

# ARCHAEOLOGICAL TRIAL EXCAVATIONS (SECTION 36) AT THE OLD DUTCH REFORMED CHURCH CEMETERY, GREEN POINT, CAPE TOWN

Erven 731, 737 and 739, 9563 (Erf 738), Cape Town

Prepared for  
The City of Cape Town  
October 2005



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## SUMMARY

The ACO was appointed by the Cape Town Municipality to conduct trial excavations at the intersection of Somerset Road and Buitengracht Street – the site of the old Dutch Reformed Church Cemetery. The cemetery was supposedly exhumed at the beginning of the 20<sup>th</sup> century.

The land which is used as a public park, has been identified as a possible repository and memorial site for thousands of unidentified human remains recovered from un-marked graves in Green Point. For this reason it has been necessary to check the site to make sure that the previous exhumations were adequately completed.

Six trial excavations were dug to bedrock depth in various parts of the site. These revealed that the site has been systematically exhumed. Remains of some burial vaults exist below surface but these appear to have been cleared of human remains.

It is unlikely that human remains will be accidentally exposed during development activity, however should this eventuality occur, it is suggested that the proponent consult with SAHRA as to a suitable place of storage for the finds.

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# 1 Introduction

The Archaeology Contracts Office (ACO) of the University of Cape Town was appointed by the Municipality of the City of Cape Town to conduct a Phase 1 archaeological assessment of Erven 737, 739 and 9563. The proponent plans to develop a memorial and crypt on the site in which to inter unidentified human remains discovered at informal burial grounds at various locations in Green Point. Since the land in question once formed part of Cape Town's early Dutch Reformed Church (DRC) Cemetery, it was necessary to conduct trial excavations under Section 36 of the National Heritage Resources Act 25 of 1999 to establish if the DRC cemetery had been adequately cleared.

## 1.1 Background to the study

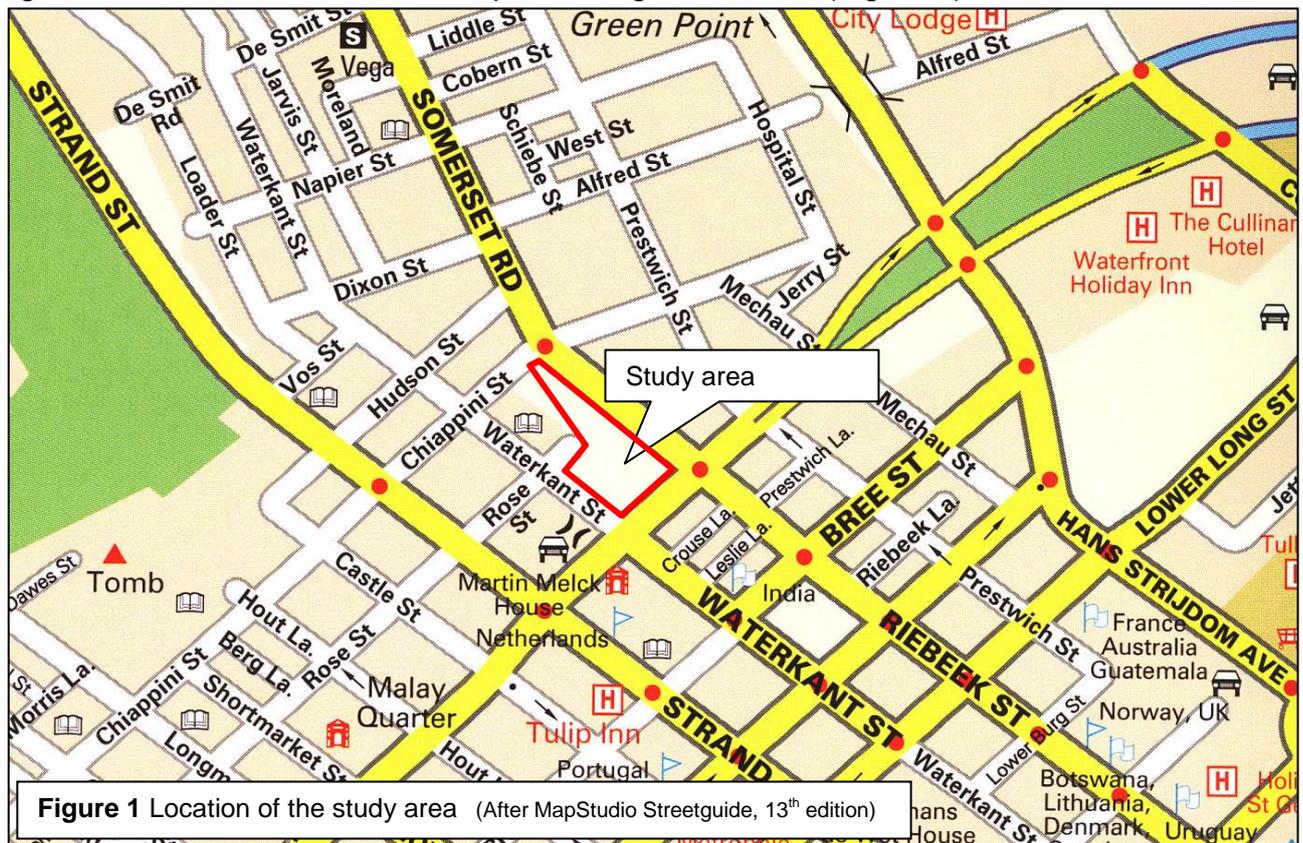
The discovery of remains of about 5000 people at two constructions sites (Prestwich Street and British Petroleum South Africa) in Green Point, Cape Town has created a heritage crisis in that, among other matters, no place is available to re-inter these and future finds. The human remains, which are popularly believed to be those of members of the 18<sup>th</sup> and 19<sup>th</sup> century underclasses of Cape Town (in other words anyone who was not a member of the Dutch Reformed Church and thus who's religion was not recognised), have evoked passionate public sentiment given the political history of the country. There is general agreement that there is a need to create a fitting grave for these remains and a memorial to commemorate the contribution of the common folk to the society we live in today. The municipality of Cape Town has identified the study area as a potential repository and memorial site. It lies at the entrance to Green Point – close to the original place of burial of these people. The Green Point area was historically used as a burial site officially and unofficially by many Cape Town residents during the 18<sup>th</sup> and 19<sup>th</sup> centuries.

## 1.2 The receiving environment

The site takes the form of a triangle of open land at the intersection of Somerset Road and Buitengracht Street, bounded to the south west by the St Andrews Presbyterian Church and Waterkant Street. Two structures exist on the site. One of these is an electrical substation surrounded by an enclosure along with a small conserved fragment of the original DRC cemetery wall. The other structure is a public lavatory which is in a much neglected state. The land itself is used as a public park – the lawn and trees irrigated and maintained by the Cape Town Municipality (Figure 1, Plate 1).



In the 20<sup>th</sup> century Somerset Road, which used to run directly through the study area alongside the boundary of the DRC cemetery, was re-aligned with Riebeeck Street. The old alignment has been covered with topsoil and grassed over (Figure 2).

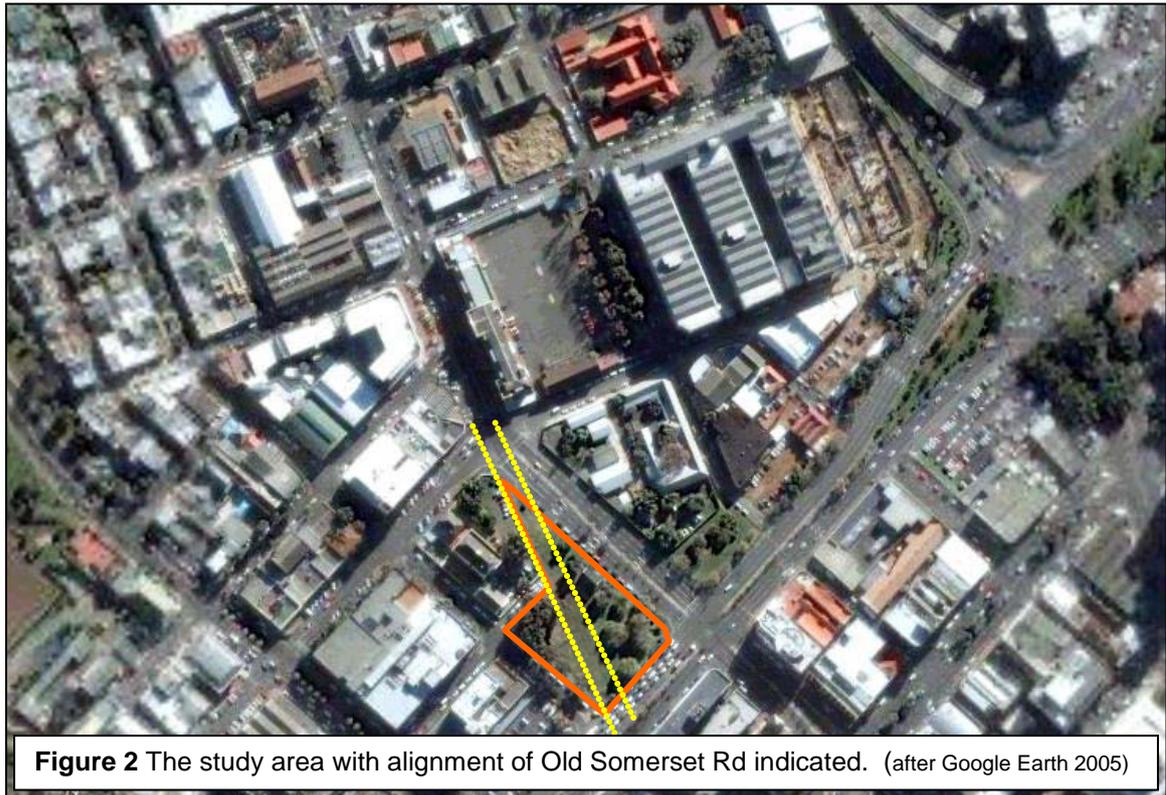


## 2 Method

The study method was twofold. Firstly, a historical investigation was undertaken to establish the history of use and subdivision and the extent of exhumation. Having done this, a series of trial excavations were done on the site to verify the findings of the historical research and to check that no human remains were left. The ACO was contracted by the City Council to sink 6 trial excavations; this was accomplished with the assistance of a digger loader. Way-leaves were obtained to excavate on public property and close to services. Where possible, excavations were sunk to a depth of greater than 2 m. Sections were photographically recorded and the excavations immediately backfilled to prevent injury to vagrants and curious onlookers. The locations of the excavations are indicated on Figure 8.

### 2.1 Restrictions

The presence of the electricity substation, public toilets and telecommunication cables were a concern. Services plans reflected the presence of high voltage cables along the old Somerset Road alignment while it was expected that there would be services associated with the toilets. Excavations had to be positioned away from known services. Despite having all available service drawings at hand, the team narrowly escaped possible injury when an unmarked high voltage cable was encountered in excavation C.



**Figure 2** The study area with alignment of Old Somerset Rd indicated. (after Google Earth 2005)

### **3 Background history – Erven 731, 737 and 739, 9563 (Erf 738), Cape Town**

#### **3.1 Closing of the Somerset Road cemeteries**

In 1875 a Select Committee was appointed to report on the state of the cemeteries along Somerset Road (Figure 3) with the view of closing these cemeteries and opening a new general public cemetery in Maitland. It was found that the cemeteries were in an unhygienic condition. The Dutch Reformed Church (DRC) cemeteries were in a deplorable state, with only the paupers' burial ground at White Sands being in a worse condition. Furthermore, the cemeteries were as little as 50-60 feet away from private residences (CCP 1/2/2/1/22 A2 1875).

In 1906, the Disused Cemeteries Appropriation Act (Act 28 of 1906) was passed. This Act allowed for the reuse of old cemeteries for purposes other than burial; but restricted use to the erection of churches, schools or other charitable institutions or for use as open spaces or parks. After 1 year, if the land was still un-appropriated, the Municipality would be permitted to take control of the land and it would be converted into public spaces. According to this Act, the human remains, headstones and memorial stones were to be removed to the general cemetery at Maitland at the cost of the Government. A list of the headstones and memorial stones had to be made available for public inspection for at least 6 months after the removals.

During 1920, Ordinance 23 of 1920 was passed by Government to make provision for the purchase and appropriation of certain disused cemeteries in Cape Town, to be used for purposes other than burials. This empowered the Government to purchase the land granted

to the Dutch Reformed Church (DRC) for burial purposes in 1755, 1801 and 1802, as well as the cemeteries of the St George's Church and the Ebenezer Church. By this date, these cemeteries were the only ones that had not been dealt with in terms of Act 28 of 1906; the Lutheran, Presbyterian (Scottish) and Roman Catholic Church cemeteries had all been disinterred between 1907 and 1909 (PAS 2/1064: Ordinance 23 1920; Letter dated 14/09/1920).

### **3.2 DRC Cemeteries (Erven 737; 739 and 9563 (ex Erf 738))**

The Dutch Reformed Church (DRC) cemetery was among the oldest formal cemeteries along Somerset Road. It consisted of three parts, granted in 1755 (Erf 738), 1801 (Erf 731) and 1802 (erf 737); forming the block presently bounded by Buitengracht Street, Prestwich Street, Chiappini Street and Somerset Road.

It was custom, in the DRC cemeteries, to reuse a burial plot on a 15-18 year cycle. In the early years of the settlement the bones from reused graves were stored in a charnel house. Single graves were dug to a depth of between 4 and 5 feet<sup>1</sup> and could only be disturbed after 15 years. The cemetery contained 392 privately owned vaults and sites for vaults. In 1862, the Consistory made a decision not to build any new vaults above ground, and so all new vaults had to be subterranean (CCP 1/2/2/1/22 A2 1875).

The DRC cemeteries had not been officially used for burials since 1886 at which time the church tried to sell the land for the purpose of building a Huguenot Memorial building, but it transpired that it was impossible to alienate the land as the title deeds were granted for a specific use. The DRC was advised to petition the Supreme Court (LND 1/798 L13827). The issue surrounding the alienation of the disused cemeteries along Somerset Road was taken up again after the outbreak of the plague in the early half of the 20<sup>th</sup> century. In a letter to the Colonial secretary, the Medical Officer of Health suggested that the cemeteries be levelled and laid out as public parks (LND 1/798 L13827).

In 1907 Buitengracht Street was widened and a portion of the old DRC cemetery was needed. The DRC agreed on condition that the municipality was responsible for the recovery and re-interment of the remains that were buried in the portion to be expropriated. A suitable fence was also to be constructed along the Buitengracht Street side of the old cemetery (AG 1440).

The DRC cemeteries were eventually only exhumed in the 1920s. Work was started in November 1920 and completed in March 1921. The exhumation process was managed by Edward Hutt, the Secretary of the Board of Trustees and Superintendent of the Maitland Road Cemetery. A team from the cemetery staff had the duty of collecting and re-coffining the human remains before transporting them to the Maitland Road Cemetery. Convict labour<sup>2</sup> was used to do the trenching<sup>3</sup> and breaking down of vaults. About 893 coffins filled with human remains were re-interred in the DRC allotment at the Maitland Road Cemetery and 132 wagon loads of memorial stones were moved (PAS 2/1064: Letter dated 3/4/1922).

The only areas which were not exhumed were the sites of the existing buildings on the DRC cemetery (Erf 739) and the Browning Memorial Hall which was situated on the St George's

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<sup>1</sup> Application could be made for a grave to be dug at double the depth, but at double the fee.

<sup>2</sup> Twenty men were provided free of charge by the Prisons' Department (PAS 2/1046).

<sup>3</sup> Trenches were dug to a depth of 8 foot (PAS 2/1046: Letter dated 14/09/1920)

Cemetery. In the case of Erf 739 (Figure 4 comes after fig 7!), a space of 10 foot surrounding the church as well as a path leading towards the Somerset Road entrance was left un-exhumed (PAS 2/1064: Letter dated 15/04/1921).

The exhumation crew was also given the task of excavating the foundations for buildings planned on the lower portion of the cemetery. Once this was completed, the soil was levelled and barley<sup>4</sup> was sown to bind the top soil.

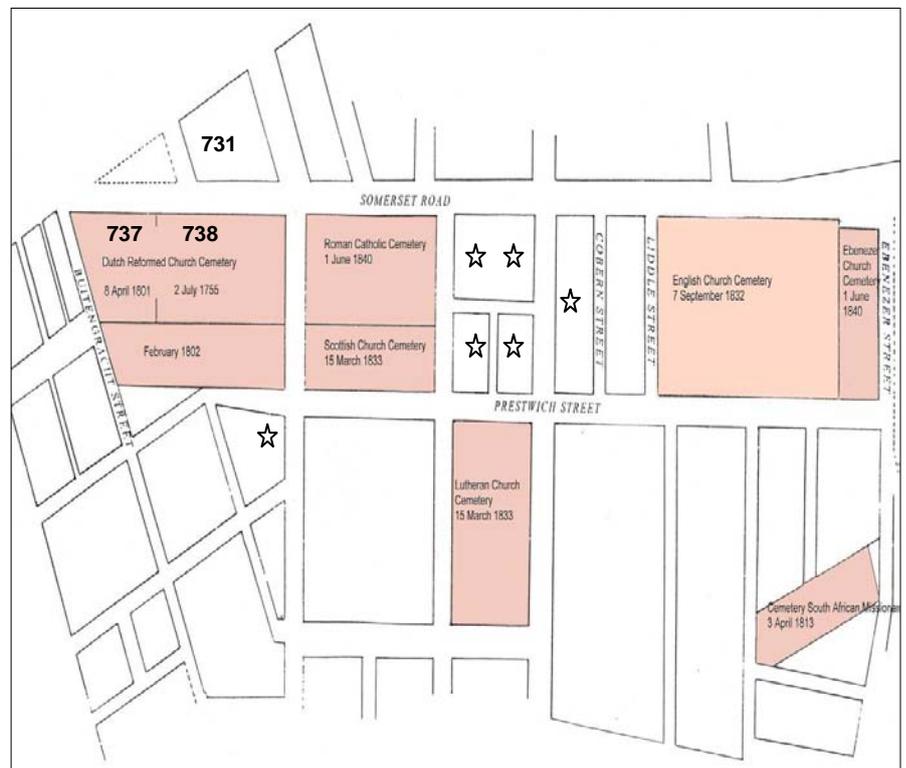
In 1975, at the same time that Erf 737 was re-granted to the Cape Town Municipality, so were Erf 9564 and Erf 9563, both being portions of Erf 738.

### 3.3 Findings of historical overview

Erven 737 and 738 formed part of the DRC cemetery which was in use from c1755 to c1886. During the 1920's, the DRC cemeteries were largely exhumed and the human remains, as well as headstones and memorial stones were moved to the Maitland cemetery. The remains of well-known historical figures such as Andrew Barnard, John Fairbairn, Lady Sale and others were reburied in the Maitland cemetery in what is referred to as the 'Inner Site'.

When Buitengracht Street was widened in the 1980s, human bones could be seen extending underneath the road edge and pavement (Alan Morris pers comm. 2005). It was common for bodies to be buried just outside the boundaries of the official burial grounds, possibly to avoid paying burial fees. As late as 1819, complaints were lodged with the Burgher Senate concerning this practice (Cox 1999). It is possible that the bones observed during the course of the road widening related to this practice and were not exhumed with the formal cemeteries as they fell outside their boundaries.

No documentary evidence (so far) has indicated that Erf 731 had been used as a cemetery prior to its sale to the St Andrew's Church in 1825.



**Figure 3:** Location of the formal cemeteries along Somerset Road with the dates of grant indicated (Cox 1999). Stars indicate areas where evidence of older, possibly informal cemeteries were found; Cobern Street, Prestwich Place and 29 Chiappini Street.

<sup>4</sup> The barley was later sold to Mr Dekenah of 22 Hudson Street for the sum of £14. During the same time, the Castle Wine & Brandy Company Ltd leased the Ebenezer cemetery for the purpose of harvesting its crop of barley (PAS 2/1064)

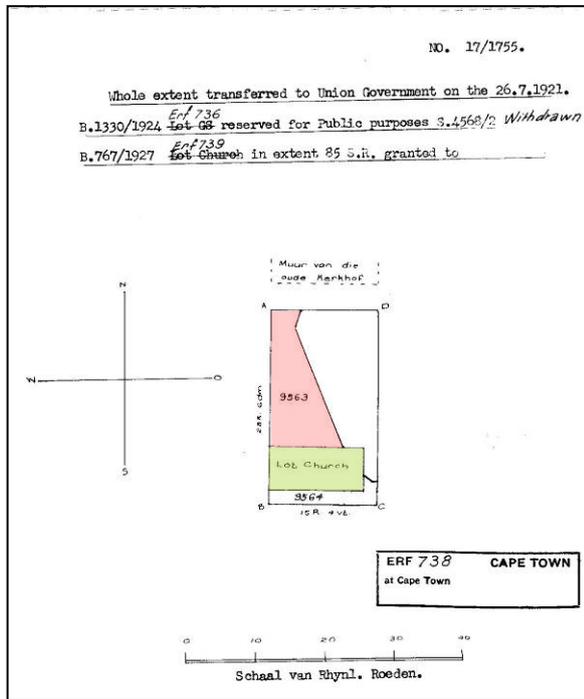


Figure 4: SgD 17/1755

**Erf 739 and 9563 (ex Erf 738)**

Erf 739 (green) and 9563 (red) are subdivisions of Erf 738. Erf 738 was originally granted to the Dutch Reformed Church in 1755 to be used as a general burial ground. It measured 429 Square Roods 140 Square Feet and was bounded to the north by the so-called Soldaaten Kerkhof (OCF 3(72) 2/07/1755).

In 1921, in terms of Ordinance 23 of 1920, the church transferred Erf 738 as well as Erf 737 to the Government of the Union of South Africa (TD 7006 26/07/1921).

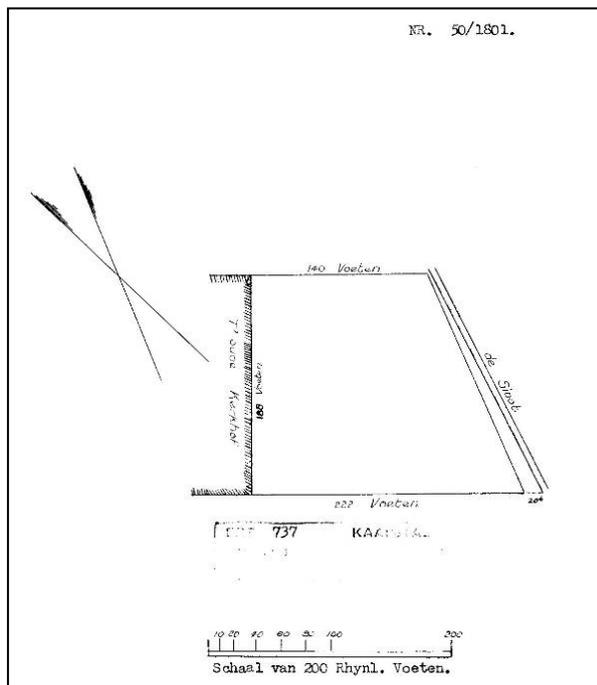


Figure 5: SgD 50/1801

**Erf 737:**

This piece of land, measuring 236 Square Roods 44 Square Feet, was granted in 1801 to the Church Council of the Dutch Reformed Church (*Collegie van Kerkraaden*) (Figure 5). The Council had applied for land to enlarge their cemetery. The application was successful, and land was granted to the NE of the old burial ground (Erf 738).

In 1921, the Consistory of the Dutch Reformed Church sold the land to the Government of the Union of South Africa (TD 7006 26/07/1921). In 1975, the land was regranted to the Municipality of Cape Town (TD 2128 2/02/1975).

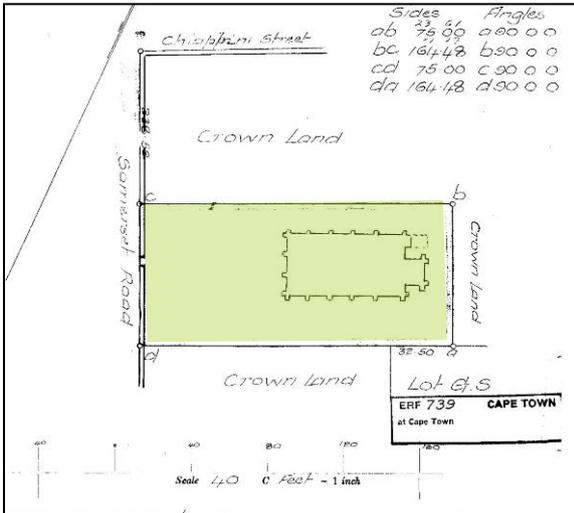


Figure 6: SgD B767/1927

### Erf 739

In 1928, Erf 739, measuring 85 Square Roods 96 Square Feet, was regranted to the Dutch Reformed Church.

In 1952 the land was transferred to the St Stephen's Congregation with the condition that should the land be needed for public use, it could be repossessed by the Governor-General. The land could subsequently only be sold to a member of the White race group (TD 14545 1952).

Erf 739 remained in their use until 1967, at which point it was sold to the Municipality of Cape Town (TD 23213 1967).

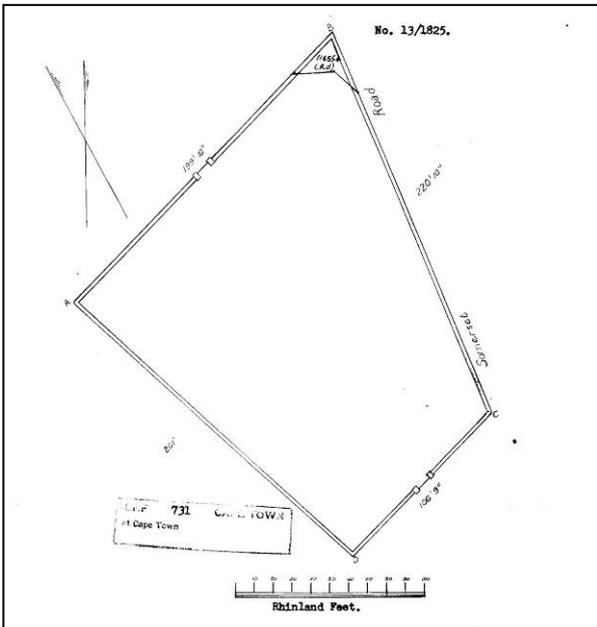


Figure 7: Erf 731, SgD 13/1825

### Erf 731 (St Andrews Church)

This piece of land, measuring 213 Square Roods 139 Square Feet and 90 Square Inches, was granted for the first time to the Trustees of the St Andrew Presbyterian Church of Cape Town in 1825 for the express purpose of building a church and a manse (TD21 15/04/1825). The land was previously held by the Burgher Senate.

A wall surrounded the site and one of the conditions of the sale was that a wall similar to the existing one be rebuilt. No mention was made in the transfer deeds of the land previously having been used as a burial ground. However, the fact that it was surrounded by a wall with entrances on both Chiappini and Rose Street (Figure 7) prior to its sale, suggests the possibility that graves may still remain.



**Figure 8** Location of trial excavations (red). Boundary of DRC cemetery (blue),

50 m

## 4 Findings

### 4.1 Excavation A (Positioned inside the old DRC cemetery)

Excavated to a depth of 2400mm, the first layer consists of 400 mm of transported topsoil and stone rubble. This was followed by 2000 mm of highly disturbed brown loam before decomposing Malmsbury shale was encountered at 2400 mm below surface (Plate 2).

Apart from small quantities of rubble, the excavation was sterile of both archaeological and human remains.



### 4.2 Excavation B (Positioned inside the old DRC cemetery)

Excavated to a depth of 2280 mm, rubble was encountered immediately. This transpired to be demolished building material from subterranean vaults. A partially complete brick arched roof vault was truncated in the excavation (Plate 3) and the fill that was in it removed. The contents of the vault included fragments of rusty iron, parts of an old vehicle (cylinder head gasket, body panels and steering wheel) and a large amount of ash. No human remains or material from coffins was encountered. The vault has a flat brick bottom which has been founded into the underlying decomposed shales.



### 4.3 Excavation C (Positioned inside the old DRC cemetery).

Excavated to a depth of 1200 mm, work had to be stopped due to the presence of an- unmarked electricity main. No human bone or other archaeological material was found.



#### 4.4 Excavation D

Excavated to a depth of 1220 mm, this hole was positioned outside the boundary of what would have been the DRC cemetery (Plate 4). Experience in other parts of Green Point has shown that unofficial burials took place outside the walls of proclaimed burial grounds. Naturally stratified ferricrete rich soils were found immediately, while undisturbed decomposed shale was found at a depth of 1220 mm. It was interesting to note that, compared with this excavation, the soils within the cemetery boundaries had been extensively disturbed by both grave digging and the subsequent exhumation. No human bone was found.



#### 4.5 Excavation E

Positioned in what used to be the old Somerset Road, (Plate 5) this excavation had to be terminated due to the presence of cast concrete slabs which were too heavy to be shifted by the mechanical excavator. These were apparently cast under the road surface to support tram tracks.

#### 4.6 Excavation F (Positioned inside the old DRC cemetery)

Positioned in such a way as to avoid nearby telecommunication and electrical services, this excavation lay within the walls of the cemetery. The fill contained large quantities of stone and some brick rubble which continued all the way until decomposed shales were encountered at a depth of 1800 mm (Plate 6). It is assumed that the rubble is derived from collapsed and demolished burial vaults. No human bone was found.



### 5 Conclusion

- Both the historical and archaeological evidence supports the fact that any graves that were once in the study area, have been thoroughly exhumed. The fact that vehicle

parts were found in a burial vault indicated that some vaults must have been left open for a period of time during which they served as a dumping area for waste.

- It is recommended that the Municipality of the City of Cape Town be allowed to use the land for purposes of erecting a memorial and crypt without any need for further archaeological work.
- There is always a possibility that human remains may be discovered during development activities, even though this study indicates that the likelihood is low. It is suggested that the proponent negotiate an emergency procedure to deal with this eventuality with SAHRA.

## 6 References

### Cape Archives

- AG 1440 part 2      4746 (D4)
- CCP 1/2/2/1/22      A2, 1875      Report of the Select Committee appointed to consider and report on the Cemeteries Bill 1875.
- LND 1/798            L13827
- PAS 2/1064           L18/i/132      1920-1925. Disused Cemeteries, Somerset Road. Sale of DRC Grounds

### Deeds Office, Cape Town

- OCF 5 (49)            8/04/1801
- OCF 3(72)            2/07/1755
- TD 21                15/04/1825
- TD 7006             26/07/1921
- CGrant 2 (40)        11/04/1928
- TD 14545            8/09/1952
- TD 23213            4/10/1967
- TD 2128             2/02/1975

Cox, G 1999. Cobern Str burial ground. Investigating the identity and life histories of the underclass of 18<sup>th</sup> century Cape Town MA (Archaeology), UCT.

Morris, A. 2005. Personal communication

## 6.1 Deed Summary: Erven 731, 737, 739 and 9563

Erf 731 – Piece of land situated in Table Valley on Somerset Road

Erf No	SGDiagram	Deed	Date	Extent	From	To
731	13/1825	21	15/04/1825	213 SR 139 SF 90 SI	Burgher Senate	Trustees of the St Andrews Presbyterian Church

Erf 737 – Formerly piece of ground

Erf No	SGDiagram	Deed	Date	Extent	From	To
737	50/1801	OCF 5 (49)	8/04/1801	236 SR 44 SF	Grant	Church Council of the DRC
737		7006 (para 2)	26/07/1921	236 SR 44 SF	Consistory of the DRC	Government of the Union of SA
737		2128	2/02/1975	3373m <sup>2</sup>	Grant	Municipality of Cape Town

Erf 738 – formerly piece of land (subdivided into Erf 739 and Erf 9563)

Erf No	SGDiagram	Deed	Date	Extent	From	To
738	17/1755	OCF 3(72)	2/07/1755	429 SR 140 SF	Grant	Church Council of DRC
738		7006 (para 2)	26/07/1921	429 SR 140 SF	Consistory of the DRC	Government of the Union of SA
739	B767/1927	CGrant 2 (40)	11/04/1928	85 SR 96 SF	Grant	Church Council of the DRC
9564		2128 (para 2)	7/07/1975	468 m <sup>2</sup>	Grant	Municipality of Cape Town
9563		2128 (para 3)	7/07/1975	1912 m <sup>2</sup>	Grant	Municipality of Cape Town
Rem 738				2535 m <sup>2</sup>		

Erf 739 – Formerly Lot Church – ex Erf 738

Erf No	SGDiagram	Deed	Date	Extent	From	To
739	B767/1927	CGrant 2 (40)	11/04/1928	85 SR 96 SF	Grant	Church Council of the DRC
739		14545	8/09/1952	85 SR 96 SF	Church Council DRC	DRC St Stephens Congregation
739		23213	4/10/1967	85 SR 96 SF	DRC Church Council, St Stephens Congregation	Municipality of Cape Town

