

3. JOHN BAILIE

The tragic life and times of John Bailie 1820 Settler
1788 - 1852

by Dr Patrick Hutchison



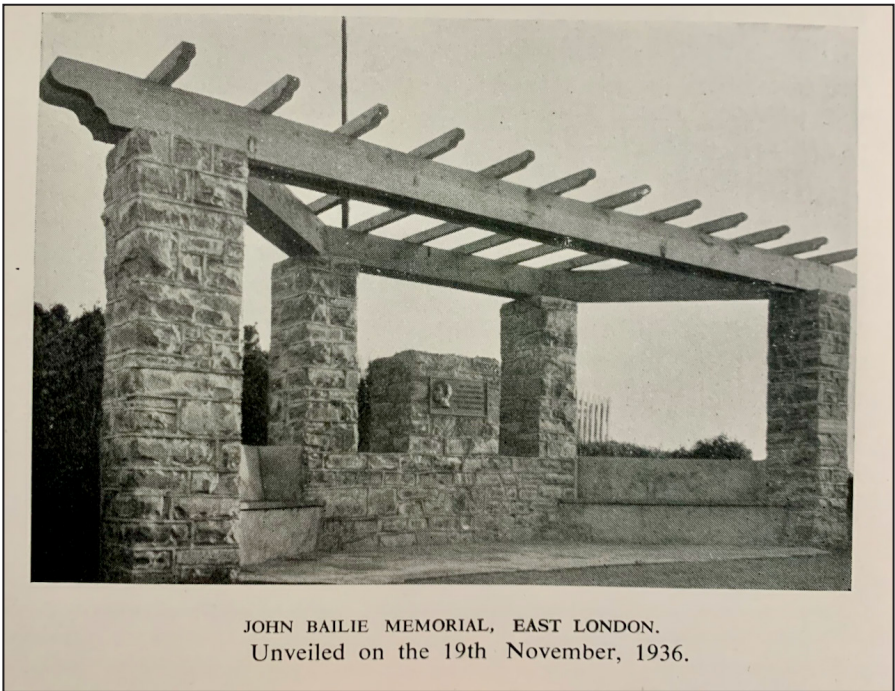
The centenary celebrations of the city of East London were held in 1948. They included a pageant of historical incidents compiled by Mark Taylor, a founder member of the Border Historical Society. A quotation from Taylor's booklet *Time and the River* illustrates the significance John Bailie was accorded at the time.

“The exigencies of the frontier struggle determined the date of the founding of East London and governed its infancy. On 10th May, 1835, the Governor of the Cape, Sir Benjamin D’Urban, annexed the hinterland of East London, calling it the Province of Queen Adelaide. During hostilities the supply problem presented by scattered troops scouring the frontier bush country had emphasised the desirability of finding a convenient natural harbour near the seat of war.

Accompanied by his chief of staff, Colonel Harry Smith and Captain John Bailie and with an escort of 600 troops, the Governor visited the Buffalo mouth to investigate its possibilities. Captain John Bailie was immensely impressed by what he saw and his favourable reports moved the authorities to undertake a survey. This having proved satisfactory, the brig *Knysna*, under the command of Captain John Findlay, sailed for Buffalo mouth with a cargo of food and ammunition. It dropped anchor in the roadstead in November 1836. The cargo was landed without difficulty under the eye of Captain Andries Stockenstrom, recently appointed Lieutenant Governor of the

Eastern Province, who named the Buffalo mouth “Port Rex” in honour of Mr. George Rex, the owner of the Knysna who had tendered the brig to the authorities for the experiment.

Captain John Bailie arrived at the Buffalo Mouth with a military wagon-train for transporting the Knysna’s cargo to King William’s Town a few days before the Knysna’s arrival. While awaiting its arrival, Bailie mounted the promontory east of the Buffalo mouth, known as Signal Hill and planted a Union Jack on its summit, thereby claiming the port for Great Britain.”



John Bailie Memorial.

Illustration on pg 239 of *The Story of The British Settlers of 1820 in South Africa* by Hockly, Harold Edward. 1947. Juta & Co. Ltd.

The man credited with planting the Union Jack on Signal Hill, thus becoming the founder of East London in November 1836, was recognised by the city fathers a century later with an impressive memorial on that site. The bronze plaque was modelled by Mr. Hugo Bode in 1937. About the same time a prominent road from the esplanade through Bunker's Hill to Glen Eagles Road was named after him as the suburbs expanded to the east. The road alongside is Hope Drive.

Contrary to popular tradition John Bailie never served in the Royal Navy. He himself claimed he was bred to the sea in the merchant service. I am indebted to Margaret Nash's thesis on Bailie's Party for what I consider the most reliable information on Bailie.



Cast bronze commemorative plaque at the John Bailie Memorial
Photograph: W Martinson, 2014

John Bailie's life deserves a closer look. He was a talented, industrious and often tragic character.

John was born in 1788 in Ongole, Madras to Thomas Bailie and his wife Ann Hope. The Bailies were minor Irish landed gentry.

The Hopes were eminent in the legal profession of Scotland. The family returned to England about 1790, John aged two.

His father fled to France when John was 10, in 1798, to avoid arrest as an Irish revolutionary. We need recall the French revolution of 1789. The family joined him there a year later and returned to England after 6 years (when John was 17) when his father was arrested by French police suspected of spying for the British Government. He was released without trial 2 years later in 1807. He died in London in 1814.

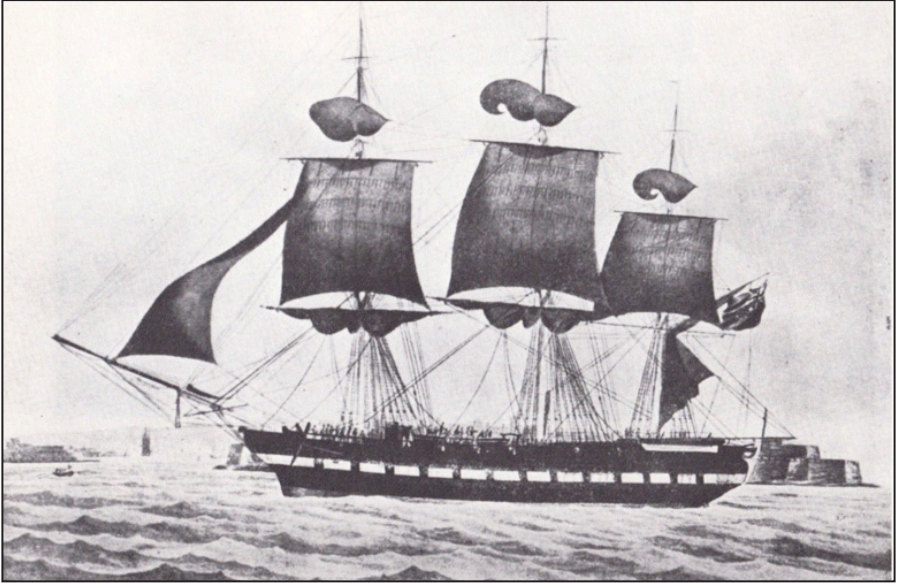
John studied law and in 1814 aged 26 joined the Civil Service, appointed Secretary to a Government Commission arising from the Napoleonic Wars. He held this post until he resigned to lead a party of emigrants in 1819.

Aged 21 he married Amelia Crause (from Kent) in 1809. They had 5 sons, one of whose names disappears between the first and last emigration lists.

John Bailie headed a party of 84 men and their families, said to be the largest of the settler parties. They were all independent settlers. The party was constituted on a joint-stock basis but broke up even before arrival in South Africa. Their ship, the Chapman, was the first settler ship to arrive in Algoa Bay on 9 April 1820.

Bailie was granted a farm near the Fish River Mouth which he named "The Hope" where he built "the best and most substantial farm house in the Settlement."

He lived there until 1832 when he moved to Grahamstown.



The Chapman, the first Settler transport to arrive in Algoa Bay, where she came to anchor on the evening of 9th April, 1820. She carried Lieutenant John Bailie's party, numbering 256, and a much smaller party of fifteen settlers from Staffordshire under John Carlisle. (Water colour by unknown artist. Port Elizabeth Museum).

AN INDUSTRIOUS AND TALENTED MAN

In May 1821 he was one of the founders of the Kowie River Navigation Co.

In 1822 he received a permit to survey the coast from Port Elizabeth to the Buffalo River.

In 1825 he navigated the *Thomas*, a decked boat, into the Great Fish River where he took soundings. He also took soundings at the mouth of the Keiskamma River.

He arbitrated the dispute between Piet Retief and the government over the building of the barracks in Grahamstown.

With his sons Bailie performed commando duties after cattle raids and during the Fetcani disturbances went to Mbolompo under Major Dundas. The 1828 Battle of Mbolompo occurred in the vicinity of the current Mthatha airport. It was the first military expedition in which 1820 settlers took part.

His eldest son Charles was called to serve as a special constable to arrest an outlaw, Fletcher. When the outlaw raised his gun aimed at a fellow constable, Charles shot him. The ball broke Fletcher's arm and glanced off, accidentally killing him. Charles Bailie insisted on being tried by the circuit court Judge, who honourably acquitted him and highly praised his conduct. This severely affected Charles who became deeply religious.

By 1834 John Bailie had prospered to the extent of owning three farms in Albany. The homesteads of all three, The Hope, Harewood and Layton went up in flames and all their stock was driven off in December and January 1835 at the beginning of the 6th Frontier War.

The family plunged from prosperity to destitution.

John and his son Charles were commissioned Capt and Lt. in the Provisional Colonial Infantry. The following extract from the journal of Captain Charles Stretch, Grahamstown Series, gives one an understanding of the composition of these colonial battalions:

General Orders

Headquarters, 22nd February 1835

With reference to the general orders of 3rd February 1835, embodying and attaching to the Cape Corps of Mounted Riflemen three companies of cavalry, Lieutenant-Colonel Somerset will be so good [as] to superintend the whole corps under this provisional regulation.

The corps of Hottentots at present under the command of Major Wood will be organised into a provisional battalion of the following establishment and be called the 1st Battalion of Provisional Colonial Infantry: 1 major, 4 captains, 4 lieutenants, 4 ensigns, 1 adjutant, 1 quartermaster, 2 staff sergeants, 12 sergeants, 2 buglers [and] 12 corporals – forming four companies.

Promotions and Appointments

Major: Bagot, late 47th Regiment.

To be Captain: A. Heddle, W. Gilfillan, T.F. Cowderoy, J. Bailie

Lieutenants: H. Bowker, C. Bailie, H. Nourse, T.J. Biddulph,

Ensigns: T. Crowe, C. Crause, E. Philpot, J. Campbell

supernumerary: Piet Louw

Adjutant: W. Dely

Quartermaster: E. Nelson.

The levies from Uitenhage, Port Elizabeth, Swellendam, Enon and Bethelsdorp will be formed into a second provisional battalion of the same establishment as the first, to be called the 2nd Battalion Provisional Colonial Infantry.

Charles acted as chaplain to the troops, preaching to them in the ruined Butterworth chapel in May 1835. This was about the time King Hintsa was killed on the Ngqabara River. (12 May) Charles conducted a service in King William's Town on Sunday 21st June 1835, shortly before being ordered out on patrol around Ntaba ka Ndoda on the 25th June.

He failed to rendezvous with his old friend Lt. Biddulph the next day. After nearly four months, on 13th October Captain John Bailie identified his son's remains by their prominent hair and whiskers. They lay alongside the Mngqesha stream, near Dimbaza. The party had been ambushed and cut down to a man.



Gravestone of LIEUT. C T BAILIE AND PARTY 1835

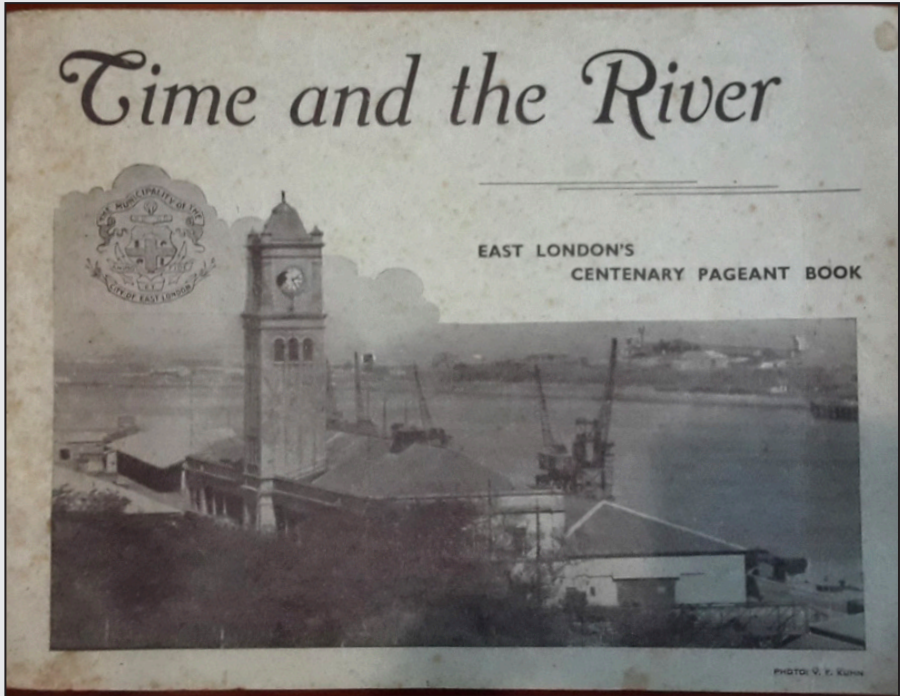
Photograph: P Hutchison



**The Charles Theodore Bailie Memorial near Mngqesha, Dimbaza district.
Erected by ToCH in 1931.**

After the war John Bailie persuaded the authorities of the suitability of the Buffalo River Mouth as a port for the new Province of Queen Adelaide. He established a reception depot and a convoy of wagon's to convey supplies to King William's Town.

The stinkwood brig Knysna owned by George Rex and captained by John Findlay arrived in November 1836 and successfully discharged its cargo. Hence arose the name of Port Rex. About this time Bailie climbed Signal Hill and hoisted the Union Jack. In Time and The River, his centenary pageant booklet, Mark Taylor alludes to some confusion relating to this incident.



Cover of *Time and the River*, East London's Centenary Pageant Book, by M.H. Taylor

Bailie's Hoisting of the Flag

The Knysna's first venture into East London waters and the attendant circumstances are recounted in the Introduction. The whole enterprise was an experiment, the result of Captain John Bailie's faith in the Buffalo mouth as a port, and of the enterprise of Mr. George Rex, owner of the Knysna. The experiment bore no immediate fruit owing to the abandonment of Queen Adelaide within three months of the Knysna's historic visit.

The Lieutenant-Governor, Captain Stockenstroom's presence, when the Knysna was discharging her military stores, may not have been adventitious. The official report had stressed the existence of a sand bar obstructing the entrance to the Buffalo Mouth, and continued ". . . there are besides the Kye and the Fish Rivers with excellent mouths practicable at all times at least for steam vessels." If Stockenstroom's visit was an official one then he was present in the role of arbiter of the future East London, and the Knysna's visit is a more dramatic event than is generally recognised. The fact that the cargo was expeditiously landed undoubtedly impressed Stockenstroom who would not otherwise have named the river mouth Port Rex, an act clearly implying future use.

The accepted story of Captain Bailie's hoisting a Union Jack on Signal Hill as an act of claiming the port for Great Britain is quite the most dramatic event in the early annals of the Border. Unfortunately it is not entirely consistent with the known facts, and the whole incident deserves careful investigation. Some flaws in the accepted account are worth mentioning.

Bailie's motive in hoisting the flag has never been clearly established. Here was a trusted, competent Colonial officer in a position which brought him into close contact with the Commander-in-Chief, Sir B. D'Urban, and the Chief of Staff, Colonel Harry Smith. He knew the frontier as well as he knew his own hand. He knew equally well that the Buffalo mouth lay conveniently in the middle of the Queen Adelaide coastline for that was its chief advantage as a port for the Province. Could he therefore have

doubted that the river mouth was already very much British territory? Why then the flag-hoisting, which was at best a bit of theatrical by-play, devoid of meaning, and at worst a flagrant act of supererogation – a junior officer actually daring to re-annex an area within the Province of Queen Adelaide as though his Commanding Officer's annexation were ineffective unless reinforced by his own?

There is the remote possibility that Bailie had heard, either through D'Urban or Stockenstrom, that the Province was likely to be abandoned. If this were so, then Bailie enjoyed the confidence of his superiors to a greater extent than any other military man present at the Buffalo Mouth on this occasion. Assuming that Bailie did enjoy the Governor's confidence in such large measure, then it is just possible, but only just, that he did in fact proclaim the annexation of 'Port Rex', conceivably even at D'Urban's request; for D'Urban in common with most of the frontiersmen, believed that the abandonment of Queen Adelaide would mean fresh troubles on the Frontier, in which case the possession of Port Rex would provide both a useful military base in the heart of Kaffirland, and a ready means of outflanking the tribes should hostilities be renewed. However, as an explanation of Bailie's motive in hoisting the flag, such a chain of possibilities is too far-fetched to be admissible.

A second weakness in the accepted account lies in the fact that no one has ever established whether the flag-hoisting occurred before or after the arrival of the Knysna, and much of the credibility of the story depends upon this very point. The problem is solved for us if Bailie was in fact a

passenger on board the Knysna as Sir George Cory and his disciples assert. However according to Miss Una Long who possesses unique facilities for sifting the facts of Border history in the Cory Library of the Rhodes University, Bailie arrived at the river mouth in command of commissariat wagons a few days before the arrival of the Knysna, and actually hoisted the flag before its arrival. If Miss Long is correct, then two much more probable motives impelling Bailie to hoist a flag warrant consideration.

Firstly, the Knysna was visiting strange waters. In fact we have the word of Captain Biddulph, Officer Commanding a garrison stationed on the West Bank at this time, that the British flag had already been hoisted on Signal Hill when he saw the Knysna sailing past, and his signals made her put about and close with the shore. If Cory is right in putting Bailie aboard the Knysna as a passenger, how then can Biddulph's statement be reconciled with our accepted version of the flag-hoisting incident?

On the other hand, if we assume that Bailie was in fact on shore, as Miss Long believes, and had been awaiting the arrival of the Knysna for some little time, what would have been more natural than the hoisting of a flag, or a shirt for that matter, against the skyline to assist the Knysna's navigator in locating an unfamiliar port of call?

The second likely motive which might well have driven Bailie to action is easily appreciated if one exercises a little imagination. For Bailie the Knysna's arrival was the happy culmination of months of sweat and toil spent in persuading the military authorities, ever the most stubborn of

humans, to make the Buffalo Mouth its port. His faith in its suitability was complete, so that from the moment the Knysna put out from Simon's Bay on the voyage to Buffalo Mouth, he knew that the only thing which could prevent the fulfilment of his dearest hopes was an accident to the Knysna on the voyage. Once the vessel had anchored safely off the Buffalo Mouth, Bailie, whether a passenger on board, or a transport officer on the shore, might well have been filled with elation at the fulfilment of his hopes; and even to this day it is man's custom to hoist flags to celebrate his moments of triumph and rejoicing.

But a much more serious point demanding clarification is whether the flag hoisted on Signal Hill on this occasion was raised by Captain John Bailie, or by Captain Biddulph, or whether flags were hoisted on Signal Hill by each of these men. Cory's sole evidence for attributing the act to Bailie is the story told by Bailie himself. Mr. Bruce Gordon, Headmaster of Grey High School, possesses equally reliable evidence that in 1846 Captain Biddulph claimed that he himself had on this occasion planted the British Flag on an eminence on the Eastern Side of the river mouth.

In 1837 the Provisional Colonial Infantry was disbanded. Bailie was granted land on the east bank of the Buffalo River but his intention to settle there never materialised. The war had ruined him. The Province of Queen Adelaide in any event was abandoned on 31 December 1836.

“Two months later (31st December, 1836) Queen Adelaide Province was restored to the tribes, “Port Rex” sank back into obscurity, the name falling completely out of use.

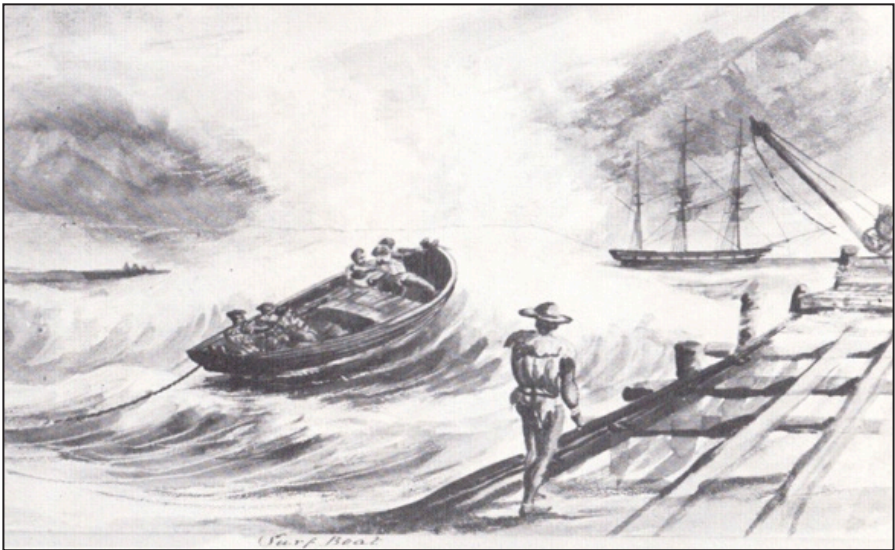
But the outbreak of the War of the Axe in 1846 focussed attention on the Buffalo mouth once more. Waterloo Bay, near the mouth of the Great Fish River, proved so unsatisfactory for landing troops and military stores that the Governor, Sir Peregrine Maitland ordered its evacuation and transferred his base to Buffalo Mouth where Fort Buffalo was constructed on the ground known as Camp Point at the base of the present West Wall. On December 30th 1847, Sir Harry Smith, the newly appointed Governor, visited the port and issued orders for the construction of Fort Glamorgan and the laying out of a township on the West Bank. The temporary forts, Fort Grey, Fort Pato and Need’s Camp were constructed along the military road linking Fort Glamorgan and King Williams’ Town.

On 14th January, 1848, Sir Harry Smith issued a proclamation annexing the Buffalo mouth and its environs to Cape Colony and naming them East London. Queen Victoria’s approval of his action was given on 25th April, 1848.”

In July 1839 he was appointed Secretary to the Port Elizabeth Jetty Co. He supervised building the jetty.

In 1840 as one of several dignitaries he addressed the luncheon celebration of the laying of the jetty foundation stone, which marked the 20th anniversary of the Settler's arrival, in terms which emphasized the good relations between the Settlers and the Boers.

"I am confident that within and without the present boundary of the Colony, there exists but one wish and one heart, that, however, or by whom we may ultimately be governed - from Delagoa Bay to the Cape of Good Hope - there should neither be Boer or Settler, but Africanders all."



A surf boat, Algoa Bay, 1848. The jetty, for which the foundation stone had been laid with much pomp and ceremony in 1840, had suffered severe damage during a gale of 1847, when a ship broke from her moorings and was driven on to it. When Thomas Baines landed, he made this sketch whilst waiting patiently for his possessions to come ashore. (Museum Africa, Johannesburg)

This is particularly poignant in the light of ensuing events. Five months after its completion the jetty was destroyed in a storm. The company was wound up in March 1844.

BAILIE LOSES HIS HEAD

In May 1844 John left the colony to join his third son Thomas who had settled among the emigrant Boers in the Caledon River district. A few months later the Graham's Town Journal published a letter from John Bailie which incurred the resentment of the Boer farmers.

Both John and Thomas were brought before the elected Commandant, and Veldkornet Jacobus Du Plooy of Roode Kuil, to answer a charge of malicious libel, as well as an action for damages brought by a trader named McDonald. Both Bailie's were heavily, and they felt illegally, fined.

Neither the Colony nor Moshesh would help them, so on 8 July 1845 they visited Du Plooy to demand redress.

A quarrel ensued and du Plooy was shot dead. John took the money he considered owing to him and rode to Colesberg to report that he had acted in self-defence. They were arrested for murder and robbery.

Feelings against them ran so high in Colesberg the trial was moved to Uitenhage

On 30 March 1846 they were found guilty and sentenced to death.

This is how Robert Godlonton reported the matter in his Graham's Town Journal:

COUNTRY TO THE NORTH-EAST.

The death of the late Field-cornet Du Plooy by the hands of J. & T. Bailie, affords an instance among many of that "wild justice," but too common across our N.E. Boundary. There every man has done what was right in his own eyes; that country has been the refuge for all who were disaffected, in debt, or embarrassment. Deserters from the army, fraudulent debtors, fugitive criminals, and restless seditionists, have mingled there with the stream of emigration; and no wonder, therefore, at the scenes of violence which have been presented, or the lawless proceedings which have taken place on the very threshold of the colony.

That case of J. & T. Bailie is a strong instance in point, and will, we trust, arouse our government to the necessity of putting forth that power which may suppress such disgraceful proceedings in future. To many of our readers the elder Bailie is well known. As the head of the first and largest party of the Albany Emigrants of 1820, he has been a rather prominent character on this frontier ever since his arrival in the colony. He is known as a man of respectable family, of good education, and of considerable address and talent. But it is not necessary we should carry our personal allusions further; and hence we refer at once to his removal across the colonial boundary in 1844. Various reasons conduced to this – the chief being a desire to join his third son, who with his family had taken up his abode in that country. Of his intention to remove the writer of this was apprised shortly before his departure, and a few weeks subsequently he again wrote in the following terms, and which was published in this Journal of Oct. 3:

THE COUNTRY TO THE NORTH.- THE EMIGRANT FARMERS.

(From a correspondent.)

14th May, 1844.

In the course of my perambulations I fell in with the following document. I copy from the original now before: -

At the request of Isaac Van Niekerk, late of Port Natal, I give him these presents, to certify that he has been duly discharged from custody, in reference to a charge of inducing soldiers to desert, preferred against him at Port Natal, it having appeared to me expedient not to bring him to trial for the said alleged offence. Given under by hand, this 13th Jan. 1843.

WILLIAM PORTER, Attorney General.

How do you like the application of the word “expedient” ?

I arrived on the banks of the (so called) Orange River, on the 14th May, at the Buffels Vley Drift, and found nine trek wagons waiting for the river to fall as it was full. On the same day twenty were waiting at the Sand Drift. Besides what were waiting to cross when I arrived, 17 ox-wagons, 1 horse wagon, and 1 cart for horses have passed where I now am – all trekking. Bear in mind that this is the smallest trek-path. Two wagons that passed had only eight oxen each, and drove only one ox, two cows and calves being all that they had left. One man had passed into the Colony with his wagon and two spans of loose oxen to bring out his brother and family, who

has not oxen left to enable him to move. One old man, 93 years of age, was among the trekkers. Is it not lamentable? The last loss sustained by the son he lived with was 20 milch cows, whose calves died or were obliged to be killed. Few of the trekkers have any servants with them, or very limited in number, their own families doing everything. Some trek because they hear servants are obedient and easy to be obtained; some owing to robberies and general insecurity; some already frightened with the recent valuation of their farms and vague rumours of an impending taxation thereon, as well as on their wool shee; some from the security enjoyed of life and property by those who have preceded them, and the general thriving state of the stock in the new countries.

I do not hear of any intention to resist the encroachment of the English Government, but merely in that case to go farther into the interior. An article that appeared some time since in your paper, recommending Government to take in the land between the Kraai River and Stormberg Spruit, alarmed the inhabitants, and I know of several instances of removal across the Orange River in consequence. However poor in cattle no boer leaves the Colony unprovided with arms and ammunition to an extent you would not believe unless you saw it. I know an instance of one so poor that his family on this side went to bring him out and assist him to live, yet brought a barrel of 50 lbs. of gun-powder sewed up in an ox-hide. In one trek I saw a father, hale and active, with five grown-up sons, all well armed. They are well off, and not far from where I at present am. Some go on to secure adequate places before they move farther.

The Treaty with Meshush and Kok will I am afraid occasion many to move on, from a sense of insecurity from the interference of the British Government. The coloured Chiefs must be very cautious how they interfere with the Boers under these treaties or they will, with their tribes, disappear from the surface of Africa. Much depends on the prudence and extreme caution of Government. Rash and harsh measures will every where be productive of mischief.

It will be perceived that there is nothing in this communication which any individual, entertaining friendly feelings to the Boers, as well as attachment to his own country, might not have written ; and yet the result shows that lawless violence to which those who ventured to express their honest sentiments on the state of affairs across the boundary were constantly exposed. The result in his particular case was stated in another communication written shortly afterwards, acquainting the writer of this that he had been most unjustly persecuted and plundered by a party of the Emigrant Boers. This document, which gives a key to the whole melancholy affair, was unfortunately torn up only about a month ago; but the fragments have been sought for, and so far recovered as to enable us to give his own case in his own words. The following is transcribed from the original paper before us:-

The Graham's Town Journal can be accessed in the Cory Library and The Albany Museum.

Editor Robert Godlonton published a follow up article to Bailie's letter in which both the Du Plooy and Bailie versions of this incident were described in gory detail.

*The letter which you inserted in your Journal, was discovered to be mine by the certificate, which Archibald Miller, whom you may remember as a Clerk to Edward Norton, saw in my house, and by him (I was) denounced to the Boers as having made statements injurious to them * ** (Part of manuscript lost.) They proceeded to great extremities. Cited me to appear before them, took my people prisoners ; sold my property for cash to meet their bill of expenses ; refused that their Secretary should give me any copy of their records ; refused me a bill of costs, or to furnish me with any account of the money so paid. My statement is (manuscript lost) to whom I have **** - Until I know the result it would be premature to publish a word on the subject. The whole thing, where I not a sufferer, would amuse me, who like to study the animal man in every state, and shows how a designing unprincipled fellow may mislead and work up the feelings of an illiterate people, jealous beyond idea of what they consider their character, and at the same time reckless of the means they resort to for what they consider the ends of justice. They have promised me a much severer visitation in case they again catch me publishing anything about them. I should not be surprised if, after selling what they could lay hands on, they flogged me and passed me back to the Colony. I can assure you government will be obliged*

to cross “the Rubicon” soon, as they are again talking about “Baskens all along the River.”

How true the latter part of this communication has proved, we have since had abundant evidence. But to return to the unfortunate writer:- It appears that not being able to obtain redress for this personal outrage and plunder of his property, he proceeded at length to the residence of Du Plooy, the chief actor in the illegal violence, accompanied by his son; both, as appears to be the custom in that country, well armed. A detail of the incidents which followed have been given to the authorities at Colesberg by the family connections of the deceased man, and have been very prematurely published in a contemporary paper, to the following effect:-

The matter rested until the morning of the 8th July, when John Bailie, accompanied by his son Thomas, the former armed with a brace of pistols and the latter with a double-barrelled gun, rode up to Du Plooy’s residence. Their being armed, in the present unsettled state of affairs over the river, caused no suspicion. Du Plooy asked them to off-saddle, which they refused. They shook hands and Du Plooy asked them to walk up to the house, which they did, leaving the man still working at the wagon. Mrs. Du Plooy and one of her daughters were the only persons in the house. Du Plooy desired the daughter to get some coals to warm the visitors as it was cold. Thomas Bailie stood at the front door of the house while John Bailie walked inside. Du Plooy asked him to sit down, but he said he had no time, and at the same moment took a sheet of paper out of his pocket and said he had a letter from His Excellency the Governor desiring that

he Du Plooy, should pay him £200 damages for the arrest of his person and sale of his goods in November last, or otherwise he was authorized to seize him and take him prisoner to Colesberg; the letter purporting to be from the Governor, he said, was unfortunately in English, but he would read it over in Dutch, which he did. Du Plooy asked if he had come to take him prisoner; Bailie replied "I am the man to do so." Du Plooy upon this went into his bed room to fetch his gun to defend himself, and just as he was taking the holster off, John Bailie discharged a pistol in his left side. The ball entered about the 5th rib and lodged somewhere internally. Du Plooy cried out: "Oh God help me," put down his gun, and went back into the house, when John Bailie said something in English to his son Thomas, who immediately discharged one barrel of his gun, the ball entering the right side of the head and making its exit at the back of the neck. Du Plooy fell dead upon the floor. The wife and daughter rushed out of the house and cried out that the Bailies had murdered him, and the man working at the wagon on coming towards the house was threatened with death if he attempted to interfere, and he went to fetch his horse to give information to the nearest neighbour. John Bailie went outside and re-loaded the pistol and Thomas Bailie his gun, and while the widow was crying and mourning outside John Bailie threatened to shoot her, unless she instantly gave him the money, as he had no time to spare. The affrighted woman gave up the key of the box and desired her daughter to open it and let them take as much as they liked, and while the corpse of Du Plooy was weltering in its blood on the floor John Bailie counted out a number of sovereigns, put them into his pocket, and desired he might have pen and paper to grant a receipt for the same. He was supplied, and horrid to relate, he gave a

*receipt for Rds. 1500 or Rds. 2000, written on the paper stained with the blood of the deceased, and then both rode away to their farm situated a few miles off. On Saturday morning two witnesses who inspected the body gave information at the Clerk of the Peace's office, and while enquiring into the matter who should appear but John Bailie himself, who said he had come to give information of the death of a farmer in self-defence. *** The Clerk of the Peace then applied for a warrant of committal for further examination on a charge of murder and robbery, and a warrant for the apprehension of Thomas Bailie on a charge of murder, both of which applications were granted.*

Bailie asked to be allowed the use of pen, ink, and paper, while in gaol, and the gaoler was desired to allow it. Bailie was then taken over to the gaol, apparently quite reconciled, and in fact said he only expected it. He was asked if he had any witnesses he wished examined for his defence; he said he had only his son Thomas. The Clerk of the Peace replied a warrant had been granted for his apprehension as a principal; Bailie replied he was sorry his son should be implicated in the case, as he was the cause of everything.

In publishing this statement, we deem it necessary to remind the reader that it is ex parte; that it indicates great excitement and exaggeration; that it bears the impress of incredibility; and that it is entirely opposed to everyone's ideas of the character, temper, and conduct of the accused. The details are, we believe, the substance of the depositions which have been made by the family connections of the unfortunate deceased, and we

repeat are too shocking, considering who are the parties accused, to obtain credence, without strong corroboratory evidence. We may also remark that the statement is totally at variance with a counter one which has reached our hands, not from the accused, but from an individual residing in the same neighbourhood, acquainted with him. This account is to the following effect:-

His (Bailie's) statement is very different from the evidence given. I now understand that Bailie and his son were sitting with Du Plooy – young Bailie left the house for a few moments when Du Plooy immediately sprang upon John Bailie and threw him down. It was then Bailie drew the pistol and fired. At the sound Thomas came in and, seeing his father down, immediately fired his gun at Du Plooy.

We give this extract purely to neutralize the deep and mischievous impression which the former statement is calculated to have upon all who may peruse it. We offer no comment upon the case - awaiting that full investigation which public justice demands should be made into the whole affair. May it operate as a salutary caution to those who feel a desire to remove beyond the pale of civil society; who prefer the "law of the desert" to the institutions of their own country; and who are so impatient of control as to voluntarily place themselves in circumstances, where they may be led to the commission of acts which may involve their personal safety, and embitter their future lives!

In September, following a spate of Eastern Province memorials, their sentences were commuted to life imprisonment with hard labour. They were transferred to the convict station at George. The case was a huge embarrassment for governors Maitland and Pottinger.

Sir Harry Smith granted them a free pardon the day he reached Grahamstown 17 December 1847.

Widow Du Plooy is alleged to have provided fresh evidence that they had indeed acted in self-defence.

In May 1848 John Bailie was appointed supervisor of the Natal Cotton Company Plantation on the Umhloti River. He was dismissed in January 1849. He then established himself as a general agent in Durban.

In 1852 he purchased and fitted out a small yacht, the Haidee. In June he set out on an exploratory voyage with a cargo of trade goods.

He entered the Umngazi River and satisfactorily bartered her cargo for gum.

A HERO'S DEATH

On the return voyage the Haidee encountered the Hector, a London Barque, in distress, leaking. Bailie and his crew boarded the Hector to assist at the pumps.

The Hector was foundering and was run ashore.

The Haidee with only Captain and one crew made for Durban.

The Hector's captain and most of the crew reached the shore safely. Bailie and five hands were trapped on the wreck and drowned.

Bailie's assets were inadequate to meet the expenses of the Haidee's voyage. His estate was declared insolvent.



The mouth of the Umngazi River
Photo: Dr. P Hutchison

He died intestate, and appears to have broken off all contact with his family by the time of his death. This strikes one as the most sad aspect of his being.

Mrs. Amelia Bailie died in Grahamstown in 1864.