

STACK
ANNEX

5

081

489

Handwritten signature

UNION OF SOUTH AFRICA.

D
0
0
0
0
1
5
1
4
2
3



UC SOUTHERN REGIONAL LIBRARY FACILITY

Judicial Commission of Inquiry into the
circumstances leading up to and attend-
ing upon the deaths of Senator General
the Honourable J. H. de la Rey and
Dr. G. Grace.

REPORT

OF THE COMMISSIONER

The Hon. Mr. Justice Gregorowski.

Price 6d.

CAPE TOWN :

CAPE TIMES LIMITED, GOVERNMENT PRINTERS.

1914.

[U. G. 48—14.]

Cost of Printing $\begin{matrix} \text{£} & \text{s.} & \text{d.} \\ 9 & 15 & 4 \end{matrix}$

B9.28789.800.19.14.
C.T.Ltd. -B1694

SALE OF GOVERNMENT PUBLICATIONS.

THE following Government Publications in addition to Blue Books and Papers, printed by order of Parliament, are obtainable at the Government Printing and Stationery Department, Basement of Parliament House (Room No. 14), P.O. Box 28, Cape Town. Cheques, Money Orders or Postal Notes should be made payable to the Superintendent of Printing and Stationery. Printed lists will be sent post free on application Post free in South Africa. Orders must be accompanied by remittance, which may be sent by Free Money Order, payable to "Revenue" and obtainable at any Post Office

C. J. FAWCETT,
Superintendent.

Goevernements Drukwerk en Schrijfbehoeften Kantoor,
Kaapstad, Kaap de Goede Hoop
Junie 1913.

VERKOOP VAN GOEVERNEMENTS PUBLICATIES.

DE volgende Goevernements Publicaties, behalve de Blauw Boeken en Papieren gedrukt op last van 't Parlement zijn te krijgen in het Goevernements Drukwerk en Schrijfbehoeften Kantoor, Benedenverdieping van 't Parlements Huis (Kamer No. 14), Post Bus 28, Kaapstad. Cheques, Geld Order of Post Noten moeten betaalbaar gemaakt worden aan de Superintendent van Drukwerk en Schrijfbehoeften. Gedrukte lijsten zullen postvrij worden gezonden op aanvraag. Post vrij in Zuid Afrika. Met Bestellingen moet het geld samengestuurd worden, hetgeen kan worden gezonden per vrije Geld Order, betaalbaar aan "Revenue" en te krijgen in enig Postkant.

C. J. FAWCETT,
Superintendent.

Acts of Parliament, Cape Province.		Price.			Price.
	Octavo.		Foolscap.		s. d.
	s. d.		s. d.		
1861	2 6	...	—	Rambles through the Archives, 1688-1700	2 6
1862	2 0	...	—	Resolutien (Dutch), 1652-1662, Bound	4 0
1863	2 0	...	—	Do. do. Stitched	3 0
1865	3 6	...	—	Riebeeck's Journal, Part 2 (1656-1658), Bound	4 6
1866-7	2 0	...	—	Do. Part 3 (1659-1662), Bound	5 0
1867	2 0	...	—	Do. do. do. Stitched	4 0
1868	2 0	...	—	Slachters Nek Papers, English	10 0
1879	—	...	1 6	Do do. Dutch	7 0
1880	—	...	1 6	Requesten (Memorials) 1715-1806, Vol. I A-E (Cloth)	6 6
1881	—	...	1 6	Do. do. (Paper)	5 6
1882	—	...	—	Do. do. Vol. II F-O (Cloth)	6 6
1883	2 6	...	1 6*	Do. do. (Paper)	5 0
1884	2 0	...	1 6*	Basutoland Records, Vol. 2, 1853-1861 (Cloth)	10 6
1885	2 0	...	1 6*	Do. Vol. 3, 1862-1868, (Paper)	1 6
1886	2 0	...	—	Bee-Keeping, South African, by H. L. Attridge. Dutch	1 6
1888	3 6	...	1 6*	British Bechuanaland Proclamations, Vol. 1, 1885-1893 (Ward)	10 6
1889	4 6	...	4 6*	Do. do. do. Vol. 2, 1893-1898 (Ward)	10 6
1890	3 6	...	1 6*	British Kaffraria, Laws of, 1869	5 6
1891	2 0	...	1 6*	Cape Colony for the Settler, by A. R. E. Burton	1 0
1892	3 0	...	1 6*	Cape Divisional Council, Report and Evidence of Commission on	7 6
1893	2 6	...	1 6*	Census Report, with Annexures, 1904	5 0
1894	2 6	...	—	Colonial Forces Act	2 0
1895	2 6	...	1 6*	Companies Act No. 25, 1892	1 6
1896	2 6	...	1 6*	Do. Do. Amendment Act No. 8, 1906	0 4
1897	2 6	...	1 6	Customs Union Tariff	5 0
1898	—	...	—	De Extraordinaria Criminibus, 1893	1 0
1900	2 6	...	—	Divisional Councils Acts of Parliament relating to	3 6
1902	1 3	...	—	Do. Do. Do. (Dutch)	3 6
1903	1 3	...	—	Delimitation Commission, Report of the, 1913, English or Dutch	1 0
1904	3 6	...	—	Education Commission, Report of, Vol. 1, 1891	3 10
1905	3 6	...	—	Do. do. Vol. 2, 1892	3 10
1906	3 6	...	—	Do. do. Vol. 3, 1892	3 10
1907	2 6	...	—		
1908	3 6	...	—		
1909	3 6	...	—		

* Also obtainable in Dutch, at 1/6 each.

1910-11 Union Acts of Parliament Bound Vols.	15 0
Post Free	16 2
Union Acts of Parliament, 1912, Bound,	7 6
" " 1913 "	7 6

Separate Acts for recent years are also obtainable.

Abstract of Debates of Council of Policy at the Cape, Price. 1651-1687 (Theal) ... 2 6

ARCHIVES OF THE CAPE OF GOOD HOPE (Leibbrandt):

Defence of W. A. v. d. Stel, 1897, Bound	4 0
Do. do. do. Stitched	3 9
Journal, 1662-1670, Bound	5 6
Do. do. do. Stitched	4 6
Do. 1671-1676, Bound	5 6
Do. do. do. Stitched	4 6
Letters Received, Vol. 1, 1649-1662, Bound	4 6
Do. do. do. Stitched	3 0
Do. Vol. 2, 1649-1662, Bound	9 6
Do. do. do. Stitched	7 6
Do. do. 1695-1708, Bound	4 0
Letters Despatched, Vol. 1, 1652-1682, Bound	5 0
Do. do. do. Stitched	4 0
Do. Vol. 2, do. Bound	5 0
Do. do. do. Stitched	4 6
Do. Vol. 3, do. Bound	8 6
Do. do. do. Stitched	7 6
Do. do. 1696-1708 Bound	4 6
Do. do. do. Stitched	3 6

EDUCATION PAMPHLETS:

1. Elementary School Course	1913	0 3
2. Training and Examination of Teachers	1913	0 4
3. School Buildings	1907	0 6
4. Instructions regarding Attendance, Registration and Inspection	1909	0 3
7. Examination Papers, 1901, 1902, 1903, 1904, 1908, 1909, 1910, 1911 and 1912	each	0 6
9. Good Service Allowance and Pensions		
10. Manual Training for Girls (Needlework)	1911	0 9
13. Grants to Schools		
15. Kindergarten	1905	0 2
16. Pupils' Examinations	1913	0 6
17. Education Office Library Catalogue	1902	0 6
18. School Libraries		
20. School Board Act and Regulations (English) 1912		0 9
Do. do. do. (Dutch) 1912		0 9
The School Board Amendment Act No. 45	1908	0 6
The School Board Amendment Act No. 25	1909	0 4
Fencing Acts, English and Dutch		0 6
Field-Cornet's Manual, 1904 (English)		2 0
Do. do. (Dutch)		5 3
First Aid to the Injured, Armstrong, 1895		1 0

UNION OF SOUTH AFRICA.

Judicial Commission of Inquiry into the
circumstances leading up to and attend-
ing upon the deaths of Senator General
the Honourable J. H. de la Rey and
Dr. G. Grace.

REPORT

OF THE COMMISSIONER

The Hon. Mr. Justice Gregorowski.

CAPE TOWN :
CAPE TIMES LIMITED, GOVERNMENT PRINTERS.
1914.

[U. G. 48—'14.]

B9/28789,800,10.14.
C.T.Ltd.—B1694.

11

UNION OF SOUTH AFRICA.

Judicial Commission of Enquiry into the circumstances leading up to and attending upon the deaths of Senator General the Honourable De la Rey and Dr. G. Grace.

REPORT OF COMMISSIONER.

THE HON. MR. JUSTICE GREGOROWSKI.

The hearing of evidence in this commission occupied seven days and more than 70 witnesses were examined.

It was the presence on the Witwatersrand of a gang of criminals of a desperate character which led to the shooting of Dr. Grace and General de la Rey, on the evening of September 15th last. The gang was known as the Foster gang from the name of its ringleader and two other prominent members were Maxim and Mesar. This gang had committed a series of murders and burglaries culminating in the shooting on the afternoon of Tuesday, the 15th September last of detective Mynott at about a quarter past five near a house in Regent's Park, a southern suburb of Johannesburg. The murderers escaped in a motor car and in their anxiety to apprehend the murderers, the police placed armed pickets along all the main roads leading from and into Johannesburg to intercept this motor car if possible and to carry out this purpose the order was given by the superior officers to the men to stop all motor cars. Dr. Grace was travelling with his wife in a motor car from Johannesburg to his home at Springs and was shot by the police at about 7 o'clock on the evening of the 15th September, close to Germiston on the Main Reef Road just beyond the spot where the Geldenhuys Road and the Malvern Road coming from Johannesburg join into a single road going to Germiston. This shooting occurred within the municipal limits of Germiston and in an area under the control of Major Kirkpatrick in charge of the Police District No. 38. On the same evening at about a quarter past nine, General de la Rey was shot while travelling in a motor car with General Beyers in the village of Langlaagte by an armed picket. This village falls within the Municipality of Johannesburg and within the Johannesburg Police District under the control of Major Douglas.

The police who fired the shots which killed Dr. Grace and General de la Rey were engaged in the discharge of the duties entrusted to them on that night to intercept motor cars and to endeavour in this way to seize the motor car in which the Foster gang were escaping.

Foster, the ringleader of this gang, was a desperate character and was aged 25. He had been sentenced on the 24th May, 1913, at the Criminal Sessions in Cape Town to 12 years' imprisonment with hard labour for a particularly bold and daring jewellery robbery. At that time there were seven previous convictions against him. On the 27th February, 1914, he escaped from the Central Prison at Pretoria and had since evaded recapture by the police. Maxim who was associated with him in the crimes to which I will proceed to refer, had also previous convictions against him, had come to South Africa from America and had the reputation of being a particularly dangerous marksman and was aged about 35. Mesar, the third associate in this gang, had also been previously sentenced and was a young man of 23.

On the 27th April, 1914, the Post Office at Roodepoort was broken into and the safe dynamited. In this safe were kept the keys of the Standard Bank Branch at Roodepoort. These keys were removed by the burglars and were subsequently recovered on the 17th September, 1914, in the cave at Kensington in which Foster, Maxim and Mesar shot themselves, when they were surrounded and

[U.G. 48-'14.]

could no longer hope to escape falling into the hands of the police. There is no doubt that these men were engaged in this crime.

On the 17th July there was an attempt to break into the National Bank at Boksburg North. A clerk of the Bank who lived on the Bank premises, returned to his room at about 11.30 p.m. and was assaulted by a man near his room but managed to escape and ran for assistance to the hotel close by. He got assistance and returned to the Bank when three men opened fire on the party, killing a gentleman named Charleson and wounding two other gentlemen. The criminals escaped on two motor bicycles. It clearly appears that the Foster gang were the perpetrators of these crimes. The parties concerned in the crime wore rubber shoes with rubber soles of a peculiar criss-cross pattern, and similar shoes were subsequently found in Foster's house at Regent's Park. They used peculiar cartridges of which the empty shells were found on the scene of the crimes. These cartridges were not in ordinary use and are known as K.K. cartridges manufactured in Germany and had been purchased on the 11th July, 1914, and were ordered through Messrs. Perrins and Co., gunsmiths of Johannesburg, who had to get them from another gunsmith. No similar cartridges had been sold in Johannesburg for over a year. These cartridges were used with the Mauser pistol. Two of these pistols were found with the Foster gang in the cave. Further, a jemmy wrapped in a piece of blanket was dropped by the burglars at the Bank and the blanket from which the fragment had been torn was subsequently found in the motor car used by the gang and abandoned by them on the night of the 15th September, 1914, near the New Primrose Cemetery.

Immediately after this murder, attempted murder and burglary at Boksburg North, warrants were issued for the arrest of the Foster gang and the Government offered a reward of £500 for any information leading to the arrest of Foster, Maxim and Mesar, and though every effort was made, these criminals remained at large.

On the 26th July the Post Office at Vrededorp was broken into and the safe dynamited in the same way as at Roodepoort. There were the same rubber shoe impressions and there were other indications that this crime must also have been committed by the Foster gang.

On the night of the 12th September, 1914, a native on the premises of the Kimberley Bottle Store at Bertrams heard the bell ringing and looking out of the window he saw three men near the entrance of the bottle store, and two more men coming towards them. He went and called Constable Langsberg and the three men were still there when Constable Langsberg came on the scene. Langsberg went up to them, and while speaking to them one of the men felled him to the ground by a blow from behind on the back of his head with a crowbar. The criminals escaped. The native subsequently on being shown the corpses of Foster, Maxim and Mesar identified them as the three men he had seen and he pointed out Foster as the one who had struck down Langsberg.

The criminals appear to have gone from the Kimberley Bottle Store, where they were disturbed, to the Imperial Bottle Store at the corner of Op de Bergen Street and Eleanor Street, Fairview, where they were seen by Sergeant McLeod at about 4.30 a.m. in the early morning of the 13th September. This place is about a mile and a half from the Kimberley Bottle Store. Sergeant McLeod, seeing a man sitting near this bottle store went up to him and spoke to him, and not being satisfied with the account he gave of himself, he sent Constable Swanepoel up to him to see if he would give the same replies as he had given to him. As Swanepoel approached the man, the man gave a whistle and Swanepoel saw that he had tools concealed in a bag under his coat, so he arrested him on suspicion. McLeod came up and they handcuffed the man. On searching him a revolver with ammunition was found on him, which Swanepoel took away. As the prisoner was being taken past the bottle store he flung himself on the ground shouting "Help, Help!" A man appeared round the corner of the bottlestore and came up to McLeod and Swanepoel and opened fire on them. Sergeant McLeod received a fatal wound and collapsed. Swanepoel was also hit but had a miraculous escape. The bullet struck his whistle chain severing the hook and was diverted through his tunic. Swanepoel now fired four shots out of the revolver he had taken from the prisoner without doing any execution. He then ran away to get assistance. When he returned with assistance, Sergeant McLeod was found to have already expired, and on going to the bottle store Sergeant Mansfield was found lying dead at the back door pierced by two bullets. On examining the store it appeared that the safe had been blown up with dynamite and the blood stains on the floor showed that Sergeant Mansfield had been wounded in the store prior to receiving a second wound outside in the street.

In the store was found a glove, the fellow of which the police recovered in the cave where the gang committed suicide: about the premises were the same india-rubber shoe prints which had been observed at the series of other crimes mentioned. Several empty shells of K.K. cartridges were picked up, two in the bottle store and some others in the street where Sergeant McLeod was shot. Swanepoel on the 19th September, on being shown the corpse of Maxim, identified him as the man whom he had arrested in the morning of the 13th September.

The police now strained every nerve to discover these desperadoes. Photographs of the gang were published and spread through the press and by circulars. Expeditions of armed men were sent out to scour the country in various directions, but no result was achieved.

On the morning of the 15th September information was brought to the police that persons resembling the Foster gang were living in a house in Regent's Park. Not much reliance was placed on the information, but Detective Mynott was sent to make enquiries, and he was instructed that if the gang was located he was to send for reinforcements so that the criminals could be surrounded. Mynott took with him Detective Layde and plain clothes Constable Murphy. If the gang were located in the house Detective Layde and plain clothes Constable Murphy were to be left to watch the house while Mynott went to get reinforcements. Mynott and Layde as detectives, were each armed with the usual service revolver, and Layde had a small Browning pistol. It turned out that the information received was trustworthy and correct, and that it was the gang that occupied the house at Regent's Park, but unfortunately Detective Mynott, who is described as a brave and fearless man, did not carry out the instructions given him. He thought that he and his companions were quite able to tackle the criminals, and he insisted on taking what he called "potluck." The three officers went to the house, Mynott and Murphy went round the house together and Layde was placed at the back of the house. The gang were either in the house or very close to it, and Mrs. Foster, the wife of the leader of the gang, was with them. When Mynott and Murphy got to the east side of the house, they saw a motor car which had been concealed behind a canvas screen from the street view. Two men were standing alongside the car and a woman and a baby sitting in the car. Mynott boldly went up to one of the men, presented his revolver, and said, "Hands up Foster." Foster was at this time bending down and groping with his hands for something in the car; Mesar was standing alongside of Foster, and it is supposed that Maxim was under the car making some repairs. Foster did not put up his hands and Murphy shouted to Mynott to fire, but Mynott hesitated, and quick as lightning Foster turned on Mynott and putting a pistol against his body, shot him dead. Murphy and Foster now exchanged shots and after Murphy had emptied his round of ammunition, he jumped over the fence of the yard to take shelter. Foster calmly proceeded to remove Mynott's revolver from his prostrate body, and having done this the three men backed the car out of the yard into the street and made off in an easterly direction. Several civilians living in the neighbourhood were looking on and saw what was happening, and reported that the criminals escaped in a black, four-seated motor, supposed to be a Buick (it turned out to be an Overland) in an easterly direction towards Heidelberg. All this happened on the Tuesday afternoon at between 5 and 5.15 p.m.

The news that Detective Mynott had been shot and that the criminals had got away in a black four-seated motor, armed with rifles and revolvers was dispatched to the different police stations and naturally caused great excitement and inspired a feverish desire among all ranks in the police to arrest the criminals before further murders and crimes were committed. Prompt measures were necessary, there was no time for consultation. All available men along the Witwatersrand were turned out. Parties were sent to scour the country.

Instructions were given by the officers in command that the men were to go out with rifles, and experience had shown that this was necessary, and after the numerous murders of police officers which had already been committed by this gang no one can quarrel with such a precaution. Orders were also given that armed pickets should be placed on all the roads leading from and into Johannesburg and along the Reef, with the view to intercepting and examining all motor cars.

The evidence shows that there was no time to give elaborate and detailed instructions. The officers in charge of Johannesburg and the East Rand districts had themselves to hurry out in the directions in which it was most likely that the gang would be found. No instructions were given to the men as to when they were to shoot and when not to shoot. This was left to the discretion of the men themselves.

There was also no opportunity of communicating with the police authorities in Pretoria and to take instructions there, and as a fact, no instructions were given from Pretoria, so that no responsibility attaches to Pretoria in connection with the tragic events which subsequently transpired. Whatever blame there may be, if any, rests upon the police authorities of the Witwatersrand.

It may be mentioned that the only instructions emanating from Pretoria were given on the 13th September (two days previously), when after the murders of Sergeants Mansfield and McLeod and the attempted murder of Swanepoel, the police authorities at Pretoria gave instructions that the foot constables on night duty in the Witwatersrand were to be armed with revolvers and ammunition. This was a very proper step to take considering the peril to which the foot police were exposed at the hands of such desperadoes as the Foster gang.

The instructions which were given over the telephone to the outlying police stations appear from the copies which were handed in to the Commission, extracted from the telephone books of the receiving stations. In these instructions there is no mention made of firing or of not firing. According to the evidence the officers in command and who sent out the men gave no verbal instructions that motor cars which did not stop were to be fired on. It did not occur to these officers that there would be any danger of innocent persons being fired upon. It was assumed that all law-abiding citizens would obey the police signals and that the only car likely to deliberately refuse to stop would be the car with the criminals who were the object of the search. That the order to arm the police was legitimate appears from the information which was furnished to the police that the gang were armed with rifles and revolvers, from the murders which had already been perpetrated, and that it was justified was proved by the weapons found in possession of the gang when they later exterminated themselves in the Kensington cave.

In one telephone message (Ext. "Rb" received at 7 p.m. at Norwood Station) there are the words "If they refuse to stop (to be) fired on." This message was sent by Sergeant Briscoe from Hospital Hill in answer to an enquiry by Constable Clay from Norwood Station as to what he was to do if cars did not stop. Sergeant Briscoe says he sent this message entirely on his own. It was his interpretation of what ought to be done if the contingency of a car refusing to stop arose. The message was not acted upon at Norwood as no shooting took place there.

The whole of the evidence shows that no instructions were given to fire on cars which did not stop, and there is nothing to show that this was intended, so that the responsibility of firing on cars which did not stop when challenged rests entirely on the men who actually fired. Under these circumstances no blame whatever attaches to the superior officers of the police in the Witwatersrand area. It is perfectly true that both Major Douglas and Major Kirkpatrick stated that they accepted full responsibility for what their men had done, but this merely amounted to an expression of their opinion that the men who had fired had done so quite properly and were fully justified under all the circumstances.

It is perfectly clear that a policeman is not entitled to fire on a car simply because it refuses to stop when challenged. The refusal to stop constitutes a contravention of the municipal bye-laws and subjects the offender to a prosecution for such a contravention. The municipal bye-laws under which the police were empowered to stop and regulate traffic were put in.

The standing orders of the S.A. Police (Ex. X., p. 110) state under what circumstances a policeman may resort to fire-arms. Section 41 of the Criminal Procedure Code (Ord. 1—1903) is the authority for a police officer firing upon a criminal or supposed criminal, and it applies when the police officer is required to arrest a person who has committed or is on reasonable grounds suspected of having committed certain specified serious crimes (in which murder is included) and when there is no other way of effecting the arrest. This provision is indeed merely a statement of what has always been regarded as the Common Law.

(A.) *As regards the shooting of Dr. Grace.*

Dr. Grace was shot in the Germiston municipal area at about 5 minutes to 7 on the evening of the 15th September last. The exact locality is a few yards east of the junction of the Geldenhuys and the Malvern Roads on the Main Reef Road.

Dr. Grace lived at Springs and came to Johannesburg in a Sunbeam motor car of a dark colour. Mrs. Grace accompanied him. On his return journey he left the Carlton Hotel about 6.20 p.m. and drove round to Park Station and from

there proceeded East *via* Jeppe's Subway along the Geldenhuis Road. Opposite Cleveland Station two constables, Izaak Johannes Bouwer and Charles Bernard Cowie were stationed with instructions to hold up cars.

The evidence as to what occurred at this spot appears in the declaration of the two constables and of Mrs. Grace. Bouwer wore the usual blue uniform of a foot policeman, Cowie was in plain clothes. Both were armed with rifles. Bouwer says, "Our instructions were to stop all motor cars which came past . . . but not to shoot." They stopped several cars. All cars stopped when called upon except the last (Dr. Grace's). At this time the weather was fine. "To stop the car," he says, "I went into the middle of the road, put up my hand and shouted three times 'stop.' We had to get out of the way or else the car would have run over us." Constable Cowie corroborates this evidence and says that shortly after the car passed them he heard shots and these must have been the shots fired at the next picket.

A few hundred yards further, at the Geldenhuis crossing the car was stopped by the gate keeper, Michiel Andries Kruger, on instructions from Cleveland Police Station to stop a black motor car with three men and a woman in it. Seeing the motor car approaching Kruger let down the boom although there was no train in sight. Dr. Grace got out of the car, the gate keeper recognised him and said, "I am sorry, doctor, I thought it was somebody else." The doctor replied, "I know all about it." The gatekeeper raised the booms and the doctor passed through.

Mrs. Grace in her evidence said with reference to the picket opposite Cleveland Station: "As we approached them the constable seemed to speak out loudly but I did not think it was to us. He made no movement that I saw, to signify that he wanted us." She said to her husband: "Did that man want to speak to you." The doctor replied: "No, he gave me right." I said, "Did he want to stop us." When the motor car was stopped shortly afterwards at the booms of the Geldenhuis crossing, Mrs. Grace says she was surprised at the booms being pulled down as the car approached when there was no train in sight and she repeated to the doctor: "I believe that man did want you to stop." He replied: "Nonsense, when they want you to stop there is no doubt about it. They stand so and lift up their arms so (*i.e.*, stretch out both arms horizontally) in the middle of the road." There was further talk between them about police holding up cars during the strike. After the doctor had returned from talking to the gatekeeper she says he said, "he (the gatekeeper) does not know why he has been told to put down the boom but he has been told to put them down, but I told him I was in a hurry and he said, 'Yes, I can let you through.'" There is an extraordinary difference in the evidence of Kruger and of Mrs. Grace as to the conversation the gatekeeper had with the doctor. But the probability is that there was a mis-understanding and that Dr. Grace could not have known of the death of Mynott, the escape of the murderers and that this was the cause of the holding up of the motor cars.

After the Geldenhuis crossing Dr. Grace's car came to the junction of the roads where Constables Eager and Struwig were stationed, opposite a large lamp at the intersection of the roads. Both these men wore the uniform of the mounted police, khaki tunic and cap, riding-breeches and gaiters and were armed in addition to their usual revolvers with rifles. The instructions to these men were "to pay particular attention to a big black motor, four-seater, with three occupants, two men and a woman, supposed to be Foster disguised." These instructions were in accordance with the first information on the telephone that the Germiston police had received, namely, that the occupants of the car were two men and a woman supposed to be a man in woman's clothes. Later the information was corrected to the effect that the occupants of the car were three men and Mrs. Foster, but when this information came, Eager and Struwig had already left to take up their positions on the road. No instructions were given to them as regards shooting. A diagram put in (Exh. P.) shows the position taken up by the police, and the movements of the car at its approach and after the shooting. The men stood nine yards from the lamp at the intersection of the roads and thus in a bright light. About a dozen cars passed either way before Dr. Grace's car appeared on the scene and in all cases the police had no difficulty in getting the cars to stop. Then came Dr. Grace's car travelling East along the Geldenhuis Road towards Germiston. Both men were in the middle of the road which is about 40 feet wide. Eager stood at the North side facing Johannesburg and Struwig was to his left more to the South. As the car came on Eager put up his left hand, holding his rifle in his right hand, and shouted "Halt" and kept on shouting "Halt." The evidence is that at this time the weather was quite calm although it must be pointed out that the road at this point is particularly dusty. Mr. Alexander's

evidence is very reliable on this point. He came up just after the shooting and says that the storm only commenced after he got to the New Primrose Hospital. The driver of the car paid no attention to the challenge, he blew his hooter and Eager had to jump out of the way to avoid the car passing over him. The car was a dark car and had four head lights, two large bright electric lights and two smaller ones, and the driver of the car must have seen the police. Eager says that as the car passed him no attempt was made to stop, on the contrary the car seemed to increase its speed. He then saw that the occupants of the front seats were a man and a woman or a person dressed as a woman. He saw no one occupying the back seat, but he thought that a man might be concealed between the seats. He noticed that as the car passed him the driver lowered himself over the wheel, and he says he shouted, "If you don't stop I shall fire." He and Struwig then ran after the car about 16 yards before they fired. Constable Struwig supports the evidence of Eager and he says he challenged in the same way. There were four civilians standing 25 yards from the police watching the process of the police pulling up the cars. They stood on the North side just off the road, and they corroborate the evidence on all material points. There was another man called Benjamin Troski, he was about 500 feet away from the road across the plantation and he heard the police shout "halt." After running 16 yards after the car and the car not pulling up or slowing down, the police keeping their relative positions as before, fired. Struwig who was on the south or right hand side fired first. He says he fired low his object being to damage the machinery of the car. Eager to his left fired almost simultaneously, then Struwig fired again. Eager says he also fired low. When the first two shots were fired the car was about 70 yards away. Struwig says he fired the third shot direct to the back of the car on the side the driver was sitting. Even before this shot the car had begun to swerve towards the right, it continued swerving and then came to a standstill on the right side of the road, after passing over a low embankment and making a curve as represented in diagram (Exh. P.).

One bullet penetrated the middle of the back of the car and must have passed between the occupants of the car and is probably the bullet which slightly wounded Mrs. Grace at the elbow. When this shot was fired the car had probably not yet begun to swerve to the right as the course of the bullet appears to have been straight through the car. It is probably the third shot which hit Dr. Grace and then the car was already swerving to the right. This shot must have been fired by a person standing to the right of the car, so as to be able to shoot past the hood. Dr. Grace was hit on the right shoulder above the arm-pit and the bullet issued at the lower end of the left side of the neck. The back of the front seat of the car is high and protects the part of the body where the bullet struck, but the probability is that the doctor turned round and bent over before receiving the shot.

When the car came to a standstill, the police did not go straight up to it but went to the opposite (the North) side of the road about 66 feet away and called upon the occupants to leave the car. Mrs. Grace was then calling for help saying her husband had been shot and she says the police shouted: "Let the other man come out of the car." The police say they were afraid to go up to the car, but after Mrs. Grace called more than once they recognised a woman's voice and reassured, they went up to the car.

Mrs. Grace's evidence does not harmonise altogether with that of the police and with that of the bystanders. She admits that the car was called upon to halt. She says she only saw one policeman standing on the left side of the road; the man in khaki said something like "stop" and a lot of things about "I will fire". . . . my husband said "right" and he did whatever they do to stop, and immediately his head went so (downwards) and shot, shot, shot came" according to her version the car was ten yards off when the shot was fired which hit her husband. This would be quite consistent with the track of the bullet through the body, but does not harmonise with the other evidence, and the probability is that the car would have stopped much sooner than it did if the fatal wound had been given 10 yards from the position the police were in. After the doctor was hit the car slowed down and came to a standstill of itself. After the accident there were no brakes on, and the car was found in top gear. It was being driven by the pressure of the foot of the deceased on the accelerator, and when the pressure of the foot was removed from the accelerator the car going up a fairly steep incline and over uneven surfaces came to a standstill. At the inspection *in loco* the car was tested by being driven on the accelerator and the driver removed his foot at the distance at which the police said they fired at the car, with the

result that the car came to a standstill at the same spot at which it stopped after the accident. Mr. Chalkley, manager of the Knight's Deep, examined the car immediately after the accident, and he says that the car was in top gear and no brakes had been put on, and that if the car were driven by the accelerator and if the pressure of the foot were removed the car would come to a standstill on going over any unevenness. In any case the bystanders who gave evidence and were purposely watching what the police were doing can hardly be mistaken. Mr. Hammand said that the car was between 70 and 100 yards away when the police fired.

I have already said that as Struwig and Eager had not received any orders to fire on cars which did not respond to their challenge the responsibility for firing the shots rests with them, and in no way extends to their superior officers.

Both Eager and Struwig say that when they fired they thought they had to do with the Foster gang. The description of the car given as that of the Foster gang coincided with Dr. Grace's car. It was a dark four-seater. The occupants of the car also corresponded with the description. They only saw a man and a person in a woman's attire, but they say they thought that the third man was concealed between the seats. They say they were much influenced by the fact that the driver deliberately refused to stop and he was the only driver out of a dozen who had refused to stop. Then the driver as he passed and also the woman bent their heads forward, as if wanting to hide their faces. That they thought they had to do with the Foster gang would also appear from their conduct after the car came to a standstill. They were afraid to go up to the car, but challenged the occupants to come out from across the road and the evidence of Mrs. Grace that they said "let the third man come out" is also significant.

Then there is the curious circumstance that almost at the same time that Dr. Grace was shot, the Foster gang in their car were on this road in the immediate neighbourhood, and must have turned off from the Main Reef Road just before coming to the spot where Eager and Struwig were stationed. Kruger, the gate-keeper at the Geldenhuis crossing, says that 15 minutes after Dr. Grace's car went through the crossing, a car drove up in which he saw a man and a woman occupying the front seat, and something huddled up in the back seat. He let down the booms and went to his cabin and telephoned to the Cleveland Station, and got the reply that he could let the car through, as it was not the car wanted. How such a message was sent is not explained. But he says just as he received this message he turned round and saw the driver of the car standing in the door of his cabin. The man said he must be let through whether there was a train coming or not, and he held his hand to a pistol, the barrel of which was projecting out of his pocket. A little later says Kruger, a number of detectives came along and showed him Foster's photograph, and he recognised him as the man he had just let through the booms. This car must have turned off to the north along a track away from the Main Road.

Under these circumstances it seems to me the police have made out a case justifying the shooting under the terms of Section 41 of the Criminal Procedure Code. Murders of the most shocking nature had been perpetrated, warrants were out against the criminals, and the police were required to arrest them. The police had information that these criminals were escaping in a motor car of a particular description. They did all they could to stop a motor car answering to the description, and they believed on reasonable grounds that the car contained the murderers, and under these circumstances, I think, they are protected in what they did.

(B.) The Shooting of Senator General the Honourable J. H. de la Rey.

General de la Rey left Pretoria in the evening of the 15th September last at about 7 o'clock in company with General Beyers. They were travelling in the motor car of General Beyers. The car was driven by one Wagner, a servant in the employ of the latter. They were travelling to Potchefstroom and Lichtenburg via Johannesburg and Krugersdorp.

The Pretoria-Johannesburg road like the other main roads leading into Johannesburg was picketed by police, with instructions to hold up all cars and to look out for the Foster gang. There was a picket placed just north of the Orange Grove Hotel in the immediate proximity of the tramshed. The men comprising this picket were Corporal Smith and Constable Clay. Both wore the usual blue uniform and were armed with rifles. They went on duty at 8 p.m., and up to 8.45 p.m. they had stopped about 7 motor cars. These cars readily pulled up when they saw the police signal. The place where the police took up their position was well illuminated with street lamps, and there was also light shed on

the road from the tramway shelter. About 8.45 p.m., the car driven by Wagner and containing Generals de la Rey and Beyers, came up to where the picket was. The car had head lights, two large electric lights and two smaller ones.

The evidence of the police is that as the car approached Corporal Smith stepped into the centre of the road, held up his hand and called on the car to stop. The car slightly slackened speed as it approached him, but then came on as before. He shouted again and stood challenging the car until it was within 5 yards of him, then he stepped aside and again shouted "halt."

Corporal Smith says that as the car swept past him, he saw that the driver wore a chauffeur's cap and a grey overall, and that there were two gentlemen in the back of the car, but he could recognise neither of them, and he heard a voice call out in English, "No, go on." He saw that the car was grey-coloured and that it put on speed as it passed him.

Constable Clay corroborated this evidence, and he said that when the car passed him he heard two distinct voices say in English, "No, go on." This was all he heard. He says he saw that the colour of the car was grey, and that it did not tally with the description of the Foster car. He says that his instructions were that if he saw three men in a black car and they refused to stop and he recognised them as the Foster gang he was to fire. The witness here probably referred to the telephone message he had received from Sergeant Briscoe.

There were several men standing close to the police watching the pulling up of the cars and one of them, Henry Schneider, says he heard the words, "No, go on." Another, a Mr. Andrews, says he was close to Constable Clay and heard two voices say, "No, go on."

Wagner, the chauffeur, does not deny that the police called on him to stop, but he says he got the impression that he could go on. He says he heard General Beyers say to General de la Rey, "Oom Koos zal ons stop," to which General de la Rey replied, "Nie laat ons aangaan." He also says that General Beyers did not tell him to stop, nor did he ask General Beyers whether he was to stop, but he would not stop unless General Beyers told him to stop.

General Beyers says that at Orange Grove he saw the two policemen standing in the way: one held up his left hand, but as the car neared them they gave way, and as the car passed the policemen he bent forward to speak to General de la Rey, who bent towards him to listen, and he said to General de la Rey, "Oom Koos, zal ons stop," and General de la Rey replied, "Nie, laat ons aangaan." I gather from this that General Beyers was aware that the police wanted him to stop.

I think there can be no doubt that the police at Orange Grove did their best to stop the car, but that the car went on in spite of their challenge. The police did not interfere further, as they saw that the colour of the car was grey, and the dress of the chauffeur also tended to avert all suspicion.

The evidence of the chauffeur is that after Orange Grove the car turned up Kloof Road past Killarny on to Parktown, and then pursued its way through the Vrededorp subway and Fordsburg to the Main Road on to Uanelaagte. This would be a short cut for a car going from Pretoria to the West Rand, and there is absolutely no foundation for the suggestion that a circuitous and out-of-the-way route was purposely taken by General Beyers in order to avoid the police or for any other purpose.

At the Vrededorp subway there was another picket of two policemen with the same instructions to stop motor cars and to look for the car of the Foster gang. Constables van Rooyen and Peens, both in blue uniform, blue helmet and armed with rifles, were stationed there, van Rooyen on the north side of the subway, and Peens on the south side. The evidence is that they challenged 7 or 8 motor cars which responded to the challenge, and then shortly before nine o'clock General Beyers' car came along from Vrededorp to Fordsburg and refused to stop. Van Rooyen says that he challenged the car and when it came near him one of the occupants of the car shouted "pas op voor," and he had to jump out of the way and the car nearly ran over him. Van Rooyen saw the car the same evening at the Fordsburg charge office after the tragedy and recognised it. Johannes Izaak Peens states that he also challenged the car without result, and he says that when the car refused to stop for Van Rooyen, Van Rooyen shouted to him to stop the car. Both van Rooyen and Peens say that their instructions were not to fire unless they were certain that the car contained the Foster gang.

Wagner says he saw the armed policemen at the subway, but that he did not shout nor did he hear anyone from the car shout, "Pas op voor." The policemen may have shouted to him to stop, but he did not hear.

General Beyers says that in going through the Vrededorp subway he saw one or two policemen, whom he took to be regulating the traffic there; he saw one

of the policemen holding up his hand, but no remarks were made. He will not say that they did not shout but he did not hear them shout.

Here also, I think the car deliberately ignored the police and their signals, and there is no reason to discard van Rooyen's evidence that there was a call from the car "Pas op voor."

The car was next challenged by a picket placed at the corner of Park Drive and Main Road, Fordsburg. The corner is well lighted up. The constables on duty here were Stephanus Jacobus de Wet and Martinius Johannes Lange, both in blue uniform and blue helmets, armed with rifles. The car came up to these police at about 5 minutes past nine. The police say they stood in the middle of the road and held up their hands and shouted "Halt." The corner the car had to pass is a sharp corner, the streets are both narrow, and there is a catch-water drain between Park Drive and Main Road. De Wet says that the car slowed down on getting to the drain, but immediately put on speed again and that the chauffeur must have seen him as he looked at him and swerved the car round him. De Wet immediately after the car passed, ran to Fordsburg charge office and reported that a car had refused to pull up on signal and had gone along the Main Road towards Langlaagte.

The chauffeur says that he saw the police at the corner of Park Drive and Main Road, but he did not notice if they held up their hands, he, however, is not prepared to swear that they did not hold up their hands. General Beyers says he saw the police at this corner, but took it that the police had allowed the car to go on. There does not appear to have been anything to warrant this conclusion. The bye-law of the Municipality of Johannesburg giving the police control of the traffic and the right to stop cars is quite clear, and I think it was very reprehensible on the part of the chauffeur and the owner of the car not to have obeyed the signals to stop made by the police. The police have very onerous and dangerous duties to perform in safeguarding the public by stopping traffic, and they have a right to expect this to be recognized and their unpleasant duties made as easy as possible.

The car now went on by the Main Road to the village of Langlaagte. In the village the Main Road is called de Ville Street, and a picket was placed at the corner of de Ville Street and du Toit Streets near a bright acetylene lamp. The constables on duty there were constables Charles Drury and Charles Ives, who both wore the uniform of the mounted police, namely, khaki tunic, breeches and gaiters, and were armed with rifles. Drury had a bayonet attached to his rifle, Ives had no bayonet.

Drury in his evidence said that he had instructions to stop all cars and examine them for the bandits Foster and Maxim. He took up his position at 9.5 p.m., about ten minutes later he saw a car coming 400 or 500 yards away. It carried headlights, he went to meet the car, leaving Constable Ives under the lamp at the corner of du Toit and de Ville Streets. He advanced about 20 paces and stood in the middle of the road, and challenged the car when it was 70 or 80 yards away, by holding up his hand and shouting "halt: police" twice. No attempt was made to slow down the car. He challenged again in the same way when the car was 30 yards off, and the challenge was repeated when the car was 12 yards off. When the car was 12 yards away, Drury says he shouted to the driver "Pull up, I am going to stop you." The car came straight on and "turned him off and knocked him off" the road and struck his bayonet somewhere in the neighbourhood of the radiator, and the left mudguard struck his hand. No attempt was made by the driver to stop the car. Ives was 30 yards off and Drury called to Ives to stop the car. He says when the car passed him he could not see how many occupants were in the car or the colour of the car. The car was going too quick and he had been turned round by his bayonet's impact with the car. He saw the car pass Ives and he saw Ives challenge it, and as the car went right on without stopping he fired. He says, "my intention was to burst the tyre. I aimed at the right-hand wheel, that was the only shot I fired. The bullet struck the ground, fire flew up; the car did not stop; it kept on going." The car was 42 yards from him when he fired. It appears that the car went on about 200 yards after the shot was fired, and then it came back to where the picket was. Drury went to meet it and said, "Halt, are you going to stop this time?" The car immediately stopped and the sad report was made that General de la Rey had been shot.

Drury said that that evening he examined the ground and saw the groove made by the bullet in the road. His instructions were not to fire until he was sure that it was the Foster gang. In his own mind he had to be satisfied that the people he was firing on were none other than the Foster gang. He only heard of

Dr. Grace's death at half past nine or later. The telephone book shows that the message reached Langlaagte Police Station at 9.15 p.m. from the Fordsburg office instructing the men not to fire, but there was no time to convey this news to the picket before General de la Rey had been shot. He also says that when he fired he thought the Foster gang were passing him.

Constable Ives says that the shot was fired after the car had passed him about 10 yards and that as the car flashed past him he could not see how many persons were in it.

A number of persons who were in the street looking on were called and also persons who lived near the street, and they certify to having heard the challenging. The witnesses in the street also speak to the distance at which the shot was fired, and to the bullet striking the ground at the back of the car.

Dr. Girdwood and Dr. Visser held the post-mortem on the body of the late General de la Rey on the 16th September. It was found that he had been killed by a piece of the nickle casing of the bullet which, entering the left side at or near the waist, penetrated the chest, lacerated the heart and lodged itself in the breast bone. A small piece of this casing had in passing through the body, detached itself from the rest and was found on the top of the heart. The leaden part of the bullet, with the rest of the casing dropped out of the clothing when the body was undressed, and had done no more than cause a v-shaped abrasion on the left side of the deceased body. The rents in the clothing worn by the deceased show that the bullet was split in two pieces before it struck the deceased. The appearance of the hole in the back of the motor car shows that the bullet had struck the ground before striking the car. The hole in the car shows that when the bullet struck the car it was rotating with the broad side on. General Beyers in his evidence also said that in his opinion it was a ricochet bullet; he thought that notwithstanding this the bullet was discharged at the car, but that the bayonet weighed down the rifle and caused the bullet to strike lower than the marksman intended. I do not adopt this view. Drury states in his evidence that he is a fairly good shot, and while admitting that the bayonet would weigh down the rifle and make the marksman shoot lower than he intended, this would not operate to any extent in a distance of 42 yards. Firing at night is always apt to be erratic, but in this instance the car was passing under a bright light, and I see no reason to reject the evidence of Drury, which is quite consistent with all the circumstances that he fired at the rear right wheel, but he misjudged the speed at which the car was travelling and fired too low. I do not think that if he had fired at the car he would have missed the car and hit the ground in the rear of the car about midway between the wheels.

The chauffeur Wagner says that he saw the police at Langlaagte, and that they were armed and he noticed that one of the men had a fixed bayonet at the time that he stabbed at the car. He says this policeman held up his hand and shouted "Halt." He says, "I did not halt because I was waiting for orders to stop." After the policeman lunged at the car, Wagner says he shouted, "What is up?" and General Beyers said, "What is the matter?" Wagner also stated that when they were 20 to 25 yards past the policeman who stabbed at the car he heard the shot and added, "Even then I would not have stopped had I not received orders." This certainly is very extraordinary evidence. The driver is supposed to be in charge of the car, and unless he receives orders to the contrary, he is the responsible person who has to stop when called upon by the police. If the occupant or owner of the car interferes with the chauffeur and orders him not to do what he ought to do, he incurs a serious responsibility. General Beyers said in his evidence, "Wagner had to wait for instructions to stop from me. I did not tell Wagner that. As usual when he drives I tell Wagner when to stop, he cannot stop whenever he likes, but I gave Wagner no special instructions that evening." Wagner admitted that the next morning he told Moss, a friend of his who asked him, "why didn't you stop?" that he did not stop unless he got orders, and he also admitted that he said to one Williams, the storekeeper at Connock's garage on the same occasion that he never stopped for any one without orders.

Under these circumstances it is impossible to come to any other conclusion than that the police at Langlaagte did what they say they did and what the bystanders said they did, in order to bring the car to a stop but that the chauffeur disregarded the challenge and went on. In order to stop the car the police did all they could be expected to do and Drury hung to the middle of the road holding up his hand even after it ceased to be safe for him to do so.

It was most unfortunate that the telephone message which was sent from Fordsburg after Dr. Grace was shot on the West Rand, was not in time to reach the picket on the Main Road prior to the passing of the car of General Beyers.

It was certainly better that criminals should escape however deep dyed their offences than that innocent persons should lose their lives. Drury says that when he fired the shot at the back tyre he thought the car contained the Foster gang, but the only reason he had for thinking this was the extraordinary conduct of the driver of the car is not answering to the police challenge. This, however, was not sufficient. It does happen, though the incidents of this night show that it rarely does happen that people disregard the police signals to stop. Drury admits that owing to the rapidity with which the car was moving and to the motion given to him by the impact of his bayonet with the car, he could not see the colour of the car or who the occupants were. He had no sufficient reason for thinking that the Foster gang were in the car merely because the driver ignored his signals to stop. The police who fired on Dr. Grace's car say that they believed that the Foster gang were in the car but they had stronger reasons for their belief than Drury had. The car of Doctor Grace answered the description of the Foster gang's car, and the occupants of Dr. Grace's car tallied with the occupants the police had to look for in the car of the Foster gang; and there were minor circumstances of a suspicious nature which attracted the attention of the police who fired. I do not think Drury was justified in firing at the occupants of the car merely from the information which he had. He did not know the colour of the car he fired on, and he did not know who the occupants were. It was his misfortune that he was deprived of the information to direct him, but this did not give him the protection vouchsafed under Section 41 of the Criminal Procedure Code; and if he had fired at the occupants regardless of whether the occupants were killed or not, he would have had a serious charge to meet against which his honest belief and *bona fides* would not have protected him. His honest belief must be based on reasonable grounds which in my opinion are lacking in this instance.

But I am quite satisfied that Drury did not fire on the occupants of the car or at the body of the car. All the probabilities go to show that his statement is correct that he fired at the back tyre of the car. What occurred could not have been foreseen. He fired too short, the bullet hit some hard substance in the ground, was lifted and entered the car in a direction and at an elevation different from the line of fire. It was suggested by General Beyers that the policeman should have fired into the air first, and in a thinly populated country like ours there is not very much risk in firing into the air, but it is doubtful whether such a shot would necessarily bring the car to a standstill, and it seemed a safe and effective course to fire at the tyre and to accomplish the purpose of stopping the car to enable the police to satisfy themselves that the car was not the one they were in quest of.

The conclusion I come to is that the conduct of Constable Drury in firing the shot was not such as to involve criminal liability. The circumstances were so peculiar and unique that I consider death must be regarded as caused by misadventure. The policemen here had to perform a very important duty, to arrest a gang of murderers and criminals of a particularly bold and desperate nature. The information was that the gang had that afternoon committed another murder and then escaped in a motor car and the police were to hold up all motor cars on the road so that the criminals should not escape. The policemen were acting quite lawfully in stopping cars and if the drivers wilfully refused to stop, the police would be entitled to stop the cars by such means as the puncturing of tyres or damaging the machinery, if such means were necessary to enable them to examine the car and to see whether the criminals were there or not.

R. GREGOROWSKI,

Judge of the Supreme Court.

	Price. s. d.		Price. s. d.
Education Commission, Report of, 1911 (Dutch) ...	4 0	Mines Works and Machinery Act with Regulations, 1911 ...	3 6
Education Commission, Minutes of Evidence, Vol. 1-4, 1911 (English only) ... each	5 0	Municipalities, Acts of Parliament relating to ...	3 6
Explosive Act with Regulations, 1911 ...	1 0	Municipalities, Ordinance relating (No. 19-1912) (English and Dutch) ...	1 0
Geodetic Survey of South Africa, Vol. I., 1894 ...	7 6	Native Locations Commission, Report on, 1901, ...	1 6
Do. Do. Vol. II., 1899 ...	10 6	Native Territories, Statutes, Proclamations and Government Notices in force on the 30th June, 1907 ...	12 6
<i>Geslacht Register der Oude Kaapsche Familien:</i>		Do. Do. Bound, non-interleaved ...	16 6
Vol. 1, A-J, ½ Cloth ... nett	7 6	Ordinances, Cape Provincial 1911 ...	1 0
Do. ½ Calf ...	14 0	Do. do. do. 1912 ...	2 0
Vol. 2, A-O, ½ Cloth ... nett	7 6	Do. Natal do. 1911 ...	8 0
Do. Cloth ...	11 6	Do. do. do. 1912 ...	2 6
Do. ½ Calf ...	17 0	Do. Orange Free State Provincial, 1911 ...	3 6
Vol. 3, P-Z, ½ Cloth ... nett	7 6	Do. do. do. 1912 ...	2 6
Do. Cloth ...	13 9	Do. Transvaal Provincial, 1911-12 ...	2 6
Do. ½ Calf ...	20 0	Patents: Acts to provide for the granting, in this Colony for Inventions ...	0 6
1 Set Vols. 1, 2 and 3, ½ Cloth nett	21 0	Postal Route Map, Mounted on Rollers ...	6 6
<i>Gazette, Cape Govt. Proclamations and Principal Govt. Notices, Index to, 1803-1881 ...</i>	6 6	Do. do. Unmounted ...	1 0
<i>Gazette, Cape Govt. Proclamations and Principal Govt. Notices, Index to, 1881-1891 ...</i>	4 0	Practical Orchard Work at the Cape (Mac Owan & Pillans), 1896 ...	0 6
<i>Gazette, Cape Govt. Proclamations and Principal Govt. Notices, Index to, 1891-1901 ...</i>	6 6	Precious Minerals Act, No. 31, 1898 ...	1 4
<i>Gazette, Cape Govt. Index to, to June, 1906 (½ yearly) ...</i>	1 6	Do. Do. Amendment, No. 16, 1907 ...	0 6
<i>Gazette, Cape Govt. Index to, July, 1906, to December, 1909 (½ yearly) ...</i>	2 6	Do. Do. (Selections) ...	1 0
<i>Gazette, Cape Govt. Index to, January, 1910, to 30th May, 1910 ...</i>	2 6	Precious Stones Act, No. 11, 1899 ...	1 4
<i>Gazette, Union Govt. Index to, June to September, 1910. ...</i>	5 0	Do. Do. Amendment No. 27, 1907 ...	0 5
<i>Gazette, Union Govt., Index to, January, 1911 to December, 1912 (½ yearly) ...</i>	5 0	Public Health Act, 1902 ...	2 6
<i>Gazette, Cape Official, Index to, June to December, 1910. ...</i>	1 6	Records of Cape Colony (Theal), Vols. 3-35 (1799- April, 1831), per Vol. ...	17 6
<i>Gazette, Cape Official, Index to, January to June, 1911 ...</i>	1 0	Records of Cape Colony (Theal), Register of Contents, Vols. 1-35 ...	17 6
<i>Gazette, Cape Official, Index to, July, 1911, to December, 1912 ...</i>	1 6	Records of South-East Africa (Theal), Vols. 2-9 per Vol. ...	17 6
Griqualand West, Laws of, 1871-1880 ...	6 6	Report by Mr. J. Conacher upon the distribution of Oversea Traffic between the South African Railways and upon certain other matters relating thereto ...	2 0
Historical Documents (Theal Dutch, 1896, Vols. 1 and 2... each	1 6	Rural Council, Rules and Regulations for the Guidance of the ...	0 4
Historical Documents (Theal), Dutch, 1911, Vol. 3 ...	12 6	Riflemen Training—Mounted, 1912 ...	1 0
Horse, Diseases of and their treatment, by Dr. Hutcheon (English or Dutch). ...	4 0	Sheriff's Instructions (Revised) ...	6 0
House of Assembly, Index to Annexures and Printed Papers, 1854-97, 1898-1903 and 1904-1910 ... each	7 6	Soldiers' Graves, Alphabetical List of (Linen Bound) ...	3 6
House of Assembly, Standing Rules and Orders of, 1912, English or Dutch, each ...	3 6	Do. Do. (Full Bound) ...	5 0
Irrigation Act with Regulations, 1912 ...	2 0	Do. Do. (Half Calf) ...	10 6
Justices of the Peace, Manual for the guidance of, 1891 (Tenant) ...	10 0	Statute Law of the Cape of Good Hope, 1896 to 1900 (Bound) ...	21 0
Kaffir War of 1835, Documents relating to the (Theal) ...	10 6	Do. Do. Do. Do. 1902 to 1906 } each with index	
Leprosy, Handbook on, 1896 (Impey) ...	12 0	Statute Law of the Cape of Good Hope, Index to, 1896-1900 (Bound) ...	21 0
Liquor Laws, 1900... ..	0 9	Statute Law of the Cape of Good Hope, Index to, 1902-1906 (Stitched) ...	5 0
Liquor Laws Commission, 1889-1890, Report of ...	10 6	Statistical Registers ...	21 0
Marine Investigations in South Africa, Vol. I. ...	20 0	Supreme Court, Rules of ...	1 0
Do. Do. Vol. II. ...	15 0	South Africa Act (Union) ... nett	0 6
Do. Do. Vol. III. ...	20 0	Do. Do. Index to ... nett	0 6
Do. Do. Vol. IV. ...	20 0	South African National Convention Minutes, English or Dutch ...	5 0
Do. Do. Vol. V. ...	10 6	Trade and Industries Commission, Report of, 1911, English or Dutch ... each	2 6
Marriage Laws, 1903 ...	1 6	Transfer Duty, Law of, 1894 ...	2 6
Marriage Law Amendment Act No. 11 of 1906 ...	0 4	Transkeian Territories Penal Code, 1886, Index to ...	0 4
Masters and Servants' Act, 1889, Dutch ...	1 0	Trout Fishing in Cape Colony, by D. W. Manning ...	2 6
Miners' Phthisis Commission Report of the, 1911, English or Dutch ... each	2 0		

CAPE COLONY COAT OF ARMS, IN COLOURS,
SHEET 22½" × 17½", ls. 3d. each.

