

# The Cape Colonial Government System of Red-line Diagrams.

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Keywords Historic Cadastral Surveys, boundary resurveys, land administration system, positional accuracies, history of surveying.

## **ABSTRACT**

During the years of European conquest and trade, a settlement at the Cape near the Southern tip of Africa began as an important victualling station. For the first two hundred years of occupation and as the need for fresh produce increased, land was allocated by the Dutch East India Company. Downplaying any existing indigenous land rights (nowhere documented), Free Burgers (immigrants from the colonial motherlands who wished to remain in the colony) either appropriated for themselves or were allocated a piece of land. This land was eventually surveyed, reflected on a diagram and then registered by deed of grant from the colonial government under the Roman Dutch legal system. Once much of the desirable land had been occupied by colonial subjects, a form of densification was needed. The Cape Colonial Government, which was, from the early 1800s, under British rule, published processes of subdividing the existing land parcels that were surveyed and reflected on Cadastral diagrams lodged with and approved by the then Surveyor-General of the Cape Colony.

The so-called “Red-line Regulations” came into effect by Government Notice in 1879. This set of legislation was ultimately repealed by The Land Survey Act, 1927, which came into operation in 1929. The Red-line Regulations were therefore in operation for almost 50 years. Professors Fisher and Whittal have described the history of the “Red-line diagrams” in their comprehensive book entitled "Cadastre: Principle and Practice". The Red-line Regulations caused confusion for future generations by prescribing that any new diagram of the subdivision of an earlier property must contain two figures: firstly, the exact representation of the portion to be taken from original diagram in black and, secondly, the figure of the portion as resurveyed superimposed thereover in red. The red-line diagrams of the Province of the Eastern Cape were the author’s responsibility for the 14 years he was the Surveyor-General of the Eastern Cape. Having encountered many instances of confusion in understanding of the Red-line Diagrams, the author has examined this historic practice in some detail. This paper is therefore based on research on the application of the red-line diagrams, focussing on two specific examples resulting from dealing with his resolution of disputes thereover.

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## 1. INTRODUCTION

In 2020, Professors Roger Fisher and Jennifer Whittal completed and published their book entitled "**Cadastre: Principle and Practice**" (Fisher and Whittal, 2020). Their book contains a few valuable pages providing the history of the "Red-line diagrams". To provide a summary: The Cape Colonial Government enacted the Land Beacons Consolidation Act, Act No. 7 of 1865, which was amended by Act No. 8 of 1866-67 and Act No. 9 of 1879. In addition, by Government Notice No. 229 as published in the Gazette dated 26 February 1879, the so-called "Red-line Regulations" came into effect. This set of legislation was ultimately repealed by The Land Survey Act, Act No. 9 of 1927 (Union of South Africa, 1927), which came into operation on 01 January 1929. The Red-line Regulations were therefore in operation for two months short of 50 years, from 26 February 1879 until 01 January 1929 (Fisher and Whittal, 2020 [1]).

## 2. DESCRIPTION OF THE RED-LINE DIAGRAM

Fisher and Whittal note: "*The deficiency of the late nineteenth century land legislation was that a registered land title could not be amended (that is corrected if found to be erroneous) without obtaining a Court order – an expensive and often prolonged procedure. Hence some more immediate means of dealing with faulty titles had to be devised. The red-line regulations introduced in 1879 for this purpose were a cumbersome, inelegant solution resulting in the red-line diagram*" (Fisher and Whittal, 2020 [2]). The prescribed practice during that time was to reflect, on the new subdivisional diagram, the deduction from the original diagram in black and the actual surveyed figure in red. This confusing system has been exacerbated in recent times by the Surveyors-General's issue of copies of diagrams (scanned images and on paper) in black and white, losing all colour (Chief Surveyor-General, 2026).

T, de Smidt (de Smidt, 1992) notes that red-line diagrams "*show red lines with corresponding data called 'beacon data' in addition to transfer data ... The beacon data merely reflects the results of the later surveyor's determination of the beacons adopted by him ... This incongruity was due to the rule of superposition which required that, when the data derived from a later surveyor differed from the data on the original diagram, a beacon and direction of one of the boundaries from it, usually chosen so as to result in the least distortion, had to be superposed on the corresponding beacon, as pivot, and [one] boundary of the original diagram ... The transfer area had to be computed from the transfer co-ordinates and on the subdivisional diagram, that area was given in the verbal description of the property. The ['beacon data'] area, although recorded below the tabulated numerical data on the diagram, was never quoted in the new transfer deed nor reflected in the register in the Deeds Registry*".



## 2.2. The red line data – the actual area as determined by the current survey

The red line data accepted as much of the black line data and figure as could, within plotting (drafting) accuracy, not be distinguishable from those black lines. However, wherever the newly surveyed beacons and boundaries were visibly distinguishable from the black lines when plotted, these were shown as red lines. In Figure 2 (Lomberg, 1928), the red line follows the surveyed position of the middle of the river, enhanced by the blue shading. The sides and angles of the red-line data was added, when appropriate, to the diagram as “beacon data”.

Whenever the red line figure was superimposed over the black line figure, it was because the original and the current data did not agree, usually (but not always) because of the inaccuracies of the earlier (parent) diagram. This will be explained further in the ensuing examples.

## 3. NOTE

Black and white copies of all diagrams and Cadastral Survey Information referred to in this paper can be obtained from the official CSG GIS website. The official website URL has recently (as of January 2026) changed to: <http://csg.dlrrd.gov.za>. To obtain full colour copies of any documents (extracts thereof shown in Figures 1 – 7), the Cadastral Information Sections of the respective Offices of the Surveyors-General should be approached directly.

## 4. EXAMPLE 1: ERF 6337 HERMANUS AND THE HERMANUS CLIFF PATH

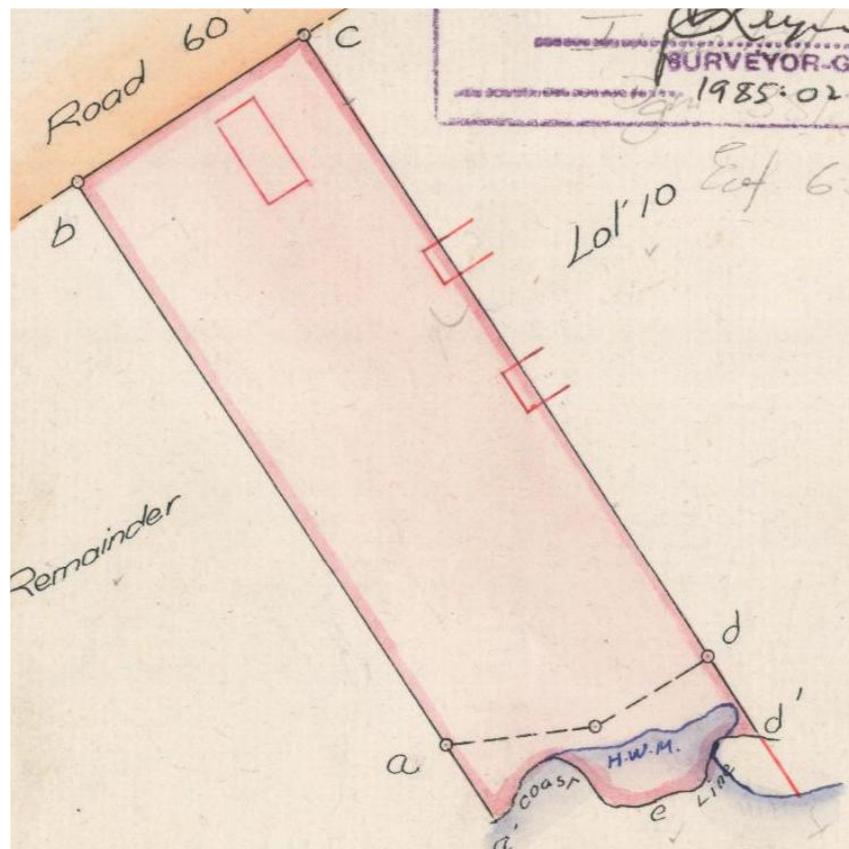
This matter came to light when the Bay View Body Corporate, the owners of Erf 6337 Hermanus, objected to the Hermanus Cliff Path being built on the landward side of their pool deck, because they were adamant that the area “to the sea” below the high-water mark was their property. The diagram of the property (Diesel, 1984) appeared to indicate this and ultimately required a court judgement (High Court of South Africa, 2024) to confirm that the property extended only as far as the high-water mark. This is a summary of the evidence used.

### 4.1. Erf 1242 Hermanus (Hill, 1919).

In September 1919, at a time when it was necessary to comply with the Red-line Regulations, Government Land Surveyor H. L. Hill surveyed one of the components of Erf 6337 Hermanus (Diesel, 1984), known as Erf 1242 Hermanus (Hill, 1919), which was a subdivisional diagram of Erf 1237 Hermanus (Hopley, 1897). The “black-line data” shows that the figure of Erf 1242 Hermanus, to be deducted from the original diagram (Erf 1237 Hermanus), is the figure a<sup>1</sup>, b, c, d<sup>1</sup>, Coast Line to a<sup>1</sup> (*vide* Figure 3). The red-line data is only visible as an extension of the line C-d<sup>1</sup>, to a second curvilinear boundary annotated with the abbreviation H. W. M., an abbreviation denoting the High-water Mark. The red-line data indicates that the position of the south-easterly boundary (as it was found by actual survey in 1919) was the “High-water Mark”. The Coast Line is shown as black-line data in the position adopted from the 1895 parent

diagram. In contrast, the High-water Mark is shown in a blue line. Not lettering the intersection of the extended side boundary (the portion of the line depicted in red) with the High-water Mark depiction may have caused some uncertainty to the ill-informed.

The area between the High-water Mark and the Coast Line (as indicated by the blue and black lines on the diagram of Erf 1242 Hermanus – *vide* Figure 3) substantially contains the tidal pool and other man-made structures, the main area of the dispute. It is clear from the understanding of methods used at that time that Land Surveyor Hill recognised the High-water Mark as the boundary, as he did in his subsequent diagrams of Erven 1246 Hermanus (Hill 1926) and 1247 Hermanus (Hill, 1927 – see paragraphs 4.3 and 4.4 below). However, it is possible that he included a rocky promontory south of point d<sup>1</sup>, which may become an island in the sea at high tide, and which would have been legally excluded once a 1917 court order became legislation in 1935 (Surveyor-General, 2024).



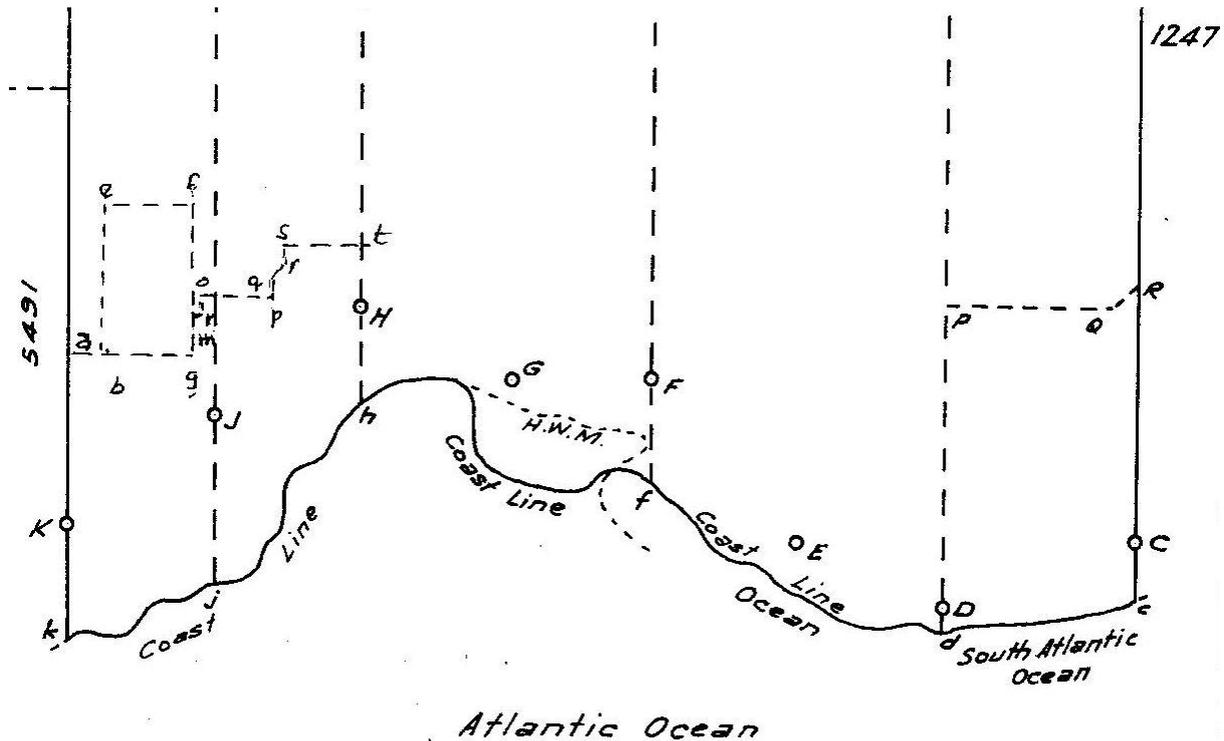
**Figure 3:** Extract from Land Surveyor H. L. Hill’s diagram of Erf 1242 Hermanus (Hill, 1919)

#### 4.2. The diagram of Erf 6337 Hermanus (Diesel, 1984)

The diagram of Erf 6337 Hermanus is a consolidation diagram compiled from five component diagrams without survey in April 1984 by Land Surveyor J. B. Diesel. The Survey Regulations at the time, framed in terms of Section 7 of Act No. 9 of 1927 (Union of South Africa, 1927) permitted a Land Surveyor to frame a compilation diagram directly from the information of the

various components (i.e., a consolidation of the data from the diagrams of Erven 1240, 1241, 1242, 1244 and 1246 Hermanus). A diagram framed by compilation did not involve any field survey.

This is where following the permissible law resulted in unintended consequences. In accordance with the Deeds Registries Act, (Union of South Africa, 1937), the area of the whole consolidation had to be the sum of the areas of the components, as taken from their respective diagrams. In the case of the component 3, being Erf 1242 Hermanus (Hill, 1919), the area used in the original Deed of Erf 1242 Hermanus was determined from the “transfer data” and not the as surveyed “beacon data” (de Smidt, 1992).



**Figure 4:** Extract from Land Surveyor J. B. Diesel’s 1984 consolidation diagram of Erf 6337 Hermanus (Diesel, 1984)

The diagram of Erf 6337 Hermanus (Figure 4) was drawn showing the black-line data from the 1895 survey of parent diagram of Erf 1237 Hermanus (Hopley, 1897) representing the transfer data as the correct boundary. Only parts of the 1919 red-line diagram data (beacon data) of Erf 1242 Hermanus (Hill, 1919, Figure 3) are reflected in dotted lines (i.e., for annotation purposes only). Land Surveyor J. B. Diesel (and the Professional Assistant from the office of the Surveyor-General who approved this diagram on behalf of the Surveyor-General) should have reconsidered framing and approving the consolidation diagram by compilation. For forty years from the framing of the consolidation diagram, the owners of Erf 6337 Hermanus and the Body Corporate of the Sectional Title Scheme Bay View (Munns, 1986) believed that they owned the portion of land shown on the diagrams (Figures 3 and 4) to be seaward of the high-water mark. Consolidation by actual field survey would have been preferable and would have removed the

superposition of two sets of data from different eras onto a black and white diagram. It is noted that, with the introduction of Regulation 19(2B) of the Land Survey Act, 1997 (Republic of South Africa, 1997) in 2014, the Surveyor-General: Eastern Cape will not accept a consolidation by compilation where red-line diagrams are involved.

#### **4.3. The diagram of Erf 1246 Hermanus (Hill, 1926)**

Government Land Surveyor H. L. Hill, who surveyed the diagram of Erf 1242 Hermanus in September 1919 (Hill, 1919) also surveyed the diagram of Erf 1246 Hermanus in February 1926 (Hill, 1926) and found adequate compatibility of the surveyed figure with the original diagram, so no red lines were visible. Instead, he adds his confirmation of the seaward boundary into the wording of the figure description, where he indicates that the south-easterly boundary is the “High-water Mark, Great Southern Ocean”.

#### **4.4. The diagram of the adjoining Erf 1247 Hermanus (Hill, 1927)**

Further, Government Land Surveyor H. L. Hill surveyed the diagram of the adjoining Erf 1247 Hermanus in December 1926 (Hill, 1927), at a time when it was still necessary to comply with the Red-line Regulations. The “black-line data” shows that the figure of Erf 1247 Hermanus, to be deducted from the original diagram, is the figure A<sup>1</sup> B C D<sup>1</sup> High Water Mark South Atlantic Ocean A’. The red-line data is only visible as line D<sup>1</sup>–D<sup>11</sup>, which extends the black transfer data line with a red line to a second curvilinear boundary, which is not annotated but drawn in blue. Similar to his 1919 survey, Hill’s 1927 diagram red-line data (including the blue line) indicates that the position of the south-easterly boundary (as it was found by actual survey) was the “High-water Mark”. The Coast Line is shown as black-line data in the position adopted from and as shown on the parent diagram (Hopley, 1899) but also described therein as extending to the “*High water mark of Great Southern Ocean*”. It shows that, while the area of Erf 1247 Hermanus, deducted from even earlier diagrams, may have read “South Atlantic Ocean”, the south-easterly boundary was recognised as the “*High-water Mark, South Atlantic Ocean*” or similar descriptions as early as 1895.

#### **4.5. Servitude areas over Erf 6337 Hermanus (Munns, 1985)**

Servitude areas over Erf 6337 Hermanus (Munns, 1985) are diagrams prepared from survey. The survey report contained in Land Surveyor Munns’ Survey Records states: “*On 25 October 1985 the curvilinear boundary of Erf 6337 (the High-water Mark) as decided on by Messrs Singels and Coates of the S.G.O. at a site meeting was surveyed.*” (*Sic erat scriptum.*) Now, Mr Singels was the Surveyor-General of Cape Town from 1975 – 1988 and Mr Coates was a Professional Assistant to Mr Singels in that office. The author has an issue with the above written statement, as it suggests that the Surveyor-General took the decision of where the high-water mark was. It is not the function of the Surveyor-General to take such decisions, as the Land Surveyor retains responsibility for his determination. The Surveyor-General is there to guide and ensure that the law and the public asset is protected. Land Surveyor G. K. Munns, with assistance from the Surveyor-General and any other Professional Land Surveyor present on site at the time, may have determined that the seaward boundary of Erven 1240, 1241, 1242,

1244 and 1246 Hermanus was the High-water Mark, but, by signing the survey reports and diagrams, Land Surveyor G. K. Munns accepts responsibility for the information.

The diagram of a Servitude Area over Erf 6337 Hermanus as shown on diagram SG No. 492/1986 (Munns, 1985) and registered against the Deed of Erf 6337 Hermanus by Notarial Deed of Servitude No. K. 661/1986, was amended, prior to approval by the Surveyor-General (because such amendment was initialled by Land Surveyor G. K. Munns, who undertook the survey) to show that the seaward boundary of Erf 6337 Hermanus extended to the High-water Mark. At the very least, the Office of the Surveyor-General should have endorsed the diagram of Erf 6337 Hermanus with a note recording the replacement of the uncertain description of the boundary with the High-water Mark, as had been determined by Land Surveyor Munns who surveyed the servitude area, in discussion with the Surveyor-General.

## **5. EXAMPLE 2: THE FARM WELL VILLA, BEING PORTION 4 OF THE FARM No. 156 GRAAFF REINET**

### **5.1. The diagram of the Farm Olive Kloof No. 155 Graaff Reinet (Leeb, 1839)**

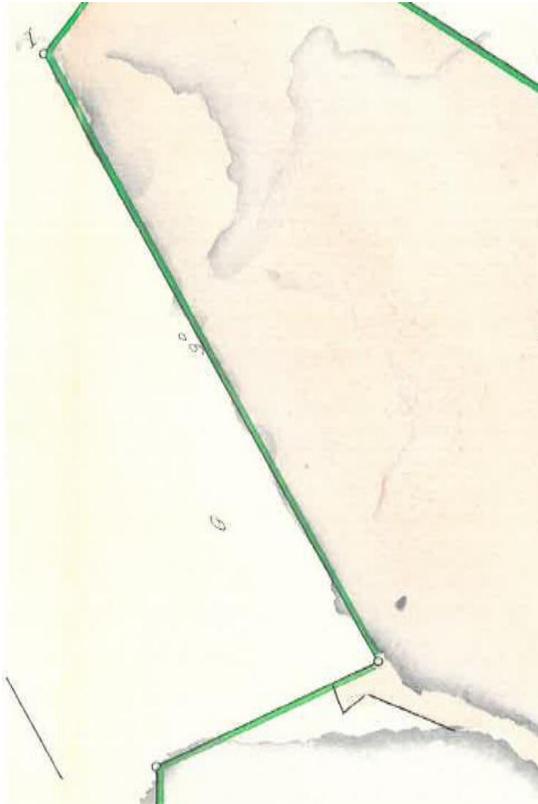
Sworn Surveyor J. L. Leeb surveyed this diagram in the late 1830s, at a time when there were no regulations and very little control over how survey was done. The Office of the Surveyor-General: Eastern Cape does not have the original diagram, but instead, an undated copy of the original now exists (Leeb 1839). It is therefore difficult to say how much of the visual information was retained, and at what accuracy. Nevertheless, it is assumed that the topographical annotation was applied with care. This assumption is supported when comparing the topographical annotation of Figure 5 (Leeb, 1839) and Figure 7 (Porter, 1928). Practice at the time was generally for beacons to be placed at the highest points and boundaries to follow the watershed, but the topography of the red-line diagrams (Melvill, 1889 and Porter, 1928) indicate the beacons given on black-line data fall off the crest of the hill and into the gully. There are no angles of direction recorded, only dimensions. The future subdivision (Melvill, 1889, Figure 6) is indicated by endorsement of the deduction in pink on the original (Figure 5).

### **5.2. The diagram of the Farm No. 156 Graaff Reinet (Melvill, 1889)**

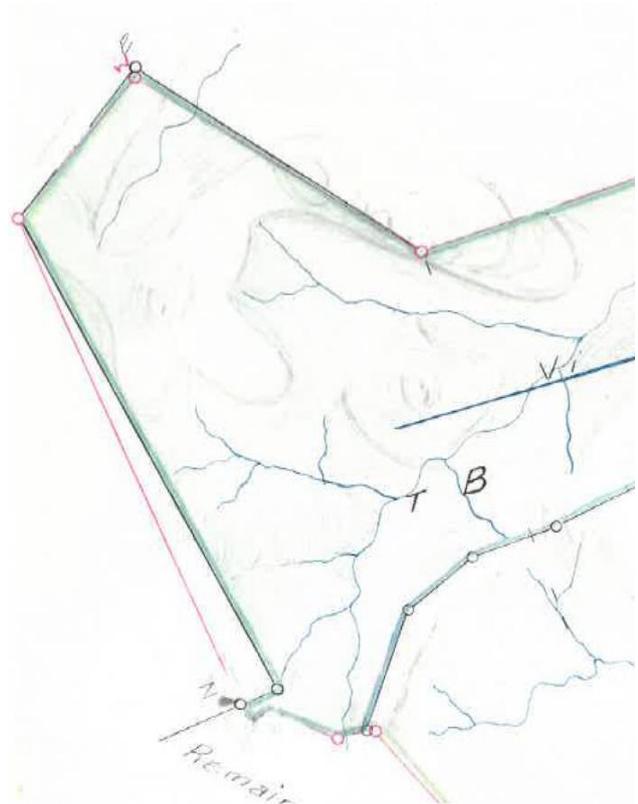
Sworn Surveyor A. M. Melvill's diagram of the Farm No. 156 Graaff Reinet (Melvill, 1899) is a "red-line diagram" and a consolidation diagram in one, surveyed in April 1889, at a time when it was necessary to comply with the Red-line Regulations. Again, the Surveyor-General: Eastern Cape does not have the original diagram, but the office has a copy made of the original. It is therefore difficult to say how much of the visual information was retained, and at what accuracy.

Sworn Surveyor AM Melvill used beacon V and the direction of the longest side as his pivot. The combined deduction from the two parents followed the black line data anticlockwise and are all shown in black, upper case. His "red-line" boundaries are all shown in red and numbered with lower case. The surveyed (red-line) boundary of Farm 156 does not follow X Y Z a but is

a straight-line from X to a. Beacon Y and beacon a are the same point surveyed 50 years apart. Beacon Y and boundaries ZY and YX only exist on SG No. 525/1839 and hence reproduced as black-line data.



**Figure 5:** Extract from Sworn Surveyor J. L. Leeb's diagram of Olive Kloof (Leeb, 1839)



**Figure 6:** Extract from Sworn Surveyor A. M. Melvill's diagram of the Farm 156 (Melvill, 1889)

### 5.3. The diagram of Portion 4 of the Farm No. 156 Graaff Reinet (Porter, 1928)

From information on the diagram (Porter, 1928), it is not possible to tell when Government Land Surveyor F. W. Porter surveyed this diagram, but it was approved on 28 March 1928, i.e., before the 1<sup>st</sup> of January 1929, the date of commencement of Act No. 9 of 1927 (Union of South Africa, 1927). It was therefore still necessary to comply with the Red-line Regulations. Government Land Surveyor F. W. Porter substantially agreed with Sworn Surveyor A. M. Melvill (Melvill, 1889) and re-used his 1889 process, which is recorded on this 1928 diagram as beacon B (as pivot) and direction BC (Figure 7). The “black line” boundaries of Portion 4 reproduced the “black-line” boundaries of Farm No. 156 Graaff Reinet (Melvill, 1889), which in turn were the transfer data of the subdivision off the Farm Olive Kloof No. 155 Graaff Reinet (Leeb, 1839). The “red-line” boundaries are (not too) visible as e d A B (Figure 7). The surveyed boundary of Portion 4 does not follow c e f d, but is a straight-line c d.



**Figure 7:** Extract from Government Surveyor F. W. Porter's diagram of the Farm Well Villa (Porter, 1928)

This is also evidenced on aerial imagery – parts of the old fence line are visible on the available CD: NGI geo-referenced rectified imagery (as used by license on Google Earth, imagery dated 25<sup>th</sup> July 2023) (CD: NGI, 2025), but not visible on the version of imagery used in the CSG GIS (Chief Surveyor-General, 2026), which does not zoom in sufficiently, and, in some places is even more visible on slightly older photography. The fences align with the sides and angles of Melvill (1889) and Porter (1926).

Referring to Figure 7, an original grant beacon (beacon c) falls on a hill-top, as do beacons d, A and B. Boundary c d follows a ridge line (watershed), as would be expected from methods used to grant farms by the British Colonial Government to the Boer occupants and by the Dutch VOC administration before them. Beacons Z, a and b all seem to fall on the top of the north-facing Krantz, not along the watershed. These are subdivision beacons of Farm 156, surveyed in 1889. Melvill (1899) shows the same boundaries and makes the boundary along the edge of Krantz even more apparent on boundary e d (Figure 6). The boundaries V W X Y Z (Porter, 1928 and Figure 7) follow the watershed ridge and are visibly fenced on the imagery.

## 6. CONCLUSION

In Example 1, the black-lines of the “red-line diagrams” reproduced the Coast Line exactly as was drawn on the original 1895 parent diagram, whereas the information displayed by the more accurate “Red-line” (including blue line) information superimposed over the Black-line data demonstrated that, by the time of re-survey, court judgements had confirmed that a seaward boundary extending to the Coast Line was to be adopted as the High-water Mark (Surveyor-General, 2024), which decision was confirmed in subsequent surveys. Showing both the Coast Line and the High-water Mark was because of regulated practice of the time, which required one boundary line to be shown twice, at the different accuracies. The court judgement (High Court of South Africa, 2024) confirmed that the High-water Mark (red-line determination) was the true boundary of Erf 1242 Hermanus (Hill, 1919) and hence not the black-line determination as reproduced on the diagram of Erf 6337 Hermanus (Diesel, 1984).

In Example 2, the black-lines of the “red-line diagrams” showed the boundaries exactly as was less accurately drawn on the original parent diagram, whereas the information displayed by the more accurate “red-line” information superimposed over the black-line data demonstrated that, at the time of re-survey and because of regulated practice of the time, a single beacon being the corner point of two fenced boundaries was shown twice, at the different accuracies. The outcome of the above is that the single beacon on the crest of the hill is the same beacon as was recorded in 1839, and it was only the process of indicating “transfer data” on a red-line diagram that introduced another two bends in a straight line, not reflected by the fencelines or any other evidence on the ground.

Any person obtaining a diagram approved by the Surveyor-General of Cape Town between 26 February 1879 until 01 January 1929 should request a full colour copy of that diagram to distinguish whether the Red-line Diagram system was applied to such diagram. If the diagram is a “red-line diagram”, great care should be taken to ensure that all evidence is considered when determining the actual position of the beacons and boundaries, often reflected twice – in two positions from different surveys.

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## **8. BIOGRAPHICAL NOTES**

Chris Williams-Wynn grew up in the Eastern Cape, South Africa, and went to school at St Andrew's College in Makhanda. After school, he completed a BSc (Honours) degree in Land Surveying from what is now the University of KwaZulu-Natal and, in 2007, completed his Masters in Public and Development Management at the University of the Witwatersrand.

He is a Registered Professional Land Surveyor, a Registered Sectional Titles Practitioner and a Registered Township Planner. Having worked for 17 years in the private sector, he moved into the government sector due to his deteriorating physical ability. Mr. Williams-Wynn was appointed the Surveyor-General: KwaZulu-Natal on 1<sup>st</sup> of May 1998 and transferred at his own request to establish the Office of the Surveyor-General: Eastern Cape on 1<sup>st</sup> July 2010, from where he retired on the 31<sup>st</sup> of December 2024.

Mr. Williams-Wynn has travelled extensively throughout South Africa and occasionally internationally, as he was an advisor to several Government institutions on land issues. He has particular interest in legislation affecting development approvals. He has served on the Townships Board, the Land Use Regulations Board and the Spatial Planning and Land Use Management Steering Committee. One of his main passions is to see people in the Traditional Communities also benefit from the Land Rights system of the country.

Outside of his survey career, Mr. Williams-Wynn is interested in environmental conservation, with special interests in birds and trees. This interest has benefited his knowledge concerning coastal public property and the legal position of boundaries adjoining the high-water mark of the sea, rivers and estuaries. He is married to Glenda, a Natural Sciences Graduate, a Biological Sciences graduate and they have retired to Howick.

## **9. CONTACTS**

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