

"Intimate Knowledge of the Country":  
Factions and Struggles for Administrative  
Control in the Early Gold Coast Government,  
1844-1854

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**‘Intimate Knowledge of the Country’: Factions and Struggles for Administrative Control  
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**Abstract**

This paper examines conflicts between factions in the early British colonial administration in the Gold Coast. The reversion of administration control from the company of merchants to the Colonial Office generated hostility within the administration. Mercantile resentment stemmed from a perception that metropolitan control was likely to undermine the results of their labours and jeopardise their commercial interests. These circumstances provided a fertile breeding ground for the pattern of conflicts that embroiled officials of the colonial administration from 1844. However, when allowed the opportunity to influence administrative policy, merchants adopted cordial relations with the new officials and readily offered their cooperation. This study suggests that we cannot assume that colonial administrations functioned as coherent units. Another implication is that uncritically accepting the ‘coloniser’ and ‘colonised’ dichotomy obscures many important differences within each category and blinds us to the important social and political implications of these internal divisions.

## **Factions and Political Organisations**

This paper examines conflicts between factions in the early British colonial administration in Ghana. It adds to a growing body of literature that attempts to revise notions of administrative bodies as coherent units.<sup>1</sup> Studies of factions within ruling governments, especially when such governments have been formed by a governing coalition, have drawn attention to the reality of administrative fragmentation along lines of ideology or power struggles.<sup>2</sup> Fragmentation is most severe in semi-presidential systems or cohabitation where strong prime ministers and presidents belonging to different parties often jostle for ultimate political control.<sup>3</sup> But even when a cabinet is formed by a single political party, they are still not immune to fragmentation. This is because political parties, even the most ideologically united, are often divided along factional lines.<sup>4</sup> Divisions at the level of governing cabinets often reflect these divisions at party levels.

Such internecine divisions can have profound consequences. By pitting one side of a ruling government against the other, it undermines the coherence of the government, preventing it from presenting a unified front to the public. Furthermore, these conflicts limit the ability of the government to effectively prosecute policies and programmes. As such, factions have largely been portrayed in pathological terms.<sup>5</sup> However, a more optimistic perspective regards factions as crucial in building consensus and achieving inclusiveness in political organisations,<sup>6</sup> and DiSalvo<sup>7</sup> goes to the extent of asserting that factions can force parties to adopt a national vision. Regardless of the particular normative assessment, however, factions are understood to have important implications for social action within political organisations.

This literature draws its cases from contemporary states practising some form of electoral democracy. These conflicts, although sometimes leading to negative outcomes, can, therefore, be assumed to be an unavoidable feature of modern democratic politics. On the contrary, colonial

politics can be considered as the very antithesis of democratic politics. Even though a few scholars have drawn attention to the fact that divisions existed among European populations in colonial societies,<sup>8</sup> the colonial administration itself is still largely assumed to constitute a coherent unit. This image of colonial governments is partly due to a tradition of colonial scholarship that pitted colonisers and colonised in perpetual, implacable conflict. Recent studies are starting to revise this image of colonial governments painted against a backdrop of a rigid dichotomy between 'coloniser' and 'colonised.' For instance, Lawrance *et al*<sup>9</sup> have shown that Africans were deeply involved in the day-to-day running of the machinery of colonial states, and that even low-level African personnel were able to manipulate the instruments of colonial rule for personal or sectional benefits,<sup>10</sup> sometimes even undermining or truncating grand imperial objectives. In addition to the foregoing, the coherence of colonial administrations was also affected by factions within the colonisers themselves.

In this paper, I suggest that the pattern of intra-governmental fragmentation characteristic of contemporary politics in democratic states were common occurrences in colonial societies. I do this through an analysis of long running conflicts between British government officials and British merchants who had to serve together in the colonial administration after the London Colonial Office took back direct control of the Gold Coast Settlements in 1844. This paper draws primarily on archival research conducted in The National Archives (TNA) in Kew, England. The archival documents consulted included personal communications, official correspondences between governors and the Colonial Office, and petitions. Although the pattern of conflicts I here analyse occurred throughout most of the colonial period, in this paper, I focus only the first decade of the resumption of government control of the Gold Coast administration, and this focus allows for a richer account of events.

### **Mercantile and Metropolitan Regimes before 1844**

The Gold Coast (renamed Ghana upon independence in 1957) was administered by a trading committee known as the Company of Merchants until 1821, when this Company was dissolved by the British government. A new governor, Sir Charles Macarthy, was appointed under the direct control of the government. Macarthy's administrative style soon led to a war with Asante in 1824, in which the British were defeated and the governor killed. In embarrassment, the government handed back administrative control to the merchants, who received an annual parliamentary grant of £4,000. The watershed moment in Gold Coast history was the appointment of Captain George Maclean as president of the committee of merchants in 1830. He managed to end hostilities between Asante and the neighbouring coastal states with a peace treaty and during his tenure, trade expanded considerably.<sup>11</sup> Under Maclean's personal influence, the sphere of British control also expanded.<sup>12</sup>

Maclean's personal reputation allowed him great influence on the Gold Coast.<sup>13</sup> In England, however, Maclean was less highly regarded. For instance, it was rumoured in London that he was not doing enough to suppress slavery. In addition, the death of his socialite wife soon after her arrival on the Gold Coast resulted in his receiving a lot of negative press in England. As a result of the mounting pressure, Dr R. R. Madden was appointed as commissioner to inquire into the affairs of the Gold Coast. Based on Madden's findings, a parliamentary select committee recommended that the government resumed control of the Gold Coast. The resident British merchants were resentful of this change, and one of them described Madden's arrival as an 'evil hour.'<sup>14</sup> England-based merchants were equally resentful; Forster and Smith of New City Chambers, for instance, dismissed Madden's report as full of 'calumnious mis-statements.'<sup>15</sup>

Despite this hostility, the government still depended on the resident British merchants to administer the Gold Coast. Merchants occupied high administrative offices such as Civil Commandants, Magistrates, and Justices of the Peace. With this administrative arrangement, the hostilities between government and mercantile factions did not take long to manifest itself. Henry Hill replaced Maclean as head of the administration. Almost immediately, he was locked in a series of intractable conflicts with the mercantile community. The resentment ran so deep that Hill began digging into the records to find incriminating evidence against Maclean's stewardship.

So profound was the enmity between Hill and the merchants that they often refused to cooperate when he requested administrative assistance, and upon his departure from the Gold Coast, it was said that he 'has not left any stone unturned to annoy people of all Classes in this Country.'<sup>16</sup> His successor, James Lilley, was equally detested. This he attributed to 'a singularly acrimonious feeling...to everything and everyone connected with the Government and towards *me in particular*, for having, as [they] conceive, supplanted [them] in the administration of the Government.'<sup>17</sup> However, the relationship between merchants and government appointees suddenly altered with the appointment of Governor William Winniett in 1847. Winniett quickly struck a conciliatory tone with the mercantile community, and for a few years, harmony prevailed between the two opposing factions.

### **A Question of Administrative Control**

The colonial government enjoyed a period of harmony for most of Winniett's tenure. However, this achievement was not only due to Winniett's diplomatic approach, but to his having surrendered considerable administrative control to the leading English merchants at the

commencement of his tenure. The clearest evidence for this comes from an expedition he led against the King of Appolonia which was not approved by his metropolitan superiors.

In March 1848, Winniett prepared to wage war against Appolonia, a kingdom along the seaboard where the colonial administration had very limited influence. He informed the Colonial Office that this punitive expedition was necessary because the King of Appolonia was a ruthless dictator, and his continuing impunity amounted to a 'profanation of the British Flag to the prejudice of British Honor.'<sup>18</sup> The Colonial Office rejected these as legitimate grounds for military action and called the expedition a '[great] and dangerous mistake.'<sup>19</sup> However, the mercantile community was fully in support of it. From London, William Forster, one of the most important English traders to the Gold Coast, wrote a series of letters to the Colonial Office with the intention of convincing the Office of the propriety of the steps that Winniett had taken, and suggested that he deserved commendation for his *initiative*.<sup>20</sup> In fact, Winniett sailed to the battle on a vessel owned by Forster and Smith.<sup>21</sup>

Contrary to Forster's claims that Winniett had shown initiative in the Appolonia expedition, however, the decision had actually come not from the governor but from resident English merchants. It was Francis Swanzy, an old British resident who had drawn Winniett's attention to the Appolonia King's actions and had stressed the 'necessity of putting a stop to his brutality.'<sup>22</sup> Swanzy warned that no ruler on the coast has been as contemptuous of the British, and that failure to act swiftly would diminish both the physical and moral force of the government:

If no measures are taken to bring this Chief to his senses, a Chief living on the beach where there has been a British Fort, – I am sorry to inform Your Excellency that we must of necessity lose part of that consideration and respect combined with fear, with which the Chiefs and Natives of every part of the Coast both on the Waterside and in the Interior look upon us, – and I will not conceal from Your Excellency that already has this

apparent apathy caused remarks to be made by the Natives and by Foreigners implying growing contempt of our power and influence.<sup>23</sup>

Winniett had been receptive to suggestions from other English residents as well. The resident English merchants were apparently controlling policy matters as weighty as the waging of war. Thomas Hutton, another resident trader, informed his correspondents in England that '[a]t a special Meeting Mr Cruickshank, F Swanzy and myself came to the resolution of urging this necessary step upon his Excellency.'<sup>24</sup> After the successful expedition, Winniett informed the Colonial Office of the great assistance he received from the mercantile community, especially from Cruickshank and Swanzy, whose 'exertions were untiring and deserve all praise.'<sup>25</sup>

It is, therefore, clear that, unlike his predecessors, Winniett had an open-door policy towards the old English residents and traders on the Gold Coast. The battle against the King of Appolonia is a good illustration of Winniett's attitude to the merchants because of the unintended conflicts which it later generated between the merchants and the government. Ironically, it was Francis Swanzy, the original mastermind of the battle, that harried the administration over its eventual fall outs. This happened towards the end of the governorship of Winniett. For the greatest part of his incumbency, however, Winniett enjoyed the confidence and assistance of the traders, so long as they were allowed to influence policy. For instance, barely a month after the battle against the Appolonians, Winniett had cause again to recommend the service of Cruickshank to the Colonial Office: 'I have on this, as well as upon all other occasions connected with the Expedition received the greatest assistance from Mr Cruickshank the late Acting Judicial Assessor who I am satisfied has the good of the Government and the welfare of the Colony at heart.'<sup>26</sup>

These expressions of gratitude and satisfaction on the part of Governor Winniett were duly reciprocated by the merchants. In July 1848, he received an address signed by nine persons



connected with the trade and governance of the Gold Coast, who congratulated him for fighting and getting rid of ‘a Cruel scourge to the Natives,’ restoring ‘the honor of the British Flag,’ and opening up that kingdom to trade and commerce. They hoped that all these happy results would be rewarded with an acknowledgement of approval from the British government.<sup>27</sup> The address was forwarded to the Governor by Cruickshank, who took the opportunity to heap further praises on Winniett:

I most sincerely join in the hope expressed in the address, that your Excellency may receive that reward for your important Services, which they so richly merit. I embrace this opportunity of thanking you for your uniform attention to all suggestions made by me in my Official capacity, which your own judgement led you to believe to be for the Public advantage.’<sup>28</sup>

Cruickshank’s remark that Winniett gave ‘uniform attention to all suggestions’ is another indication of the ways in which governors’ attitude towards the English residents shaped the quality of relationships in the administration.

The Colonial Office, on the other hand, was unimpressed with Winniett’s course of action and unmoved by these encomiums. An London officer noted that: ‘The Gov has been informed that he cannot be relieved from all responsibility on account of this Expedition until he has apprized Lord Grey of his further proceedings in this serious affair.’<sup>29</sup> One conclusion emerges from these exchanges: while the Colonial Office and representatives of the government were alive to the legal and jurisdictional constraints that limited the local administration on the Gold Coast, the English traders and residents paid little regards to these abstract constraints and concerned themselves more with the concrete solutions to the immediate problems of creating a conducive environment for the extension of their trade.<sup>30</sup>

### **‘Intimate knowledge of the country’: Demands for a Legislative Council**

Their different understandings of the appropriate ways to project British authority contributed to the conflicts between these merchants and government representatives. The merchants regarded the new officials as unqualified because of their ignorance of the country. They believed that this administrative ignorance placed their financial and commercial interests in jeopardy. This tension is most clearly borne out in their demands for a Legislative Council. Even though resident merchants had been granted access to influence the direction of affairs during the governorship of Winniett, they wanted this access to be formalised in the structures of the administration. In February 1847, three members of the mercantile community, James Bannerman, B. Cruickshank, and J. Clouston penned suggestions for administrative reforms in a statement titled ‘Propositions for improving the Government and promoting the prosperity of the British Settlements on the Gold Coast.’<sup>31</sup>

The premise of their proposal was that maintaining order and tranquillity in the settlements necessitated an intimate understanding of the different coastal states who were ‘nearly equally matched in strength and jealous of each other.’ If the administrator had this knowledge, it would not be ‘difficult for the local Government, by judiciously balancing contending parties, to turn the scales in favor of justice.’ This had, in fact, been the policy of the Maclean administration, and which had proved to be ‘perfectly adapted’ to the social conditions of the settlements. The evidence of the effectiveness of this policy laid in the absence of fatal disturbances, the gradual abolition of customs offensive to British sensibilities, as well as the wide dissemination of the broad principles of English justice; leading, they claimed, to ‘a spirit of happy contentment and attachment.’ Under this state of affairs, commerce had increased and flourished. But under the new regime, disturbances had become widespread, lives had been lost and trade had been interrupted; and faith in the local government was flagging: ‘...as our power

there has been principally that of opinion which cannot fail to be much shaken by these Conflicts persisted in in contempt of us. – *They were unknown under the former system when confidence and unanimity prevailed.*<sup>32</sup>

They insisted that without the requisite acquaintance with the people, and their customs and laws, officials were bound to fail in all their endeavours. Since the exercise of British authority on the Gold Coast at this time lacked any definitive legal basis, it was important to gain the confidence and goodwill of the people. Thus, it was necessary that ‘decisions are guided not by English law but by the Law of Equity between Man and Man, adapted (as far as is consistent with Justice), to the peculiar customs of the People, and to the State of Society among them.’ The solution to this quandary, they proposed, was the establishment of a council to advise and constrain the governor:

Under the very peculiar circumstances of our position on the Gold Coast, where an acquaintance with the character of the people is so essential to the Governor, it is evident that a perfect stranger will encounter many serious difficulties, which might be obviated by having recourse to the Council of those, whose standing in the Country entitled their opinions to weight. – The Governor may, it is true, enjoy the benefit of such men’s Experience, without the trammels of a Council, but opinions expressed by irresponsible Persons are not entitled to the same consideration as those of a deliberative body legitimately appointed. We consider it therefore a point of no mean importance that a Council should be constituted to assist the Governor with their advice, and with the power of controuling (sic), to a certain extent, his acts.

They were careful to stress that these observations by no means implied a lack of faith in the present Governor Winniett, admitting, in fact, that a ‘Gentleman more devoted to the interest of the Settlement, and more anxious to meet the views of the Settlers, and to increase prosperity of the natives does not, we believe, exist.’ Their concern was to guard against contingencies ‘such as happened under the Government of his predecessor, who made use of a most arbitrary and, we believe, unwarrantable exercise of authority in reference to the Commissions of Magistrates.’<sup>33</sup>

Continued demands for the establishment of this advisory council came from both England and the Gold Coast. In England, Forster, of New City Chambers, deplored the new arrangement whereby administrative control rested with ‘persons sent out at random from the lottery of Government patronage, wholly ignorant of the Country and the Natives,’ and blamed this arrangement for disturbances on the Gold Coast.<sup>34</sup> The Colonial Office rejected his call for a council on the grounds that it was not aware of disadvantages associated with the extant system.<sup>35</sup> Bristling at the rebuff, Forster accused the Colonial Office was being on a mission to thwart mercantile endeavours in West Africa. He had toiled for three decades to expand British trade in West Africa but ‘in place of being aided and assisted, I have invariably found myself obstructed and discouraged by the Colonial Authorities, both at home and on the Coast.’<sup>36</sup> According to him, the pattern of official obstruction and sabotage was clear:

The Settlements on the Gold Coast were handed over to the Merchants in 1828 after being completely ruined and disorganised by Colonial Office misgovernance, under a threat that if the merchants did not take charge of them and uphold them on terms of £4000 a year, in place of from £30,000 to £40,000 a year, which the Colonial Office had expended in bringing them to the brink of ruin, they would be blown up and abandoned by the Crown.

After being restored to prosperity by local self government, the Colonial Office again resumed charge of them in 1842, and again we find, their prosperity imperilled by the blighting influence of that department. It is true that no disasters have yet occurred so serious and disgraceful to the British name as those which marked the previous short period of Colonial misrule at the Forts, but despite the moral influence which yet remains to us from the fourteen years previous good Government, symptoms are not wanting sufficient to excite the most lively apprehensions on the part of those exposed to the misfortunes that may result from a recurrence of similar misfortunes.<sup>37</sup>

It is clear from the above that the merchants considered the Colonial Office to be unwilling or unable to competently govern the Gold Coast. They were embittered by the anxiety that misrule would place their commercial interests at risk.

From the Gold Coast, Francis Swanzy and Henry Smith also wrote to urge upon the Colonial Office the necessity of constituting a council. Citing their backgrounds ‘as two of the

Senior Magistrates and oldest residents on the Gold Coast,' they claimed to have 'an intimate knowledge of the country and the customs of its inhabitants,' in contrast to the inexperience of the new appointees: '[a] Governor appointed to the Gold Coast is, as Your Lordship knows, generally unacquainted with the Country, its customs, laws, wants, trade, etc. which are all peculiar and different from those of any other Colony or Settlement, and which require particular management and policy.' And they invoked the most frightful spectre of the era: the 'danger which might occur by the least imprudence or mismanagement of the Governor in bringing on a War at any time with the Ashantee.'<sup>38</sup>

The Colonial Office again rejected these demands.<sup>39</sup> But Swanzy was tireless in his campaign for reform. He drew attention to even more disturbing consequences of the existing administrative arrangements. For instance, the Judicial Assessor's office was chaotically ran and lacked any explicit rules regulating it, allowing the assessor to exercise very wide discretion, in which he may 'make his own laws... and give different judgments in similar cases.'<sup>40</sup> This danger would be easily averted if a council existed. And since the governors sent from England were especially ignorant of the society they had been tasked to govern, they needed to be 'advised by a council of men whose experience has been gained by long residence on the Coast.'<sup>41</sup>

Swanzy finally got sympathetic audience in the Colonial Office. Earl Grey noted that after 'fully considering all the reasons which have been urged in favour of the measure I have determined upon advising H. M. to constitute a Legislative Council at Cape Coast Castle.'<sup>42</sup> The Legislative Council was duly constituted in April 1850. It was presided over by the Governor, William Winniett, and had four members: the Judicial Assessor, James Fitzpatrick; Collector of Customs, Edward Staunton; and Civil Commandants, James Bannerman and Brodie

Cruickshank. Bannerman and Cruickshank sat on the Council as representatives of the mercantile interests.<sup>43</sup>

But apparently, establishing the Council was only the first step. The next goal was to enlarge mercantile representation. Months after the Legislative Council was instituted, Smith and Swanzy again expressed dissatisfaction with its composition. Under Maclean's administration, Council members should have stayed on the coast for at least twelve months. The new Council was unsatisfactory. There were serious problems with giving the numerical majority to government appointees who were 'ignorant of the trade and nature of the Country,' were not personally or financially invested in the country, and only considered their service there 'as a stepping stone to a better appointment some where else.' Thus, the new regime still lacked the respect and confidence of the inhabitants, and would face difficulties in the performance of their duties.

Under these circumstances, the administration, by necessity, had to rely on the English merchants.<sup>44</sup> However, they were unwilling to extend any assistance to the government until their membership on the Council was increased. They asked for 'not one, or two, but four members elected by the Merchants and respectable inhabitants, in addition to those selected by the Governor for your Lordship's approval.'<sup>45</sup> The Secretary of State, however, dismissed this request.<sup>46</sup>

### **Strategic Neutrality: Bannerman and Cruickshank**

Although they were the first to raise the question of a Legislative Council, Bannerman and Cruickshank maintained a strategic neutrality in the ensuing struggle to increase mercantile representation. Their respectable distance from the fray ensured that they retained influence. This strategic stance sometimes meant that they had to side with government officials against other

merchants. James Fitzpatrick, a new Judicial Assessor, benefited from this softened stance. In many of his early conflicts with resident merchants, he was supported by Bannerman and Cruickshank.<sup>47</sup>

On the question of the new administrative arrangements, Bannerman and Cruickshank rejected claims that the administration would be better conducted under mercantile leadership. Against claims that the administration was now weak because of new governors lacked local knowledge, they asserted that, in fact, the administration was doing rather well and that those opponents of the government who claimed otherwise were misled by the discontent which was the natural reaction to social improvements, but which they had 'unthinkingly attributed to the misconduct of the Government.' They expressed their confidence in the new government. However, to further consolidate these gains, they urged the necessity of further administrative reforms, including a restructuring of the police force and a proposal for a gathering of chiefs, to be called 'The Assembly of Native Chiefs,' to function as a means of communications between the Governor and the general population.<sup>48</sup>

Bannerman and Cruickshank's neutrality proved effective. In the Colonial Office, Earl Grey was pleased with their representations. This was especially so with their recommendation of an assembly of chiefs. 'These gentlemen, have, I think, observed with great truth, that while the experiment of affording British protection to the Tribes adjoining the Settlements has hitherto been crowned with a success fully adequate to all reasonable expectation... the time has nevertheless, arrived when the present system of Administration requires to be expanded and modified, so as to meet the exigencies of the rapidly changing state of society.'<sup>49</sup> Their strategic stance yielded personal gains as well. Both Bannerman and Cruickshank were, at different times,

appointed to act as the highest level as Governors, during the absence of the substantive Governor.

### **‘Despotic power’: James Fitzpatrick against the Merchants**

Relations between government officials and merchants became frosty again with the appointment of James Fitzpatrick as Judicial Assessor, the highest judicial office. Fitzpatrick came into full collision with the merchants in 1849 during the months when he acted as governor in Winniett’s absence. At the core of their discontent were the perceived effects of the administrative policy since 1844. In September 1849, Mr Sandeman, a merchant ‘of ten years residence on the Coast,’ brought a charge of unlawful termination of contract against Fitzpatrick.<sup>50</sup> Sandeman blamed Fitzpatrick’s impunity on the defectiveness of the new administrative structures, and called for increased mercantile influence on the Council to curb the ‘despotic power’ the governor wielded:

It is surely a very hard case as well as Unconstitutional, that a man who risks his all, life, health and property, in such a place as this should neither have a vote in the making of bye laws & regulations, nor get in Magisterial appointment, the abuses in both departments having been carried to an extent amounting to ridicule.<sup>51</sup>

Winniett, then on leave in England, blamed the problem on the anomaly of the official position that circumstances had forced upon Fitzpatrick. He had not abused his power, acted indiscreetly, or been negligent in his duties, but had been forced to fuse judicial and executive powers, since he now occupied the roles of Judicial Assessor and Acting Governor: ‘it is therefore of that arrangement, and not of Mr Fitzpatrick personally, that I have more particularly to speak.’<sup>52</sup> Winniett admitted that hostility against Fitzpatrick was widespread among both Africans and Europeans on the coast, and suggested that adding the duties of Governor had exacerbated it.<sup>53</sup> To forestall future recurrences, Winniett recommended that the method of appointing an Acting Governor be reformed, suggesting that the Governor be given discretion to



appoint the acting officer. The Secretary of State accepted this proposal, but instead of giving the discretion to the Governor, he issued a Commission under the Royal Sign Manual appointing James Bannerman as Lieutenant Governor upon the death or absence of the Governor.’<sup>54</sup>

In the meantime, accusations of Fitzpatrick’s administrative excesses kept pouring in. J. Clouston contradicted Winniett’s defence of Fitzpatrick, alleging that Fitzpatrick had *personally* abused his positions:

As Judicial Assessor Mr Fitzpatrick acted as discreetly as could have been expected &c. But no sooner was he installed in the post of Acting Governor than he appears to have thrown off all restraint. In that exercise of his temporary authority he has strained it to the extent of illegality, asserting Judicial Cognizance and power over Europeans. – in one instance proclaiming himself Judge, Jury, and Prosecutor and acting in that anomalous capacity.<sup>55</sup>

Clouston also accused Fitzpatrick of exercising powers which he did not have in relation to the African population. Andrew Swanzy, brother of Francis Swanzy, provided corroboration of this charge, referring to Fitzpatrick’s attempt to suppress a ‘native custom’ in Cape Coast. ‘I myself saw a Proclamation which was sent to Mr Cruickshank for publication at Annamaboe,’ but he claimed that Cruickshank had refused to publish the proclamation ‘on account of the illegality & rashness of such a measure.’<sup>56</sup> From England, Forster again urged the necessity of administrative reforms to safeguard the interest of British merchants against the highhandedness of colonial officials.<sup>57</sup>

### **‘Such proceedings are not honorable to the British character’: Swanzy vs Fitzpatrick**

The one incident that had united the two hostile camps later became the source of another implacable conflict. The war against Appolonia in 1848 ended with the overthrow of the King. Winniett had chosen Bahyinnie, Chief of Atambo, as the King’s replacement. He had then charged the Appolonians with the cost of the expedition, and had placed the responsibility for

repayment on Bahyinnie. When the payment was not forthcoming, Fitzpatrick, as Acting Governor, went to Appolonia with an army detachment to enforce payment, but commotion ensued, during which Fitzpatrick and some of the soldiers were attacked and wounded. The King was arrested, together with some elders, and brought to Cape Coast Castle, where they were tried and sentenced to public flogging.

This incident roused Francis Swanzy to righteous indignation. He avowed that he was outraged by the treatment the king had received, but it was equally possible that he saw this as an opportunity to embarrass the government. Swanzy's own derogatory characterisation of the previous Appolonian King indicates that he had not always held the traditional leaders in high esteem. Nevertheless, he claimed that his interest in the case was out of a 'sense of justice towards a people among whom I have resided many years.' He insisted that the unfair treatment of the King had undermined the integrity of the government.<sup>58</sup>

This case provided another opportunity to point out the structural weaknesses of the administration: 'as in most other cases Mr Fitzpatrick was Judge, Jury, and Persecutor, as Governor and Judicial Assessor he was uncontrolled, and against his verdict there was no appeal.' Swanzy pointed out that the disturbance of which these men were accused was caused by Fitzpatrick's 'own injustice and illegal measures.' In fact, he was shocked that given the provocation they had suffered, the Appolonians had actually not done something more desperate. What was the crime of this noble King, except that of not 'not immediately satisfying the Governor's demand for Gold'? Such occurrences undermined British moral authority on the coast:

What must have been the feelings of these men while receiving the allotted number of Lashes, and how much they must have regretted that, instead of submitting quietly to the fancied clemency of Europeans, they did not use the power they had, and set Mr

Fitzpatrick at defiance, your Lordship will be able to judge... My Lord such proceedings are not honorable to the British character, are deeply injurious to our influence in that Country, and calculated to alienate the goodwill of the people.<sup>59</sup>

When Winniett returned to the colony, he was instructed to investigate the case.<sup>60</sup> After he 'personally made a strict investigation into the whole affair,' assisted by the Senior Magistrate, Mr J. Hutton and the Wesleyan missionary, Revd. T. B. Freeman, Winniett exonerated Fitzpatrick.<sup>61</sup> The Colonial Office was satisfied with this report but Swanzy was not so easily appeased. He called the inquiry 'a mockery of Justice' and declared it his 'duty' to get redress.<sup>62</sup> Instead of a 'strict enquiry,' Winniett had constituted a committee composed of 'Two private Gentlemen' at which '[n]ot a single Appolonian, no representative of Bahyinne was there present; none of them were even invited to appear or informed of the approaching investigation.'<sup>63</sup> Swanzy put himself in communication with Bahyinnie and other Chiefs of Appolonia, and as their spokesperson, announced that 'the Chief and people of Appolonia are not disposed to let the matter rest here.'<sup>64</sup> He claimed that Winniett's self-serving enquiry was only possible because of the inefficient way in which the Legislative Council was then operating, making the members unable to effectively rein in the governor.

About five months later, Swanzy again wrote to the Colonial Office through, Bannerman, now Lieutenant Governor after Winniett's death, worried that the Colonial Office seemed uninterested in solving this case whereas they had in the past been interested even in trivial cases: 'How different the conduct of Mr Fitzpatrick accusations of the most grave character against an Officer filling the responsible functions of Governor and Judge were smothered by what it was pretended to call an enquiry...'<sup>65</sup> It was now evident that even Bannerman, a merchant himself, was getting fed up with Swanzy's continuing belligerence. 'I had hoped this

matter had been set at rest, and very much regret to perceive Mr Swanzy has revived it,' he moaned to the Colonial Office.<sup>66</sup>

But Swanzy persisted, despatching statements from Appolonians to London. His persistence finally paid off. London officials eventually came to agree that a more rigorous enquiry needed to be made:

Mr Fitzpatrick I believe made a very good defence and I have not the remotest wish to imply any doubt respecting him: but when representations such as these are addressed to the Secretary of State, it appears to me that they ought to be scrupulously and impartially examined within this office, and that pains should be taken to ascertain how far they may contain anything, which throws doubt on the propriety of the manner in which authority has been exercised at the Gold Coast, and that if they were only to be disposed of by showing them to the Party accused, it would open the door to the most serious complaints on the part of those who are entitled to appeal to the Secretary of State for protection against any alleged abuse of power.<sup>67</sup>

In his response, Fitzpatrick attributed the charges to ill-feelings against him and the government. He produced a letter from Cruickshank bearing testimony to his uprightness. While modestly claiming to be unworthy of Cruickshank's 'lavish encomiums,' Fitzpatrick still submitted them as proof that 'I succeeded in attaining one of the objects, which should be the ambition of every one holding a Judicial Situation, namely, to win & secure the respect of those, who are themselves respectable.'<sup>68</sup>

But Cruickshank's support of government officials did not last long. When Fitzpatrick's actions started affecting the commercial interests of the entire mercantile community, it resulted in a direct clash.

### **'Unauthorized proceedings': Cruickshank Penalises Fitzpatrick**

The conflicts in which James Fitzpatrick had been embroiled up to this point were with individual members of the mercantile class. However, subsequent events brought him up against

the entire English mercantile class following his second brief spell as Acting Governor in 1853. To forestall the problems which had occurred when Fitzpatrick acted as Governor, the Colonial Office directed him to give up the acting governorship to Cruickshank. But this was not before Fitzpatrick had taken action on a matter which led to an instant uproar among the merchants.

When one of the resident English merchants died, Fitzpatrick took it upon himself to administer the estate. He personally took charge of the disposal of the asset, and paid himself a percentage of the proceeds realised from the sales. Because of the shortage of currency on the coast, trade was carried out by a widespread system of debit and credit.<sup>69</sup> Since the deceased was a debtor to many of the merchants on the coast, they felt personally invested in the matter. The trading houses in London that had agents on the Gold Coast also felt invested in the case.<sup>70</sup> They claimed to have incurred great losses because of Fitzpatrick's uninvited intervention in the administration of the estate.

The bitterest reaction to Fitzpatrick's action came from Cruickshank. He pronounced Fitzpatrick 'guilty of maladministration of the Estate' of the deceased, and held him responsible for all losses resulting from the steps he had taken. Fitzpatrick was a 'Self Constituted Receiver of Unrepresented Estates,' who 'had neither Authority or (sic) Justification for doing so.' The merchants were also outraged that Fitzpatrick had taken a portion of the proceeds of the disposition of the assets as payment for his services.<sup>71</sup> Feeling the mercantile community threatened by Fitzpatrick's arbitrary ways, Cruickshank felt 'compelled ... to apply to Your Grace for protection for myself and the Mercantile Community generally from the unauthorized proceedings.'<sup>72</sup>

In his response, Fitzpatrick made capital out of Cruickshank's acting as an agent for Forster and Smith, charging that Cruickshank's position on this and other issues affecting the administration were affected by his compromised position: 'Mr Maclean and Mr Cruickshank therefore found the usual difficulty in serving two Masters of opposite interests, the Public and Messrs Forster and Smith. Neither Mr Maclean nor Mr Cruickshank would be allowed to make any matter in which that firm was concerned the subject of pen and Official examination.'<sup>73</sup>

Cruickshank was appointed Acting Governor about a month after this controversy erupted.<sup>74</sup> And a few days after assuming office, he had imposed a punitive leave of absence on Fitzpatrick.<sup>75</sup> The ostensive cause for this 'punitive' action was a petition against Fitzpatrick, brought by the rulers of Cape Coast, through four African merchants. They accused him, among other things, of being oppressive in the discharge of his functions, and of treating them with contempt. The last straw was when Fitzpatrick had tried the King of Cape Coast before a jury of commoners, thus lowering his prestige in the eyes of the people. These grievances had excited a great agitation in Cape Coast, and they had threatened not to appear in court before Fitzpatrick anymore.

Cruickshank dismissed some of the charges as 'absurd and frivolous,' but he admitted that Fitzpatrick practised 'over-severity in the amount of fines imposed' in his court. But at the heart of the matter was 'what has now become a rooted antipathy to Mr Fitzpatrick, chiefly to an ungracious manner in his intercourse with the Native Chiefs and Headmen; to a disregard of their peculiarities; and to a contempt not concealed of their dignitaries.'<sup>76</sup> These had generated widespread ill-feeling for himself in the town, the most deeply felt was 'the trial of the King, which seems to have filled up the measure of their indignation against Mr Fitzpatrick, and to have roused them to the desperate resolution of refusing to appear before him in Court.'<sup>77</sup> He

described the trial as ‘unprecedented and injudicious,’ since a King had never been tried in that manner before, in all cases a ‘delinquent King’ being summoned before the governor or the assessor, or tried by a jury of his peers. To a ‘sensitive People tenacious of forms and usage,’ Cruickshank suggested, this act of Fitzpatrick was bound to cause great consternation, as indeed it had:

...the excitement against Mr Fitzpatrick is so great, that it would be impossible for him in their present temper to continue in the discharge of his duties without a collision between the Government and the Natives of the Town, which would lead to very disastrous consequences. It would not be a difficult matter to force obedience, but it would be at the point of the bayonet; and I cannot reconcile myself to the idea of commencing any temporary administration of the Government in this manner; especially as I am satisfied, that I can by the exercise of a little prudent discretion, restore affairs to their former state.<sup>78</sup>

In light of this, Cruickshank reported having no other option than to suspend Fitzpatrick, who then proceeded to England.

Fitzpatrick’s suspension turned out to be another instance of ‘unauthorized proceedings.’ This resulted in an outrage at the Colonial Office. London officials were perplexed at inconsistencies between this action and Cruickshank’s own earlier avowal of confidence in Fitzpatrick.<sup>79</sup> Opinion in the Office hinted at suspicions that Cruickshank’s motivation were more cynical:

You are well aware of the ancient feud between the mercantile interest at Cape Coast, i.e. the mercantile firms in London which trade there, & their agents & dependents in the colony & neighborhood, & the local government. The dissatisfaction of the merchants has been pressed on this office in many ways (ever since the government was taken out of their hands some years ago in consequence of the recommendation of a Parliamentary Committee) and particularly in a series of complaints against Mr Fitzpatrick the judicial assessor.... Mr Brodie Cruickshank, the now acting Governor, is (or was until he became acting governor) agent to Messrs Forster & Smith, the chief of these London houses. He is also a man of much ability, and influence on the coast. He has moreover a violent personal quarrel with Mr Fitzpatrick (on the subject of the admin. of estates.) Mr Brodie Cruickshank was sworn in on the 27<sup>th</sup> August, & in ten days he had got rid of his “Chief

Justice & Judicial Assessor” ... on account of his “unpopularity” which convince Mr C. that the government could not be carried on while he continued to deal justice to the natives.

This unpopularity merely rested on the natives’ “belief that they had grievances” a belief which no doubt Mr Cruickshank’s employers and friends have done their utmost to encourage.<sup>80</sup>

The Colonial Office conveyed to Cruickshank its extreme displeasure at the course he had taken.<sup>81</sup> He was eventually replaced and the new Governor requested the Colonial Office to immediately send out Fitzpatrick, who was then in England, to resume his duties as Judicial Assessor.<sup>82</sup> But Fitzpatrick’s actions caught up with him in England and he would never again return to the Gold Coast. The London merchants, whose interests had been affected by his disposal of the deceased merchant’s estate, brought a suit against him in the Chancery Court.<sup>83</sup> He resigned his position on the Gold Coast in order to fight these legal battles, which eventually brought him to financial ruin.<sup>84</sup>

### **Summary**

The circumstances surrounding the reversion of the Gold Coast administration to Colonial Office control generated distrust and hostility between the two British factions on the Gold Coast: merchants and government officials. The hostility between these factions often broke out in open conflict because they needed to work together in the same administration. Mercantile resentment stemmed from sense of being entitled to administer the Gold Coast. This sense of entitlement derived from their contention that, with limited metropolitan assistance, they had been able to steer the affairs of the colony with great success after the government had decided to withdraw from the coast. They, thus, perceived the resumption of direct metropolitan control as an attempt to undermine the results of their decades-long effort and jeopardise their commercial interest.



These circumstances provided a fertile breeding ground for the pattern of conflicts that rocked the administration from 1844. Embittered by the fact that they had been supplanted in the administration that they themselves had built up, they took every opportunity to antagonise the new officials whom they considered to be usurpers. But as I have shown above, underlying these acrimonious relations was a sustained struggle to regain administrative control. When allowed the opportunity to influence administrative policy, the merchants adopted cordial relations with the new officials. But more than informal control, what the merchants most desired was to instigate administrative reforms which would institutionalise their influence in the new regime.

To gain the desired institutional influence, they embarked on a campaign for the formation of a Legislative Council. The two main reasons upon which this demand was premised also explain their antipathy to their colleague officials. First, they reasoned that 'intimate knowledge' of the country was necessary to effectively govern, and as long-time residents, they were the most suited for the task. In contrast, their rivals arrived on the coast totally ignorant of the country they had been appointed to rule. The second premise of their campaign was that as traders who had resided on the Gold Coast for years, they had developed commercial and emotional attachments which compels them to place the welfare of the public first. They feared that new government appointees, lacking any social or commercial ties to the country, would be given to recklessness in the discharge of their duties.

These patterns of conflicts between English merchants and government officials continued well into the late colonial period. In the decades following the government takeover of the administration, British merchants sometimes joined forces with African elites to challenge many government actions, such as protests over the imposition of taxes or increases in customs

duties, or struggles for increased representation of Africans or merchants in the colonial government.<sup>85</sup>

### **Conclusion**

In this paper, I have argued that the Gold Coast colonial administration cannot be considered as a coherent organ. This is in line with political science scholarship which examines factions and fragmentations in governments and parties. This literature has started drawing attention to dangers in the ‘assumption that parties [and governments] are unitary actors.’<sup>86</sup> If colonial personnel were as divided as I have portrayed them in this paper, it would suggest that colonial governments often lacked the kinds of operational efficiency which is usually ascribed to them in the colonial studies literature. It would mean, for instance, that scholars would need to take more seriously, and study more cautiously the network of personal and factional relations in which colonial officials were involved, and the implications of these set of relationships for colonial policy formulation. It would also mean that we should adopt a more open approach to the common categories of colonial studies.

This does not mean that terms like ‘coloniser’ and ‘colonised’ should be discarded. However, as Cooper<sup>87</sup> had admonished, they should be considered as terms which serves to open up a line of enquiry, rather than foreclosing careful analytical work. As I have shown in this paper, uncritically accepting the categories of ‘coloniser’ and ‘colonised’ would not only obscure the many important differences within each category, but, more crucially, would blind us to the important social and political implications of these internal divisions. Although there were so many potential lines of division in any colonial society – for instance, colonial officials, merchants, missionaries, travellers – my focus on only two of these groups have shown the extent to which these divisions undermined the coherence of the colonial government.



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<sup>1</sup> Carol Mershon, “Party Factions and Coalition Government: Portfolio Allocation in Italian Christian Democracy,” *Electoral Studies* 20, no. 4 (2001): 555–580.

<sup>2</sup> Patrick Köllner and Matthias Basedau, “Factionalism in Political Parties: An Analytical Framework for Comparative Studies,” *GIGA Working Paper* 12 (2005), <https://www.giga-hamburg.de/en/publication/factionalism-in-political-parties-an-analytical-framework-for-comparative-studies>.

<sup>3</sup> Sébastien Lazardeux, *Cohabitation and Conflicting Politics in French Policymaking* (Houndmills, Basingstoke, Hampshire; New York, NY,: Palgrave Macmillan, 2014); Oleh Protsyk, “Intra-Executive Competition between President and Prime Minister: Patterns of Institutional Conflict and Cooperation under Semi-Presidentialism,” *Political Studies* 54, no. 2 (2006): 219–244; Thomas Sedelius and Olga Mashtaler, “Two Decades of Semi-Presidentialism: Issues of Intra-Executive Conflict in Central and Eastern Europe 1991–2011,” *East European Politics* 29, no. 2 (2013): 109–134.

<sup>4</sup> George M. Bob-Milliar, “Party Factions and Power Blocs in Ghana: A Case Study of Power Politics in the National Democratic Congress,” *The Journal of Modern African Studies* 50, no. 04 (2012): 573–601; Andrea Ceron, “Inter-Factional Conflicts and Government Formation: Do Party Leaders Sort out Ideological Heterogeneity?,” *Party Politics* 22, no. 6 (2016): 797–808; Cecilia Martinez-Gallardo, “Out of the Cabinet What Drives Defections from the Government in Presidential Systems?,” *Comparative Political Studies* 45, no. 1 (2012): 62–90; Mershon, “Party Factions and Coalition Government.”

<sup>5</sup> Carl Joachim Friedrich, *The Pathology of Politics: Violence, Betrayal, Corruption, Secrecy, and Propaganda* (New York: Harper & Row, 1972).

<sup>6</sup> Köllner and Basedau, “Factionalism in Political Parties.”

<sup>7</sup> *Engines of Change: Party Factions in American Politics, 1868-2010* (Oxford [England]: Oxford University Press, 2012).

<sup>8</sup> John L. Comaroff, “Images of Empire, Contests of Conscience: Models of Colonial Domination in South Africa,” *American Ethnologist* 16, no. 4 (1989): 661–685; Ann Laura Stoler, “Rethinking Colonial Categories: European Communities and the Boundaries of Rule,” *Comparative Studies in Society and History* 31, no. 01 (1989): 134–161.

<sup>9</sup> *Intermediaries, Interpreters, and Clerks: African Employees in the Making of Colonial Africa* (Madison, Wisconsin: University of Wisconsin Press, 2006).

<sup>10</sup> For a discussion of a similar situation in colonial India involving Islamic magistrates, see Hussin Iza Hussin, “The Pursuit of the Perak Regalia: Islam, Law, and the Politics of Authority in the Colonial State,” *Law & Social Inquiry* 32, no. 3 (2007): 759–788; “The Making of Islamic Law: Local Elites and Colonial Authority in British Malaya,” in *Casting Faiths: Imperialism and the Transformation of Religion in East and Southeast Asia* (Basingstoke: Palgrave Macmillan UK, 2009), 155–174.

<sup>11</sup> George E. Metcalfe, “After Maclean: Some Aspects of British Gold Coast Policy in the Mid-Nineteenth Century,” *Transactions of the Gold Coast and Togoland Historical Society* 1, no. 5 (1955): 178–192; Matthew Nathan, “Historical Chart of the Gold Coast and Ashanti,” *Journal of the Royal African Society* 4, no. 13 (1904): 33–43; Roger Gocking, *The History of Ghana* (Westport, Connecticut: Greenwood Publishing Group, 2005).

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- <sup>12</sup> Brodie Cruickshank, *Eighteen Years on the Gold Coast of Africa:: Including an Account of the Native Tribes and Their Intercourse with Europeans*, vol. 1 (London: Hurst and Blackett, 1853).
- <sup>13</sup> Joseph Ephraim Casely Hayford, “Decentralisation: Its Advantages and Disadvantages.,” *The Gold Coast Review* 11, no. 1 (1926): 34–36; John Mensah Sarbah, “Maclean and the Gold Coast Judicial Assessors,” *Journal of the Royal African Society* 9, no. 6 (1910): 349–59.
- <sup>14</sup> Andrew Swanzy, “On Trade in Western Africa with and without British Protection,” *Journal of the Society of Arts* 22, no. 1, 109 (1874): 484; Henry Swanzy, “A Trading Family in the Nineteenth Century Gold Coast,” *Transactions of the Gold Coast & Togoland Historical Society* 2, no. 2 (1956): 87–120.
- <sup>15</sup> Forster and Smith to Colonial Office, 30<sup>th</sup> August 1843, CO 96/3, The National Archives, Kew (hereafter TNA).
- <sup>16</sup> J. Smith to G. Maclean, 7<sup>th</sup> March 1845, enclosed in Maclean to Colonial Office, CO 96/8, TNA.
- <sup>17</sup> *Ibid*, emphasis in original.
- <sup>18</sup> W. Winniett to Colonial Office, 23<sup>rd</sup> March 1848, CO 96/13, TNA.
- <sup>19</sup> A blistering letter was according written to Winniett and a copy also sent to his wife in England (Minute by Lord Grey on letter from W. Winniett of date 23<sup>rd</sup> March 1848, CO 96/13, TNA).
- <sup>20</sup> Forster to Colonial Office, CO 96/14, TNA. In an internal memo, colonial officials in London observed that ‘Mr Forster like all the other merchants has no objectn to using the Govt to undertake warlike operatns wherever it is fancied their own interests can be promoted by doing so’ (Internal Colonial Office minutes on despatch from w. Winniett, CO 96/13, TNA).
- <sup>21</sup> Colonial Office to W. Winniett, 3<sup>rd</sup> July 1848, CO 96/13, TNA.
- <sup>22</sup> F. Swanzy to W. Winniett, 6<sup>th</sup> September 1847, CO 96/13, TNA.
- <sup>23</sup> F. Swanzy to W. Winniett, 6<sup>th</sup> September 1847, CO 96/13, TNA.
- <sup>24</sup> Thomas Hutton to W. M. Hutton, 3<sup>rd</sup> April 1848, CO 96/14, TNA.
- <sup>25</sup> W. Winniett to Colonial Office, 24<sup>th</sup> May 1848, CO 96/13, TNA.
- <sup>26</sup> W. Winniett to Colonial Office, 30<sup>th</sup> June 1848, CO 96/13, TNA.
- <sup>27</sup> Address by merchants, magistrates, and residents of the Gold Coast to W. Winniett, 10<sup>th</sup> July 1848, CO 96/13, TNA.
- <sup>28</sup> from B. Cruickshank to W. Winniett, 10<sup>th</sup> July 1848, CO 96/13, TNA.
- <sup>29</sup> Minute by Mr Elliot on W. Winniett’s despatch of date 12<sup>th</sup> July 1848, CO 96/13, TNA.
- <sup>30</sup> For a discussion of the unstable legal basis of British power on the Gold Coast for most of the 19<sup>th</sup> century, see Asante “‘Purchased Allies’ or ‘Thorns in the Side of the Government’?: African Merchants and Colonial State Formation in the Nineteenth Century Gold Coast” (Northwestern University, 2016)..
- <sup>31</sup> ‘Propositions for improving the Government and promoting the prosperity of the British Settlements on the Gold Coast,’ by J. Bannerman, B. Cruickshank, and J. Clouston, 6<sup>th</sup> February 1847, CO 96/12, TNA.
- <sup>32</sup> J. Bannerman, B. Cruickshank, and J. Clouston to Mr Forster, 12<sup>th</sup> February 1847, CO 96/12, TNA, emphasis mine.
- <sup>33</sup> *Ibid*.
- <sup>34</sup> Forster to Colonial Office, 7<sup>th</sup> April 1847, CO 96/12, TNA.
- <sup>35</sup> Colonial Office to Forster, CO 96/12, TNA.

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<sup>36</sup> Forster to Colonial Office, 7<sup>th</sup> April 1847, CO 96/12, TNA. He included an excerpt of a letter written by a merchant in Sierra Leone expressing much the same sentiments: 'I think our Colony is "progressing" as the Yankees phrase it, but I cannot trace this advancement to our friends in Downing Street. Indeed, I look upon the assistance we receive from home, whether in the shape of the annual parliamentary grant or the measures recommended from the Colonial Office, as the greatest hindrance to its progress.'

<sup>37</sup> Ibid.

<sup>38</sup> F. Swanzy and H. Smith to Colonial Office, CO 96/17, TNA.

<sup>39</sup> Colonial Office to F. Swanzy and H. Smith, 29<sup>th</sup> October 1849, CO 96/15, TNA.

<sup>40</sup> The Colonial Office was fully aware of this situation. Indeed, when the assessor's office was being created in 1843, an official in London noted enigmatically that the assessor was going to exercise justice rather than law.

<sup>41</sup> F. Swanzy to Colonial Office, 7<sup>th</sup> December 1849, CO 96/17, TNA.

<sup>42</sup> F. Swanzy to Colonial Office, 7<sup>th</sup> December 1849, CO 96/17, TNA.

<sup>43</sup> W. Winniett to Colonial Office, 30<sup>th</sup> April 1850, CO 96/18, TNA.

<sup>44</sup> For instance, in reference to government attempts to raise local revenue via increased import duties, they said, 'Much will depend on the view the principal English inhabitants take of the question. If they are permitted to have only one solitary representative in the Council and that one appointed by the Government, it can scarcely be expected they will facilitate the proposal. But should your Lordship grant them a more suitable form of Council, we think it likely that the inhabitants of the English Settlements will be induced to cooperate and that all opposition to a moderate and safe rate of duties may be removed' (Smith and Swanzy to Colonial Office, 16<sup>th</sup> August 1850, CO 96/21, TNA).

<sup>45</sup> Smith and Swanzy to Colonial Office, 16<sup>th</sup> August 1850, CO 96/21, TNA.

<sup>46</sup> Colonial Office to Smith and Swanzy, 10<sup>th</sup> December 1850, CO 96/21, TNA.

<sup>47</sup> See, for instance, J. Bannerman and B. Cruickshank to W. Winniett, 22<sup>nd</sup> August, 1850, CO 96/19, TNA (where they defended Fitzpatrick against Swanzy).

<sup>48</sup> They claim that their intention was not to 'by these remarks to disparage the administration of affairs by the President and Council.' J. Bannerman and B. Cruickshank to W. Winniett, 22<sup>nd</sup> August, 1850, CO 96/19, TNA.

<sup>49</sup> Colonial Office to W. Winniett, 18<sup>th</sup> December, 1850, CO 96/19, TNA.

<sup>50</sup> Sandeman to Colonial Office, 30<sup>th</sup> September 1849, CO 96/17, TNA.

<sup>51</sup> Sandeman to Colonial Office, 30<sup>th</sup> September 1849, CO 96/17, TNA. Responding to the charges, Fitzpatrick accused Sandeman of disorderliness and disturbance of the peace. He also listed Sandeman as one of the obstinate foes of the government: 'I should mention to Your Lordship that Mr Sandeman since the transfer of the Forts to the Crown in 1843 has pertinaciously (sic) endeavored to obstruct the Government and bring the Authorities into disrepute with the Native population though few Men derive more advantage from them. Even since the hearing of this case I have recovered debts for him to a considerable amount, from Natives in the interior and paid them over to him.' J. Fitzpatrick to the Colonial Office, 22<sup>nd</sup> October 1849, CO 96/16, TNA.

<sup>52</sup> W. Winniett to the Colonial Office, 30<sup>th</sup> May, 1850, CO 96/18, TNA.

<sup>53</sup> Ibid.

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- <sup>54</sup> Colonial Office to W. Winniett, 10<sup>th</sup> August, 1850, CO 96/18, TNA. The was one of the pay-offs of Bannerman’s earlier strategic stance. In the document appointing him, Bannerman was referred to as ‘Trusty and Well Beloved.’
- <sup>55</sup> J. Clouston to Colonial Office, CO 96/19, TNA.
- <sup>56</sup> A. Swanzy to Forster, enclosed in letter from Forster to Colonial Office, 31<sup>st</sup> December, 1850, CO 96/21, TNA.
- <sup>57</sup> Forster to Colonial Office, 20<sup>th</sup> May, 1850, CO 96/21, TNA.
- <sup>58</sup> F. Swanzy to the Colonial Office, 29<sup>th</sup> July, 1850, CO 96/21, TNA. Retelling the story a hundred years later, a Swanzy descendant admitted not being able to tell if F. Swanzy pursued this case out of altruistic or selfish motives Swanzy, “A Trading Family in the Nineteenth Century Gold Coast.”
- <sup>59</sup> F. Swanzy to the Colonial Office, 29<sup>th</sup> July, 1850, CO 96/21, TNA.
- <sup>60</sup> Minute on 31<sup>st</sup> July 1850 by Mr Elliot on F. Swanzy’s letter to the Colonial Office, 29<sup>th</sup> July, 1850, CO 96/21, TNA.
- <sup>61</sup> W. Winniett to the Colonial Office, 5<sup>th</sup> October, 1850, CO 96/19, TNA.
- <sup>62</sup> F. Swanzy to J. Bannerman, 16<sup>th</sup> January 1851, CO 96/22, TNA.
- <sup>63</sup> F. Swanzy to the Colonial Office, 29<sup>th</sup> July 1850, CO 96/22, TNA.
- <sup>64</sup> F. Swanzy to the Colonial Office, 29<sup>th</sup> July 1850, CO 96/22, TNA.
- <sup>65</sup> F. Swanzy to the Colonial Office, 24<sup>th</sup> May 1851, CO 96/22, TNA.
- <sup>66</sup> J. Bannerman to the Colonial Office, 24<sup>th</sup> May 1851, CO 96/22, TNA.
- <sup>67</sup> Colonial Office minute on letter from J. Bannerman to the Colonial Office, 14<sup>th</sup> July 1851, CO 96/23, TNA.
- <sup>68</sup> J. Fitzpatrick to the Colonial Office, 8<sup>th</sup> November 1851, CO 96/22, TNA.
- <sup>69</sup> Susan B. Kaplow, “The Mudfish and the Crocodile: Underdevelopment of a West African Bourgeoisie,” *Science & Society*, 1977, 317–333; Edward Reynolds, “The Rise and Fall of an African Merchant Class on the Gold Coast 1830-1874 (Progrès et Déclin D’une Classe Commercante En Gold Coast, 1830-1874),” *Cahiers D’études Africaines*, 1974, 253–264.
- <sup>70</sup> Forster and Smith to the Colonial Office, 17<sup>th</sup> June 1853, CO 96/29, TNA.
- <sup>71</sup> The merchants themselves insisted that they could find one of their own members to discharge the function much more efficiently and at a much lower fee than what Fitzpatrick had charged, or even free of charge: A. Swanzy to the Colonial Office, 10<sup>th</sup> August 1853, CO 96/29, TNA.
- <sup>72</sup> B. Cruickshank to the Colonial Office, 26<sup>th</sup> July 1853, CO 96/28, TNA.
- <sup>73</sup> J. Fitzpatrick to the Colonial Office, 2<sup>nd</sup> August 1853, CO 96/28, TNA.
- <sup>74</sup> B. Cruickshank to the Colonial Office, 1<sup>st</sup> September 1853, CO 96/28, TNA.
- <sup>75</sup> B. Cruickshank to the Colonial Office, 9<sup>th</sup> September 1853, CO 96/29, TNA.
- <sup>76</sup> B. Cruickshank to the Colonial Office, 7<sup>th</sup> September 1853, CO 96/28, TNA.
- <sup>77</sup> B. Cruickshank to the Colonial Office, 10<sup>th</sup> September 1853, CO 96/28, TNA.
- <sup>78</sup> B. Cruickshank to the Colonial Office, 7<sup>th</sup> September 1853, CO 96/28, TNA.
- <sup>79</sup> Minute by Peel on B. Cruickshank’s letter to the Colonial Office, 7<sup>th</sup> September 1853, CO 96/28, TNA.
- <sup>80</sup> Ibid.
- <sup>81</sup> Colonial Office to B. Cruickshank, 24<sup>th</sup> November 1853, CO 96/28, TNA.
- <sup>82</sup> S. Hill to the Colonial Office, 26<sup>th</sup> January 1854, CO 96/30, TNA.
- <sup>83</sup> Forster to the Colonial Office, 17<sup>th</sup> March 1854, CO 96/32, TNA.
- <sup>84</sup> J. Fitzpatrick to the Colonial Office, 3<sup>rd</sup> May 1854, CO 96/32, TNA.

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<sup>85</sup> Asante, “‘Purchased Allies’ Or ‘thorns in the Side of the Government’?”; David Kimble, *A Political History of Ghana: The Rise of Gold Coast Nationalism, 1850-1928* (Oxford: Clarendon Press, 1963).

<sup>86</sup> Mershon, “Party Factions and Coalition Government,” 556.

<sup>87</sup> “Conflict and Connection: Rethinking Colonial African History,” *The American Historical Review* 99, no. 5 (1994): 1516–1545.