which the condemned are carried after sunset from the usual place of execution.' [Mentzel 1921:1281. 'Before concluding this chapter, I must make some reference to burials and funeral procedure. As this subject is not too attractive I shall be as brief as I can be over this unpleasant business. ... Many customs common in Europe are unknown here. There is no tolling of bells, no chanting of dirges by school choirs. Priests do not accompany the procession except as mourners for near relatives, or upon invitation, in the case of the death of a prominent government official. [ie families were responsible for burial] ...

Funeral repasts are also unknown here [but see accounts in Orphan Chamber records for food for funeral expenses]. The distinction between a poor man's and a rich man's funeral lies in the greater number of mutes and bearers, in a greater throng of mourners, and in more expensive funeral furnishings in the latter case. There may be as many as 16 hired bearers who are each provided with black crape bands, button holes, white gloves and a citron; in addition they receive a gratuity in cash which may come to as much as 3 Rds. Per man. The bier and the coffin are covered with a white cloth and over it is placed a pall of black cloth with silk fringes. The sexton usually acts as undertaker and marshals the funeral procession. He walks in front of the coffin, which is carried out of the house of death on the shoulders of the bearers, but, after proceeding some fifty paces, the coffin is lowered

and a short halt is made to permit the formation of an orderly procession of mourners. ... Women do not attend funerals.' [Mentzel 1925:122-1231.

1741 J.W.Heydt view (engraving) with single graveyard; one marked 'g - GottsAcker' [R&VA67 and A68].

1755 21 June: the DRC churchyard overflows during smallpox epidemic. 'When existing burial grounds filled up it was

necessary to open new ones near the sea (later known as Somerset Road). Corpses had been buried above corpses not yet decomposed, reducing the possible depth of burial and causing a terrible stench' [Resolutions - Laidler & Gelfand 1971:57]. Plot of land (429sr 140sf) assigned at foot of Leeuwenbijn, beside existing Soldaaten Kerkhof [Hopkins 1966:141].

1755 OCF3-72, 2 July 1755, erf 738 Cape Town, 'zynde 't nieuwe kerkhof, granted by Tulbagh, eenalgemeen berggraafplaaats ofte kerkhof deser Kaapsche ingesetenen'.

1763 Tringham panorama, after drawing by T.H. Schneider (engraving) [R&V A2].1764MHK scratched initials on underside of snuffbox, later buried in Cobern Street site (burial no. 61).

1767 Plan shows two rectangles marked '37 de Kerkhooven' [413/80 Lacock 1978; HARG map 111].

1776 Schumacher's panoramas shows two walled cemeteries, with oblong features alongside to the east [Hallema].

1778C.Bossmann (engraving) shows square plots [R&V A 10].

1786 Plan shows two rectangles marked 'Burger Kerkhof and 'Soldaaten Kerhof [NLSA].

Plan of defences by van der Graaff, Thibault & Barbier, shows two rectangles [CA MI/339].

Amsterdam Battery completed.

1787 Plan of proposed defences, shows two rectangles [CA MI/1031-2].

179? Gordon's panorama shows two walled cemeteries with area alongside marked 'slaaven begraafplaats' [CA AG7146.38].

1795 Josephus Jones panorama has 'K = kerkhooven', but obscured by sails of ship [R&VA85]. Muslim burial places probably always on slopes of Signal Hill; first grant of land in 1805 to Frans of Bengal; two public and five private burial grounds [Van Heyningen 1989:171]. 'Mohammedan' burial ground decreed -Tana Baru in Bo-Kaap [Minutes of the Raad der Gemeente, RDG2, 1805; Davids 1985].

1817 Subdivisions alongside 'Kerkhooven' with diagrams: see summary of 29 erven with names and prices filed between document no.98 J205) and no.99 (R206) in 1817 [Deeds Office].

1818 T.G. Elemans' Burgher Senate plan shows early British period extensions to southernmost burial ground. References to: '25 het Hospitaal genaamd de Somerset Hospital, 24 Chinese Begraafplaats, 23 Christener Begraafplaats, 26 het Laboratorium'.

But these numbers do not look correctly placed on Lacock's tracing [Lacock 1976].

1818 SA Missionary Society asks for special burial ground for instructed heathens (Muslimshaving set example); Burgher Senate to indicate site [Loos - CA CO 3911/82 18181.

1819 'In consequence of complaints lodged before the President and Members of the Burgher Senate that Dead Bodies are buried outside the walls of the General Burial Places, to the great nuisance of the Public ... there is now a Place fixed between the Moulie and Chavonne Battery for the interment of Slaves and those (other than Moslems) that are not of the Christian persuasion'. The site was where great prison later built, Portwood Road. [Cape Town Gazette 31 July 1819; Murray 1964:22].

1820 Hendrik Meyer, member of Burgher Senate, appointed President of Board of Fire Wardens.

1822 'Funeral ceremony is an outrage upon all our European feelings .' [Bird 1822:169].

1825 More ground to expand cemetery requested, but Burgher Council hesitates because the area is designated for warehouses and dwellings, 'ter vergroten van de stad, welke men voornemens was aan then kant te extenderen' [Hopkins 1966].

1826 Secretary's Office of the Burgher Senate, Cape Town, 18 May 1826: letter to Lt.Gov. Richard Bourke. 'In receipt of Government letter of 12 October 1825 with copy of letter from Political Commissioner of Refon-ned Church, praying that a certain piece of vacant land, situated between the Military Burial Place and Somerset Hospital, as also a small piece of land adjoining the NE part of the Reformed Church Yard, may be attached to the same and to report that we have appointed a Commission of two members of our Board to inspect the pots of ground alluded to, by whom it was found, that these spots would not answer the purpose, and would contradict the desire of government as being too near to the Hospital. Another piece of land laying on the NW side of the Hospital was

pointed out to the Political Commission, and one of the Elders of the DRC, for the erection of a new Burial Yard, which they acceded to - we caused consequently that piece of land to be surveyed, along with that part intended for a new Cooper's Yard, in the room of that transferred to the Committee for the erection of a Scottish Church, as also a piece of land laying in front of Somerset Road in a line with the new Burial ground in order to observe the regularity of that part of the Town. We take the liberty to transmit to your Honor, the diagram of those three pieces of ground, and beg to request your Honor's sanction to cede the spot intended for the erection of a new Burial ground, to the DRC wardens ... and to authorize our Board to dispose of the eight lots in front of the road, by public sale for the benefit of the Town Treasury.' Signed by 1. Van der Poel [CA RDG 91 - Burgher Senate - Index 1/83].

1826 November 23 1826. To his honour the Lt. Major-General Bourke, C13 etc.: the memorial of James Molton 'humbly sheweth: That your memorialist understanding that the Coopers Kraal for watering and seasoning casks is to be removed nearer to Green Point, that he has been long wishing to commence business in the wine trade and humbly requests that your Honour will be pleased to allow him a piece of the Waste Ground near to the same at a valuation and your Memorialist as in duty bound will ever pay'. Reverse of mss indicates that this memorial was referred to the Commissioners Messrs. Brink and Collison (members of the Burgher Senate) on 14 December 1826. [CA C03932, ref.577].

1827 7 February 1827. Letter to Colonial Office from Burgher Senate. This letter indicates that they have had a piece of land surveyed for Mr Molton and that there would be no difficulties in disposing of the land to him. The land is valued at 30 pounds. [CA C0302 ref. 13].

1827 9 February 1827. Letter from Colonial Office to Burgher Senate. 'In reply to your letter to the Government of the 7th instant I am directed by His Honour to authorize you to transfer to Mr James Molton the piece of land near the Coopers Yard applied for him on his paying into the Town Treasury the sum of 30 Pounds for which you here appraised the grant. Richard Plasket.

1827 20 February 1827, Francis Collison resigns from the Burgher Senate.

1827 Transfer (T79) on 2 February 1827 of 534sr 40sf (became erf 223 after 1962) granted by Burgher Senate to G.H. Meyer (Nicolaas's son) in exchange for piece of land (originally granted to Meyer on 31 October 1817) on which Coopers' Yard to be relocated (oldCoopers' Yard given to Scottish Church). Dgm 15/1827 shows subdivisions of T30 in **1827**. [See also CAC0302ref.13].

Francis Collison and Hendrik de Jongh Senior, Commissioned members of the Burgher Senate, appeared before us the undersigned commissioners of the worshipful court of Justice assembled at the office of the chief secretary to this Government of the Cape of Good Hope for the purposes of certifying and enregistering all Lots passed before us, who declared that the said senate acting under authority of government by a letter from the secretary to government dated 9th instant had valued.

1827 George Thompson's Plan marks two Burying Grounds, the southernmost extended [Thompson 1827:382-3].

1827 Ebenezer cemetery consecrated [Murray 1964]. 18?? G. Greig's Plan shows Burying Grounds, with 'f - Mr Meyer's Property' between Episcopal Churchyard and 'Mr Collison's Premises' [NLSA date c. 1825].

18?? Transfer: diagram: abcd represents 366sr 121/4sf of land situate on the Somerset Road, East of the Lion's Rump, extending SW to said Somerset Road, NW towards Mr Meyers land, SE towards the Military Burial Ground, and NE towards unoccupied town land. Surveyed by me by order of Burgher Senate - J. Knobel, Gov. Surveyor.

c1828 'The dead are buried without either clergyman, prayers, or the ceremony of throwing earth on the body'. [Thunberg 1986:52]. 'The effects of the sailors and soldiers who have been taken into the hospital, and died there, are sold by auction, and chiefly at that period when the greatest number of patients is brought in, and when the greatest number dies. The money is laid out on their interment. In general the corpse is sewed up in cloth, and carried out in a hearse; but if the effects of the deceased, after the best part of them have been misappropriated, still amount to a small sum of money, a coffin is bestowed upon him of ten rixdollars value. If what the defunct has left behind him amounts to still more money, it is expended in wine at the funeral; and great care is always taken, that nothing should be left for his relations and heirs. In general at such auctions the whole chest, opened, but not always thoroughly examined, is sold at a venture.' [Thunberg 1986:127].

The Dutch evinced strong proprietorial sense in relation to their dead. Still clung to practices outmoded in western Europe or were continental rather than British - casual piling up of bones in vaults, use of vaults themselves (above ground). Thus concern for deal plus lack of concern about physical condition of graves. Rees, City Engineer, saw woman weeping over remains at the dreadful White Sands burial ground (SC2-175, Select Committees of House of Assembly) [Van Heyningen 1989:178-9].

1832 Survey diagram of erf 126 Cape Town copied from T215 of 7 September 1832 (vol.9) shows Mr G. Meyer's property opposite Store of Mr Collins and beside subdivided Lots on N [DO].

1832 G. Greig's Plan shows two Burying Grounds only [NLSAJ].

1833 Lutherans, Anglicans and Presbyterians granted land for cemeteries [Loos - Cape Argus 6 August 2003].

1835 George Champion, American missionary, in Cape Town: describes diversity of churches and nationalities, people on the streets, a funeral, Amsterdam Battery prison and conditions, visit to Dutch Burial Ground with Rev. Faure. Footnote refers to Somerset

Road Cemetery being removed in 1921 to Woltemade on the Cape Flats [Champion1835].

1836 C.J. Grey's sketch shows cemeteries between Amsterdam Battery and Quarries and unenclosed cemetery below Magazine & Gallows Hill [CA MI/571].

1838 Ebenezer Church established by Reverend Vogelzang on Emancipation Day to minister to ex-slaves and coloured people: new cemetery granted on corner of Somerset and Ebenezer roads [Loos - Cape Argus 6 August 2003].

1840 Old DRC cemetery previously used for military burials by British and then graveyard for Somerset Hospital, now 75% granted to Roman Catholic Church [Loos - Cape Argus 6 August 2003].

1840 Smallpox epidemic. The mortality from the primary epidemic was great and because of defective registration its real extent was never known; it was judged solely from the frequency with which funeral processions filled the streets. The Malays objected to treatment in hospital where there was no ritual cook. They refused to give up the bodies of their dead as it interfered with ritual burials [Laidler & Gelfand 1971:274].

1842 More than 150 burials in Hospital graveyard between 1842 and 1844, including 70 drowned men from the wreck of the 'Waterloo' [Loos - Cape Argus 6 August 2003]. The corpses of convicts washed up from the wreck of the 'Waterloo' were buried in cemetery in Somerset Road at a depth of 51/2 feet and at Fort Knokke at depths of 4-5 feet. The municipality complained. [CA C05 10 ref 94 - Colonial Medical Comm. To Sec. ToGovt. 28 September 1842, in Laidler & Gelfand 1971:279].

1845? Plan shows both burial grounds and Lutheran plot beside Hospital.

1846 T78ff on 24 November 1846 shows subdivision of Meyer's estate between various people [DO].

1848/9 Transfers of erven 537-548 Napier/West Street from Francis Collison to F.S. Berning, J.N. Muller, J.M. Leibrandt, F.P. Dent [DO].

1849 Barley growing in Green Point graveyards [Loos - Cape Town Mail 6 October 1849].

1852 At Somerset Hospital, the site of the old Lunatic Asylum (Prestwich Street side) was surrounded by shallow graveyards (frequented largely by dogs) and drains (industry) on the beach. Glandered horses were killed nearby and left to decompose [Laidler & Gelfand 1971:353].

1853 Letter from Town House, 6 October 1853 (plan attached). The DRC asks that a piece of ground between Amsterdam Battery and Somerset Road be granted to them on condition of its being appropriated for a Burial Ground may be relieved from that condition so as to sanction the sale of part thereof in building lots, for the purpose of defraying from the proceeds the cost of building a wall round the remaining portion as also to pay off a debt incurred for the erection of a second church in Cape Town. The Commissioners do not agree with the Government as to the peculiar fitness of the piece of ground alluded to for the purposes destined by the original grant, ... the spot now in question offers so many advantages in connection with the contemplated improvements in that neighbourhood for rendering Table Bay a safe Harbour of Refuge, and for otherwise facilitating the trade and commerce of the western portion of the colony as to render its application for purposes foreign to the above a matter of very serious injury to the public. ... I am further desired to suggest that a conference should be held between the Board and the Consistory of the DRC and the Church authorities of the several other Christian Communities in Cape Town should be requested to join the conference. Attachment: Report by Charles Bell, Surveyor General, 15 August 1853. On reference to the Deed

Registry I find the land has been transferred by the Town Trustees 'to be appropriated as a New Burial place', and I submit that the increasing wants of CapeTown render it necessary to secure the appropriation of **this ground for the** purposes of the grant. Four years ago representations were made to the Government setting forth the state of the Somerset Hospital Graveyard, the remainder having been granted to the Roman Catholics. At that time I heard such statements as to the unwholesome and indecent mode of internment necessitated by the crowded state of the ground as induced me to try every means to procure some other place as a relief, but I was unable to arrange matters so that it could be granted. I would now recommend that it would be preferable to enter into negotiations with the Consistory for the purchase by Government of a small portion of the New Ground for Somerset Hospital and for a like arrangement with any Christian congregation that may be at a loss where to lay their dead, and that the proceeds be applied to the erection of one common substantial enclosure around the whole, leaving internal divisions, where necessary, to be constructed by the parties requiring the separation [CA C0625 LETTERS 63]

1854 plan for Directory shows undeveloped plots between burial grounds, and Malay Burial Ground between the Quarries and Schotsekloof.

1857 Four imams obtained adjoining graveyards for their congregations on Signal Hill [Loos -Cape Argus 6 August 2003].

1858 Dr Ebden declared that the portion of town around Somerset Road cemeteries was more subject to fever and epidemics than any other. It was concentrated there during smallpox outbreak of 1858 and attributed to exhalations from the graveyard. Both Dr Ebden and Dr Ross advised that the cemeteries be closed as they were so full that gravediggers threw out bones with the flesh attached [Laidler & Gelfand 1971:371-2]. Cemetery Committee report [(Loos)Cape Argus 18 November 1858].

1858 Giving evidence to the Cemeteries Committee, Imaum Hadje confirmed that Muslims never reopened their graves for further interments (confirmed by Abdol Bums in 1875). The Imaum knew of three public burial grounds for Muslims - two at the top of Longmarket Street, and one above Somerset Road. There was also a private burial ground, purchased by four priests for the use of their congregations, situated between the first two. He indicated that if the community were granted a fresh piece of land in the same area, 'we would then also give up our right to the piece of ground which we claim between the Chavonne Battery and Murray's Bay' [Loos - Reprinted in Cape of Good Hope 1875: Appendix vii].

1859 New Somerset Hospital foundation stone laid [Laidler & Gelfand 1971:355].

1860 Commencement of harbour works. Quarrying and the associated disruption must have disturbed early burials. It appears that poor people were then obliged to share a burial area known as White Sands with dead horses (see 1875). During the next 40 years the Harbour Board enclosed several pieces of common land, which probably contained numerous informal burials [Loos October 2003].

1861 Corpses buried too shallowly [Loos - Cape Argus 7 September 1861].

1862 Snow's Survey shows first buildings on the subdivided plots between the Catholic and Anglican cemeteries. New Somerset Hospital opened [Murray 1964:39].

1864 Old DRC churchyard closed [Hopkins 1966].

1868 List of ten cemeteries where fever victims are buried [Loos - Cape Argus 2 January 1968]. No proper registry of deaths - cemetery returns used instead [Loos - Cape Argus 11 February 1868].

1873 Report on burial grounds in Cape Town [an Heyningen 1989:175-6].

1875 Cape Parliamentary Papers, Select Committee Report on the Cape Town Cemeteries Bill, **1875** [Davids 1985]. The worst cemeteries were the White Sands burial ground behind Gallows Hill and the DRC cemetery. The former was merely a piece of waste land on which pauper burials took place with no regulation or control [Van Heyningen 1989:175

6]. 'Feeling inflamed by alleged proposed exhumations', 'clergy urged to help end cemetery evil', 'Boyes solicits Malay support against closure', 'meeting opposes legislation to close cemeteries', 'Council sets aside 12 morgen of Green Point Common', 'Cape Flats, not Green Point Common should be used' [Coates English press database].

1877 'Stink from badly buried bodies and horses reported', 'dogs seen eating half-buried horses at Somerset Road', 'Town Council accused of ignoring Medical Board', 'Somerset Road cemeteries a gehenna of corruption', 'Lightfoot describes city's uncontrolled burials' [Coates English press database].

1878 Wilson Plan shows burial grounds beginning to be redeveloped [CTCC].

1880 Local authorities given powers - but no health regulations [Van Heyningen 1989:227].

1884 In 1884, of 1271 burials, 122 had been free by order of the magistrate, 137 from the New Somerset Hospital, 44 from Old Somerset Hospital, a total of 303, nearly a quarter of all burials [Van Heyningen 1989:193].

1886 Somerset Road cemeteries closed by Act and to be moved to vast necropolis on Maitland Road [Van Heyningen 1989:170].

1887 The Somerset Road cemeteries continued to decay; vaults collapsing and skeletons visible - especially in the Dutch cemetery (3/CT I/I/5/218-7488 letter from Fisk to Mayor 15 September 1887; Cape Argus 15 September 1887). The result was socially divisive, emphasizing minority status not only of Muslims but of Dutch in Cape Town and contributing to the creation of a new political consciousness in both communities [Van Heyningen 1989:223-225]. Nd Photograph of plan of cemeteries in Somerset Road, Cape Town [CA AG12474].

1889 Building regulations issued which demanded that builders pay some attention to basic sanitary amenities. Pritchard commissioned to report on drainage - inter alia a water closet system was recommended. [Van Heyningen 1989:271, 275].

1891 Census of all races taken. Average number of families per house in Cape 1. 3 6. House construction: 64,18% wattle and daub, mud or sods, 70,79% single room, 17,08% 2-5 rooms, 10,93% 5-10 rooms, 0,91% over 10 rooms. Protestants predominated; Catholics 14,193; Jews 2,23 1; Mohammedans 13,93 0 [Laidler & Gelfand 1971:444]. Dunscombe report (G 551-1891) - 5200 'tubs' or 'pails' of sewage used and removed on average in 19 days [Van Heyningen 1989:277].

1891 John Coode's harbour plan published by Argus, shows cemeteries and position of Gallows Hill in relation to railway and workmens' quarters 1893Dr Gregory inspected all the cemeteries and burial grounds in the Cape Peninsula during November 1893 [Laidler & Gelfand 1971:444].

1897 Juta's Directory lists New Dock Hotel - now Vasco da Gama Tavema.

1898 Thom Plan shows full development of area. Depression, refugees from Rand and new mine fortune seekers, influx of uitlanders - perhaps 20,000 to 25,000 people - and military passed through Cape Town. Dock Road shelter set up, relief workers on Cape Flats, tents for Indians [Van Heyningen 1989:284, 287].

1901 outbreak of plague; first removals (of Africans) from District Six [Van Heyningen 1989:259]. Intense intolerance shown to 'foreigners from every part of the Continent, consisting largely of Portuguese, Italians, Levantine and Polish Jews' (MOH 46-668, Simpson Report 22 May 190s). Indians and Chinese associated with 'oriental' plague [Van Heyningen 1989:334-5].

1905 Immigration papers: Mahomed Rawoot & family [CA IRC I/I/893 - 12402AO].

1906 Vandalism in cemeteries [Murray 1964:28-29]. Population of Cape Town in 1875 was 33,239, in 1906 it reached 77,668 [Van Heyningen 1989:226].

1915 Shambles closed in 1915 but slaughtering moved to back streets. Municipal abattoir in Maitland only after Union - main problems were water supply and drainage [Van Heyningen 1989:263].

1920s Tank farm occupied the quarry inshore of the Alfred Dock. The quarry was situated on part of the Harbour Board's property adjoining the area known as White Sands, and probably contained graves [Loos - Cape Argus October 2003].

1924/5 Conversion from dwellings to business: 2-4 West Street [CA 3CT].

1930 Immigration papers for Hirschmann [CA].

1933 Conversion of cottages from dwellings to business: 4 & 6 Schiebe Street [CA 3/CT].

1935 Plans of alterations to 7 Napier Street by J. Goncalves [CA 3/CT]. Street Directory lists 'coloured' people in most dwellings in Prestwich Place block [Cape Times Directory].

1947 Application to convert house into business premises: 3 West Street [CA 3/CT].

1956/7 Application by Hirschmann to demolish 12 & 14 Schiebe Street, 13-17 Napier Street, and 1 West Street [CA 3/CT] - PRESUMABLY THIS BECAME NAPIER HOUSE?

1965 Proclamation of White Group Area.

9 APPENDIX 2

Technical Report on Archaeological Excavations at Prestwich Place, Green Point, Cape Town

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9.1 1. Situation as of 11 August 2003

The background to the discovery of this site has been described in detail by Malan and others. In the following pages the archaeological context of the site is explained, initial observations are commented on, and where relevant or appropriate, concluded as far as evidence will allow.

There is good reason to believe that the site that is currently being excavated is part of a massive burial ground that extends over much of Green Point – currently a focus of urban redevelopment in Cape Town.

By now, just under 30% of the city block to be known as Prestwich Place has been excavated. The remains found to date consist of 343 articulated individuals and a further 150 substantial accumulations of human bone – each of which may represent the parts of individuals or groups of individuals who have been disturbed during the course of use of the site as a cemetery during the 18th century and its subsequent development into a built up city block. As yet, the identity of the persons buried on the site is unknown as no physical analysis, forensic work or chemical analysis has taken place.

What we do know from the archival records is that the graves represent the burial ground of anyone who was not a member of the Dutch Reformed Church. No records of names of individuals or specific burial plots exist. During the process of archaeological excavation to date, a number of observations about the burial styles, immediately visible features on the bone have allowed us to make some initial inferences – we believe that the graveyard contains the remains of Christians, Muslims, Africans, Europeans and in all likelihood Asians as well as perhaps people of local descent: - that is it represents the general populous of Cape Town as it was during the 1700's. It must be emphasised that that



View across the site

these are initial hypotheses that will still need to be tested through rigorous historical and scientific analysis.

2. Archaeological context

The site was originally open ground on the outskirts of Cape Town. It consisted of a gently sloping coastal plain, which extended from the lower slopes of Signal Hill to the rocky shoreline of western Table Bay. Unlike much of the city area, the ground consisted of windblown sands about 1.5m thick that lie on an ancient hard gravel and clay layer. People were clearly using the site as the surface sands were soft and could probably be dug by the naked hand or with simple tools such as spades. We don't know when the first burials took place but could be even before the establishment of the official burial ground of the DRC (1755) nearby. What is clear is that the shallow



Prestwich Place

The team at work on the burials. Note the shallow depth of the graves, which are just below street level. All the remains are contained within the shallow sand layer – a situation in contravention of modern cemetery regulations.

layer of sand was heavily overused and completely un-regulated. All the bodies on site are confined to the shallow sand layer, and in very rare instances are dug into the deeper harder underlying clays. This means that in many instances 3-4 bodies were layered on top of each other at different times. Burials that had only been in the ground a few months were being dug up to make way for more newly dead – their body parts being scattered over the site in untidy heaps or thrown back into the fills of the lower and later graves. We have encountered numerous instances of coffins broken through by people trying to dig a hole to put in another grave. This state of disarray of the burial ground is consistent with the historical observations on the poor control of burials in Cape Town, especially during the smallpox epidemic of 1755 when the death rate in Cape Town was very high and the diseased corpses had to be buried immediately.

On average the density of human bodies on the site amounts to one person per square meter, which means that this particular property of 1200 square meters may have contained over 1000 graves.

By the early 1800's the site was no longer used for burial but was sold to private developers who dug their building foundations through the graves and ignore the massive quantities of human bone that lay immediately under the floor boards of the dwellings and business. Since that time the site has been redeveloped a number of times. Modern wall footings set out in the 20th century clearly impacted human bone, while a 33kv electricity cable laid down immediately adjoining the erf in recent years must have disturbed hundreds of graves, yet these events are never reported to the authorities. There is now good reason to believe that thousands of graves underlie the adjacent streets and are probably under at least 4 more city blocks in the area – many of which are destined for redevelopment.

3. Method

The core team consists of experienced excavators, senior students (honours and above) and volunteers. Soil is scraped away until the edge of the grave shaft or a colour change is observed. The shaft is then followed and the remains exposed using small tools, brushes and teaspoons. Each identified individual is assigned a number and details are recorded on a specially designed burial record form to capture information about orientation, burial style and visible pathology. The burial is then photographed (digital and analogue) and the position relative to the site (3 dimensions) measured in using a Leica TC307 digital total station with infra-red beam. The remains are then lifted, wrapped and packed in plastic bags which are left open so the remains can dry slowly and stabilise. Thereafter the remains will be packed into specially designed cartons, which are currently on order. Interim storage will be at the Department of Archaeology at UCT and Department of Human Biology at UCT.

4. Initial evidence of identity of persons buried

The evidence of the identity of persons buried at the site is based on initial observation, educated assumption and the results of two MSC dissertations that were completed on the Cobern Street Burial site (which we suspect is part of the same cemetery) two blocks away.

- We have noted that some 7 individuals have filed or decorated teeth. This a trend that is more consistent with Central African groups rather than local. A similar individual found at the nearby Cobern Street site in 1995 proved to have a chemical indicators in the bone that indicated at he/she was born in a tropical area outside of South Africa – possibly a first generation slave. Since we have 7 individuals with similar tooth styles, we assume that these were also first generation slaves. Stable carbon isotope analysis of the bone will be needed to substantiate this.
- The majority of the individuals were buried in ordinary wooden coffins. The bodies were placed lying on their backs with hands crossed at the waist or on sides (heads towards Signal Hill, feet towards Table Bay). We believe that these people may have followed the Christian ethic, but were not Dutch Reformed and therefore could not be buried in the official cemeteries. They may have been baptised slaves, crews of passing ships, anyone who was not a member of the DRC. Physical analysis of the remains may provide indicators of nationality/occupation, chemical isotope analysis may provide diet and origin.
- About 5 individuals were buried with coins placed over the eyes – a European tradition.
- About 8 individuals were buried on their sides facing northeast. These may be people of the Islamic faith.
- More than 40% of all the burials were either children or infants.
- Many graves are haphazard and casual with bodies lying at all attitudes and angles, as if they were buried without any ceremony at all – were these anonymous paupers, felons or unknown shipwrecked sailors and passengers with no family in Cape Town?
- There is no direct evidence for foul play as yet.

5. Status of the site since work stoppage

The site has been fenced off with “ready fence” and the gates locked. Individuals lying on the surface which are vulnerable to rain, sun and theft have been removed. The remains of

hundreds more lie within 10cm of the surface. No security is present on the site however the SAPS who have offices across the block have been asked to keep an eye on the site. A pub and bottle store across the road attract a permanent gathering of vagrants and unofficial parking attendants who dispose of empty bottles over the “ready fence” with the result that at least one full garbage bag is removed every week.

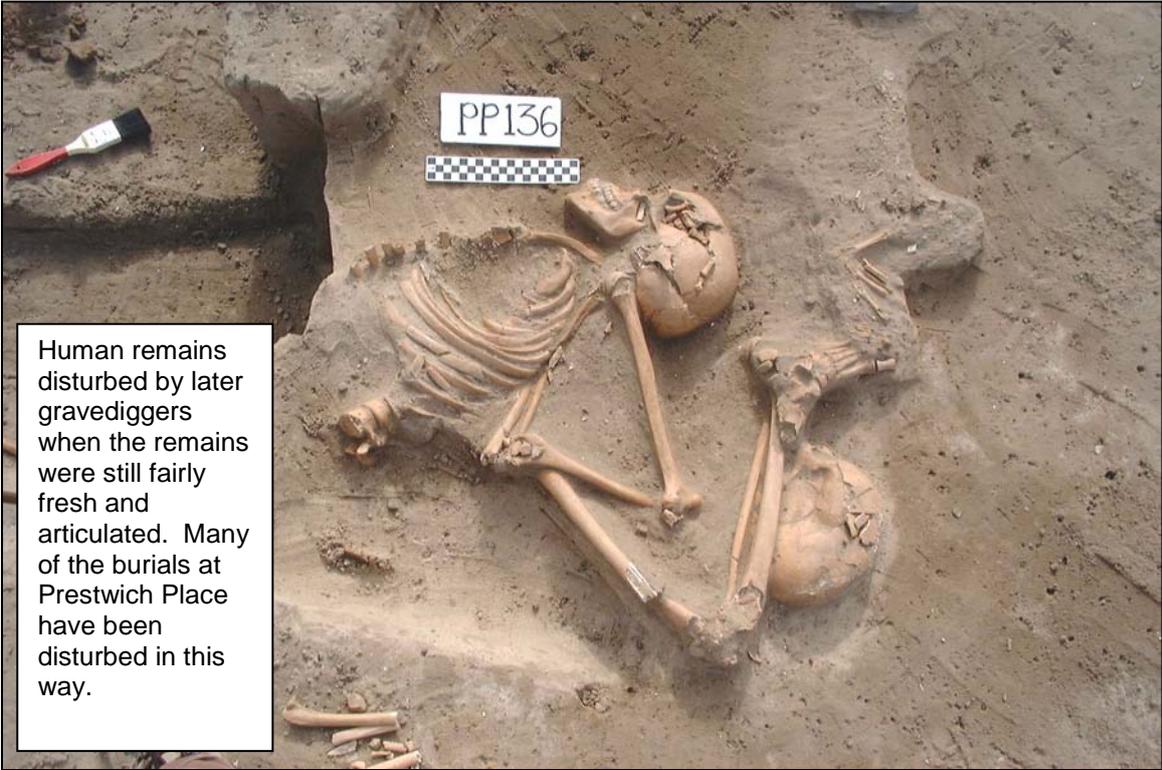
It is important to note that buildings have stood on the site for more than 150 years. This has maintained the bones in a relatively constant stable environment free of fluctuations in humidity and temperature. This situation has changed as a result of the legal demolition with the site now being subject to winter downpour and summer desiccation. This will accelerate damage to the remains.

6. Conclusion

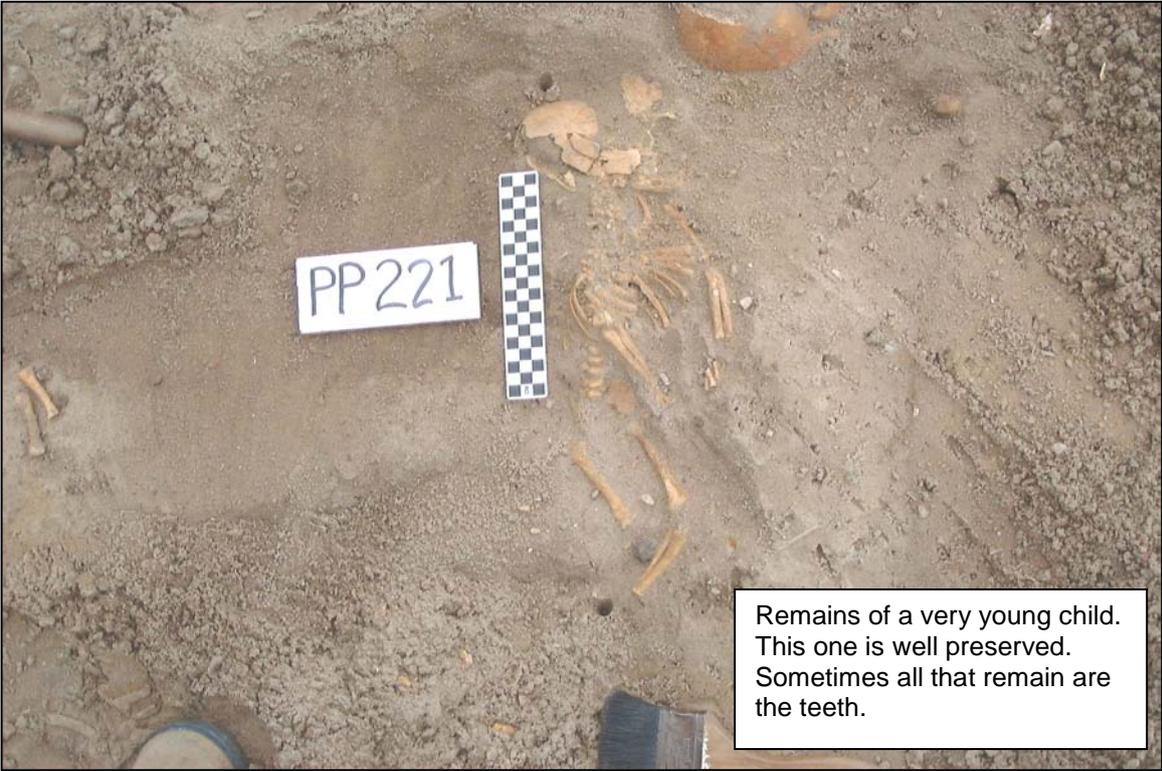
- The exposure of human remains on the Cape Town block to be known as Prestwich Place is just a glimpse into what we believe to be a much larger phenomenon that covers an area at least 10 times the size. Every time a service trench is dug, a cable renewed, or basement dug in the area human remains will be found. Up till now these finds have never been reported and the remains often illegally exhumed and disposed of in landfill sites or road sub-base.
- The burials are immediately under street level and in a state of disarray.
- We need to establish the geographical extent of the cemetery under the surrounding roads and blocks and have a policy to ensure that they are not illegally disturbed. Either, all development, service maintenance and roadwork for a significant part of the city stops, or we exhume legally, sensitively and archaeologically with the remains being interred in a place of commemoration (yet to be identified).
- The identity of the remains to even a community level cannot be fully established without doing some measure of scientific investigation on the remains.
- The underclass of Cape Town of the 18th century remains largely buried in Green Point under buildings, streets, homes business and schools.

Interim report by Tim Hart

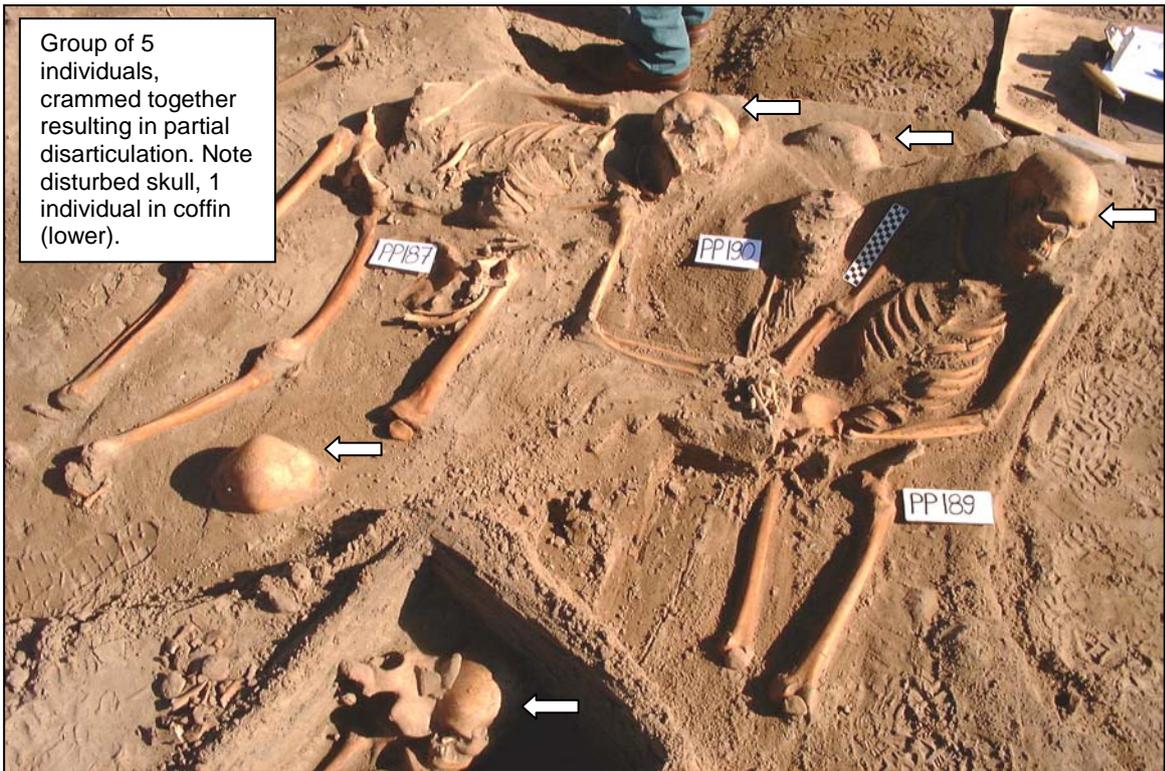
Photographic record – examples of burial styles



Human remains disturbed by later gravediggers when the remains were still fairly fresh and articulated. Many of the burials at Prestwich Place have been disturbed in this way.



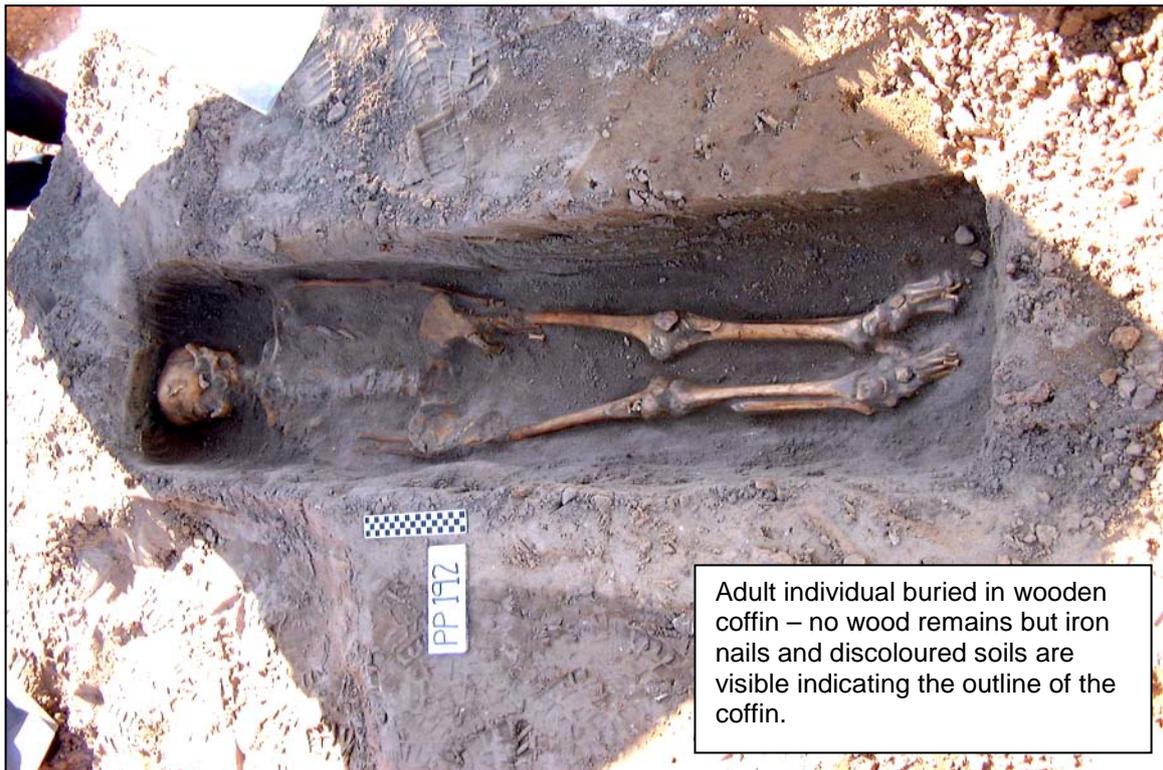
Remains of a very young child. This one is well preserved. Sometimes all that remain are the teeth.





European Christian style burial with coins over eyes - (1797) English cartwheel pennies. This burial probably took place in the early 1800's at the end of the time the site was used. Note the disarticulated skull underlying.

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Adult individual buried in wooden coffin – no wood remains but iron nails and discoloured soils are visible indicating the outline of the coffin.

APPENDIX 3



**SOUTH AFRICAN HERITAGE
RESOURCES AGENCY**

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Subsequent to an appeal hearing at 111 Harrington Street on 23 October 2003, between

- (1) ‘ Hands Off Prestwich Street ‘ ad hoc Committee, the Appellant and
(2) the Archaeology, Palaeontology, Meteorites, Objects and Burial Grounds Permit Committee,
the Respondent,**

the Appeals Committee met at 21 Rockridge Road Johannesburg on 18 November and decided on the appeal.

1. The Appeals Committee recognises that the ‘national estate’ refers to immovable and movable resources of different cultural significance.
2. It also acknowledges that the human remains discovered in May 2003 adjacent to Prestwich Street in Green Point were found on an officially undocumented burial ground when a development started.
3. It further recognises the difficulty in tracing direct descendants of those who died and were buried there in the 18th century given the fact that the City of Cape Town has undergone planning changes and removal of communities over time.
4. The Appeals Committee acknowledges that those communities who are descendants of the residents of Cape Town in the 18th century including immigrants and slaves may well be the community referred to in Section 36(6) (b) of the National Heritage Resources of 1999. The Appeals Committee also considers the South African nation as symbolic descendants.
5. It acknowledges the issues raised by the Appellant, particularly the expression of a need for
 - healing,
 - reconciliation,
 - symbolic restitution and
 - memorialisation.
6. The Appeals Committee recognises the efforts of the developer as well as the South African Heritage Resources Agency in ensuring that the public participates in the discussions and expresses views about the future of the human remains.
7. In view of the above, the Appeals committee is persuaded that the Permit Committee registered the inputs of the public including those expressed by the Appellant.

8. In view of the fact that further human remains have been discovered in this area since May 2003, the Appeals Community supports the recommendation by the Permit Committee that the City Council make land available for a memorial park where these and future human remains can be laid to rest.

9. The Appeals committee believes the Permit committee applied its mind in deciding to issue the Permit that calls for
 - o dis-interment of the human remains from the shallow graves,
 - o a cleansing ceremony to facilitate healing and reconciliation,
 - o a dignified treatment of the remains during dis-interment and re-internment, and
 - o creation of a burial ground, with active public participation, to memorialise the remains in an appropriate manner and establish a pilgrimage for all South Africans.

10. Based on the above, the Appeals Committee upholds the decision of the Permit Committee and calls for continuous and broadened public participation as dis-interment continues. Simultaneously, the Appeals Committee calls for in-depth multidisciplinary research to facilitate a holistic conservation of the memory of those whose remains were discovered on the site and the cultural heritage of the nation.

SIGNED BY

CHAIRPERSON OF APPEALS COMMITTEE
DR S NDLOVU

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