

HERITAGE IMPACT ASSESSMENT OF PORT SHEPSTONE GAOL, KWAZULU- NATAL



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1. Introduction

1.

The firm Mazibuko Wessels Architects appointed Robert J W Brusse Architect to undertake a Heritage Impact Assessment of the Port Shepstone Gaol in August 2014.

The author is a registered professional architect whose practice has existed for some forty years, specialising in restoration projects in KwaZulu Natal. Since the advent of the current heritage legislation, he has been invited to undertake a number of HIA on behalf of other architects.

Sean Wessels, of the firm Mazibuko Wessels Architects has been the principal responsible for liaison on this project. He introduced the author to the senior staff at the Gaol and has provided certain plans of the existing building, and a Department of Public Works listing of drawings at the Central Drawing Archive.

The building is located on Erf 166, Port Shepstone, also referred to as State Land.

2. Methodology

The methodology adopted for the preparation of this report has been evidence based on existing records and has consisted of :

- two site inspections,
- reference to :
 - the National Archives of South Africa, Pietermaritzburg Archives Repository, (NASA,P)
 - the Deeds Registration Office, Pietermaritzburg,
 - the archives at the Port Shepstone Museum, especially research undertaken by the former curator, Mrs Mary Neethling, and other local historical sources,
 - plans provided by the Department of Public Works, in particular plans for alterations and additions undertaken between 1985 and 1993,
 - site plans provided by a Registered Land Surveyor,
 - published family histories of early settlers.

The Site was first inspected on 3rd September 2014, together with S Wessels, and senior staff of the gaol. The whole of the gaol was inspected, with the staff giving a running commentary on the nature of the building and the manner in which each space functioned. Captain B Joubert supplied a copy of an unpublished history of the gaol, prepared by Robin Graves. This document is a compilation of commentaries and reports prepared by a number of sources both in English and Afrikaans, mainly based on records in the State Archives, or prepared by Mrs Mary Neethling.

Two days were spent in the National Archives Pietermaritzburg (NASA,P) researching their holdings, which consisted primarily of Colonial records between 1893 and 1910. It is reported that archival material subsequent to 1910 has been moved to Pretoria.

A day was spent in the Port Shepstone Museum, consulting their archives, where much of the material used in the unpublished history was discovered.

The Department of Public Works provided a record of drawings held at the department's Centralised Drawing Archive. There was a single drawing dated 1944 - Conversion to two cells contain quarters - which could not be retrieved. The balance of the drawings are dated between 1972 and 1994. It must be assumed that this is probably an incomplete list of their holdings, and that there might well be drawings archived elsewhere. Certainly there was a reference in the documentation at the NASA,P dated 1890 to drawings, which have not been located.

A visit to the Deeds Registration Office Pietermaritzburg proved futile - see below - but a Professional Land Surveyor was able to source two site plans, one from the first half, and the other from the second half of the 20th Century, which give some indication of the history of the sub-division of the site.

Inspections for this HIA have been limited to the historic Gaol and the later additions to this building. Comment will be made on the surround terrain as it impacts on the buildings under consideration.

3.a History of Site

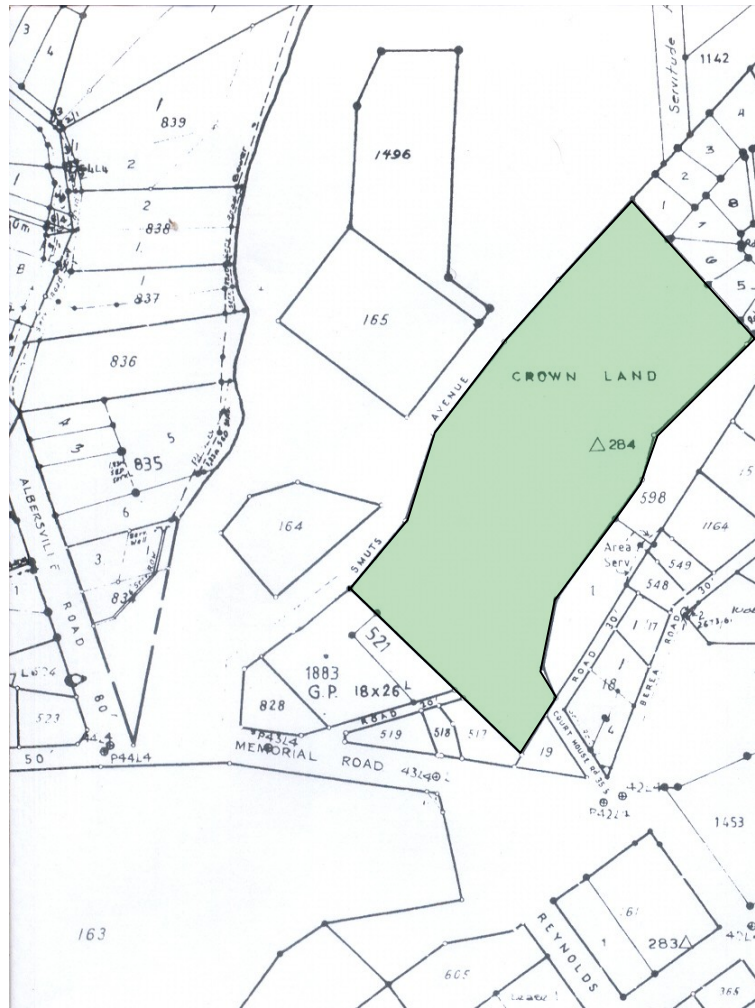
A visual inspection of the site and an enquiry of pre-settler history of the district has not led to any reasonable expectation of pre-colonial archaeological artefacts being uncovered that could cause a detailed investigation. The Owners of the property and their professional consultants are hereby advised of the relevant obligations in terms of current legislation, should any evidence be uncovered before the start of, or during the contract period.

An inquiry at the Deeds Registration Office, Pietermaritzburg to view records of the site. returned the following comment " TOWN OR ERF NUMBER PORTION DOES NOT EXIST". The authorities have informed the author that it is not unusual for state land not to be registered in the Province in which it occurs.

Subsequently two Town Plans have been located :



- A site plan used to demarcate road closures, first compiled before 1940. This plan indicates an existing Lot 166 noted as "Court House" and "Gaol". Adjacent to it are Lot 167 (Police Camp), Lot 1(6?)8 (use obliterated), Lot 169 (use unknown), Lot 170 (Gaolers Residence).



- A subsequent municipal plan of the area shows the former lots 166, 167, 168, 169 consolidated and now referred to as Crown Land.

In the absence of further records being found at the Deeds Registration Office, Pmb, and based on the evidence of these two municipal town maps it may be assumed that a subdivision of the original Crown Lands, into five or more sub-lots, occurred before 1940, only to be consolidated again before 1960 into "Crown Land". It is very likely that the subdivision became an administrative necessity as different government functions evolved under differing colonial government departments, but that the republican government consolidated the lands as the police and prison services became more integrated. Subsequently the site has again been referred to as ERF 166.

Currently the consolidated site is occupied by the historic Gaol, an relatively modern Magistrates Court, the old Mounted Police building, a very large new Police Station (opened 1983) and a very ill defined road network and informal parking facility.

The building sits on the ridge of the higher ground to the north-west of the commercial heart of Port Shepstone.

3.b History of the Building

The Port Shepstone Gaol has always been closely associated with the administration of justice in the southern regions of the former Colony of Natal.

The Umzimkulu River formed the southern boundary of the Colony. Beyond the drift across

the river lay a territory known as No-man's Land, a buffer zone between the colony and the territory of the amaPondo. In 1866 this territory was annexed to the Colony of Natal,. However, development of he district was very slow.

The first civil authority in the district was located at the magistracy at Murchison - a short distance beyond current Port Shepstone. In 1877 the magistracy moved to Harding, much further from the drift across the Umzimkulu, which continued to be the principal focal point for colonial transportation and trading. A slowly a need arose for more tangible civil authority.

Local settlers formed a Lower Umzimkulu District Association, which then petitioned the Colonial authorities in Pietermaritzburg for the appointing of a District Surgeon, who arrived in 1888. The following year the first Magistrate, Mr Gilson was appointed. The first Gaoler was a man called Jack Percival, a former member of the Natal Police. Percival retired from his employment when he had to return to Great Britain upon succeeding to the Earldom of Egmont.



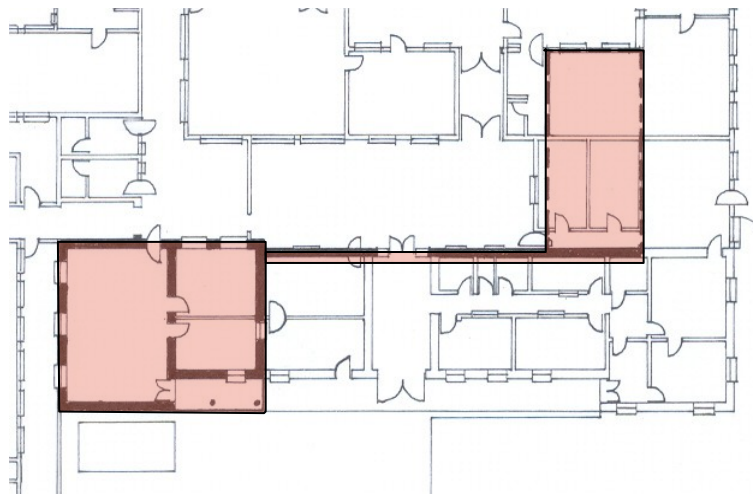
Photo 1. Dated stone in Entrance Passage

The exact date of construction of the magistrates Court is open to conjecture. However, there is a simple stone on the southern side of the main entrance passage, curiously protruding from the centre of some stairs leading to a doorway, engraved with the date 1886, which has been assumed to be the founding date of the building. This stone is problematic as its physical location in the stairs is most unusual and is not located in any part of the original building! It may have been part of a mounting block, or it may have been moved to its present location during the extension of the original court-house. It would also indicate that the foundation of the Magistrates Court was laid three years before the first Magistrate arrived in Southern Shepstone.

Photographic evidence shows us that the original Magistrates Court than would be apparent today. It was a building consisting of the court-room, and two ancillary spaces. It was built with an external stone facing lining an internal brickwork skin.



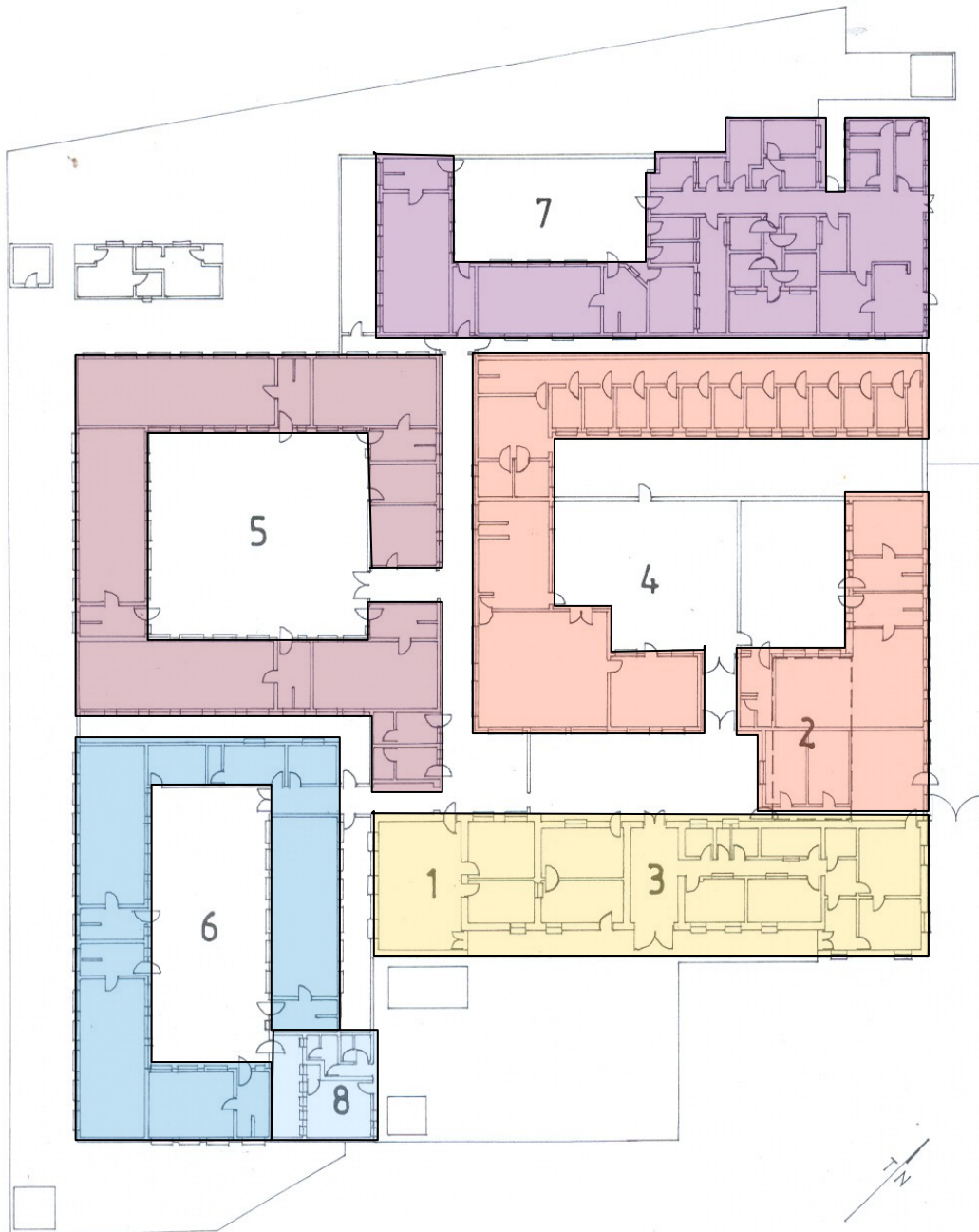
Photo 2. Court House Port Shepstone (O9/P 1225 P.S. Museum)



Plan of the original Court House and adjacent structures

To the north east of the stone clad Court House there was a high brick wall, with a generous arched gateway, and a simple rectangular brick building at its northern end. It may be assumed that this was the first permanent brick gaol.

The NASA,P holds some fascinating correspondence between the District Surgeon, Dr Fernandez, the Resident Magistrate, the Colonial Secretary and the Colonial Engineer written in the years 1893 to 1896, which reflects the concerns for the well being of the prisoners. The District Surgeon reported that on average 21 prisoners were held in four cells (3 male and 1 female), each cell measured 11'2" (3 404 mm) by 7'8" (2 337 mm),"or about 85 sq ft which allows about 12 sq ft per man. This is manifestly insufficient even for men in perfect health, and much more so when any of the prisoners are really sick." (District Surgeon to Resident magistrate, 19.01.1893)



Plan of the existing Port Shepstone Gaol, with order of construction indicated.

The older gaol building (2) appears to have been demolished when the first major extensions were undertaken early in the 20th century (4).



Court House & Police Barracks, Port Shepstone.

Photo 3. Court House and Police Barracks, Port Shepstone (post card in P.S. Museum archives)

In due course, the Magistrates Court building (1) was extended in a north easterly direction in line with its front façade and verandah, giving rise to the building that we see today (3),

It is conjectured that the blocks (4) and (5) were constructed during the years 1920 to 1940 as the need arose. These buildings were constructed in plastered brickwork. They currently have corrugated asbestos cement roofs, cement rendered floors and steel framed windows, possibly of a later date.

There is positive evidence that the Blocks (6) & (7) were constructed in the mid 1980's, and that the alterations for the "Klubgebou" (8) were carried out in 1993.

These latter buildings were primarily constructed using a timber frame technology, with corrugated iron cladding on the interior and with asbestos cement panels as an external cladding. Ceilings were constructed of mild steel plate with mild steel flat bar cover strips. In the oeuvre of wood-and-iron buildings this construction may prove to be unique.

Other portions of these buildings were constructed in plastered brickwork.

We have been unable to determine why certain portions were constructed in one technology and the balance in an other technology.

Photo 4. Timber-framed construction Blocks 6 & 7, partly exposed.



4. Schedule of buildings / Structures on Site

While the historic Gaol building (Block 3) appears as a single entity, it should be considered in two sub sections : the former Court House (1) & the latter administrative additions (3).

There is no record of who designed the building/s, though it may reasonably be assumed that the initial design came from the Colonial Engineer's offices in Pietermaritzburg. It is known that William Bazley - who had entered PWD service while building the Port Shepstone harbour - was the contractor for the building of the additions. During the latter 1890's he was also consulted on improve the ventilation to the cells.

COURT HOUSE. (Block 1)

The Court House portion of the Gaol consisted of the Court Room, and two adjacent rooms. The former Court Room is a single volume, simple yet dignified, with a coved ceiling and partially exposed trusses resting on stone bosses. The current ceiling is of a latter date (there might be vestiges of the original ceiling - presumably T & G boarding - in the roof space).

THE EXTENSIONS (Block 3)

The additions to the original Court house were carried out by William Bazely, who sourced the stone, Dwyka Tilite, from a quarry he had opened at the Umzimkulu River mouth when he built the harbour walls.

We believe that the brickwork wall that is shown extending northwards from the Court House in photo 2, was incorporated as the back wall of the additions, and clad in matching stone work. There is otherwise no rational explanation for the step in the stonework at the rear of the building, relative latter extensions. The new building copied the proportions and details of the court Room gable, but incorporated two windows for additional light and ventilation.

There are two apparent mysteries in the alterations :

- the incorporation of a "foundation stone" (1886) in the steps of a door way opening into the entrance passage. It may have been moved forward from its original position to avoid it ending up under the new floors, but that remains pure speculation until further confirmatory evidence is found.
- in the roof space there is evidence that the building had two skylights at some time in its history, - one either side of the entrance passage. A more careful investigation and locating of these skylights over the rooms below may elucidate their purpose.

The building appears to have been constructed with a brick inner face and a stone external face. Generally the stonework is in excellent condition. Much of the building's plastered walls have been painted with "PWD-issue" enamel paints, which contributes very little to the architectural merit of the building.



Photo 5, Current interior of the Court Room used as an office.

The doors and windows appear to be original, and are in relatively good condition. Most have been painted, though a few appear to have been recently stripped to clear timber. Very little of the original brass fittings appear to have survived.

CELL BLOCKS (Blocks 4 and 5) - construction assumed to have been 1920 to 1950's)

It is assumed that the original brick cells were demolished to make way for Cell Block 4. Both Blocks 4 & 5 consist of communal cell blocks located around central courtyards. A central kitchen facility was located in Block 4. During the 1980's the western most communal wing of Block 4 was converted to a series of single cells.



Photo 6. South side of Block 4

Both buildings were constructed in plastered brickwork, with cement rendered floors under corrugated asbestos cement roofs. There are a few arched openings that relieve the harshness of the building, but there is very little else that need be considered of architectural interest or merit.

CELL BLOCKS (Blocks 6 & 7) & the KLUBGEBOU (8) (construction confirmed 1980's to 1993)

Block 6 consists of a series of communal cells located around a central courtyard. One corner of the building was converted to a "Klubgebou" (8) during 1993. Block 7 consists of some larger and smaller communal cells located around three sides of an open courtyard, with administrative offices to the north of the cells. A high wall closes the fourth side of the courtyard.



Photo 7. Interior of a Communal Cell Blocks 6 & 7.

The two blocks (6) & (7) were build during 1985 / 1986. For some reason, not fully understood at present, the prison cells were erected in a timber frame construction with corrugated galvanised sheet metal cladding internally (Photo 7 above) and asbestos cement cladding externally (photo 4) - while the facilities for administration, and the later "Klubgebou" alterations were executed in plaster brickwork, all under corrugated asbestos roofing.

We are not aware of other prison facilities that have been built in this manner. If this use of timber framed construction technology at this gaol is unique within the correctional services environment, then careful consideration for the retention of a typical example is warranted, if the buildings are less than 60 years old - see recommendations.

5. Summary of Significance and Recommendations

Significance :

Port Shepstone Gaol has local significance in that it is closely related to the early development of civil administration in the colonial settlement around the drift across the Umzimkulu River. The early appointments to the various Government functions in the district - the Resident Magistrate, the District Surgeon and even the Gaoler - are all associated with this building; the individual persons were significant people in their local community. We have been unable to find any reference to associations with other important events or people, though there may well have been incarcerations of prominent activists during the 1960 - 1994 period.

The stone building that forms the south east front of the gaol is architecturally significant within the context of Port Shepstone. Beside its historic significance - as mentioned above - it is of technological significance due to its construction in a particular local building material (Dwyka Tilite), showing a commendable control of this material, both in the original construction and subsequent additions. There is archival evidence that its use in the construction of prison cells indirectly led to the discovery of health problems arising from the nature of the stone. The building has an architectural presence which is commendable; though the author of the design has not been identified, we do know that one of its contractors, William Bazely, was a very significant historic figure in this community.

It is our opinion that this building deserves special conservation attention.

Of the remaining portions of the gaol we summarise as follows :

- the brick and plastered constructions, some of which are more than 60 years old, are not necessarily of any particular architectural, technological or historic significance that we have discovered, and therefore do not warrant any special conservation attention.
- the timber frame constructed cells are considered to be technologically significant, unless it can be established that there are better examples of this kind of construction in prison environments elsewhere, that could be preserved.

Recommendations :

The Court House building and extension.

We recommend that this building be treated with care and consideration. That its external form be retained so that it can be appreciated in its totality, including the details such as the eaves overhang, gallows brackets, and the original door and window pattern. In this regard we are concerned that

- the internal bricking up of external doorways, leaving the doors and frames as a reminder of the past, will inevitably lead to poor maintenance of the rear face of such doorways, and consequent inevitable deterioration.

- This dated stone in the entrance passage is of historic importance and should be carefully cleaned off all paint by a recognised and competent restoration specialist such a professional from the S.A. Institute of Object Conservation. The retention or relocation of the "foundation stone" in its current position should be carefully considered in the light of pedestrian access over it and on-going conservation.
- The remaining skylight structures should be respected - even not incorporated in the new layout - as they form a part of the history of the building. Careful observation of Photo 3 shows what may have been a catwalk, or skylight, over part of the ridge of the building.
- It is recommended that all internal and external timber faces of windows and doors must be painted both as protection to the fabric and to be historically correct.
- While alterations to the internal walls may be necessary, this should be kept to a minimum, bearing in mind that the buildings proposed layout may well change again within a decade or so. The loss of historic fabric should be avoided where not absolutely necessary. The opening up of doorways should be undertaken after investigation of previous doorways that may have been bricked up. Where re-use of such earlier doorways is possible, it should be seriously considered.
- The original Court House had two cast iron verandah columns, whilst the current building has a series of timber verandah post. The change of material is part of the history of the building and can be retained - however, consideration should be given to isolating the bases from moisture penetration at ground level.
- The retained building should be given an appropriate urban setting and landscaping to do justice to its historic significance. Particular consideration should be given to improving the visual exposure of the southern eaves of the Court House - note the striking gallows brackets to these eaves. In a town with little architectural heritage, the building could contribute considerably to the townscape.

The remaining structures :

The significance of Blocks 4, 5, 6, 7 & 8 has been recorded above.

Blocks 4 and 5 are protected by current legislation, but we do not find any reason to recommend the retention or protection of any portion of these buildings.

We have mentioned that blocks 6 & 7 are not protected by current legislation as they were constructed less than 60 years ago. However, we are of the opinion that the particular construction technology employed could become significant in the body of architectural conservation of the future. While we acknowledge that these buildings do not necessarily fulfill the functional requirements of a contemporary prison, nor do they strictly comply with the current health and safety requirements (the use of asbestos cement cladding) we are of the opinion that serious consideration should be given to the retention of a single communal cell, appropriately modified to comply with current legislation, and integrated to an appropriate function.

6. References

Reference works :

1. *Architecture in Natal 1824 - 1893*, Prof. B T Kearney, Balkema 1972,
2. *Nil Desperandum, : the Bazley Storey*, Denzil Bazley, Royle Trust, 2000,
3. *A Natal Family Looks Back*, H. C. Lugg, T W Griggs, Co (Pty) Ltd, 1970,

Archival References - the National Archives of South Africa, Pietermaritzburg Archives Repository :

1. *Attorney General re the Condition of Port Shepstone Gaol*, ref. 10A/1893
2. *Inspector of Prisons, Forward Report on Port Shepstone Gaol*. ref.1894/761
3. *District Surgeon.* i) *Report on Cell Accommodation at Port Shepstone Gaol.*
ii) *Hospitals for Magistrates.* ref. PWD542/1895
4. *Gaoler, Port Shepstone. Insufficiency of Accommodation at Port Shepstone Gaol.* ref. PWD1031/1896
5. *Chief Commissioner of Police, Pietermaritzburg : Report upon treatment of F de Marigny, a prisoner in Port Shepstone Gaol. Arrest in connection with alleged case of poisoning.* ref. LW363/1903
6. *District Engineer : Prisoners for Port Shepstone Gaol.* ref. HDE17/1910.

Manuscript references :

1. Manuscript compiled by Robin Graves consisting of his report and addendums from various sources.
2. Manuscript documentation prepared by Mrs M Neethling in the Port Shepstone Museum.

Plans :

1. Bouplan, Port Shepstone Gaol, P12-G1, DPW, received from Mazibuko Wessels Architects.
2. Part Town Plan pre 1940, ref.10478F01, received from Button & O'Connor Land Surveyors.
3. Part Town Plan, 1960, ref. ET 5D 24B, received from Button & O'Connor Land Surveyors.

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