THE STOCKENSTRÖM JUDGMENT, THE WARREN REPORT AND THE GRIQUALAND WEST REBELLION 1876-8

THESIS

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by

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PREFACE

South African frontiers periodically provided the backdrop for conflict between Blacks and Whites over land, and, in this respect, Griqualand West proved no exception. The arrival of the trekboers in the 1830s heralded the beginning of the land problem in Griqualand West, and the situation worsened with the discovery of diamonds and the subsequent influx of land-hungry Whites.

By the 1870s the stage was then set for a major clash between Blacks and Whites with land as the central focus. The Griqualand West Administration tried to rectify this situation in 1875 by setting up a Land Court under Judge Andries Stockenström. Stockenström's judgment was highly controversial, as many Griqua and Blacks lost land, although no land which had been claimed by a Griqua or Black was granted to a White. As Stockenström had not resolved the land problem, the Griqualand West authorities brought in Captain Charles Warren to settle the matter of land ownership in the Province. The Warren Report was considered by all concerned to be fair, but it did not prevent the outbreak of hostilities in 1878. The two main foci of this study are, then, land ownership and the Rebellion and the link, if any, between them.

The main sources for the work have been the Griqualand West archive in the Cape Archives, for the period 1872-1880, and various newspapers. The Cape and Imperial Blue Books were useful sources, especially on the military history of the rebellion. Interviews conducted in Bophuthatswana and Griqualand West clarified many obscure points and raised others, most of which have been answered in this work. A considerable number of contemporary published works were also consulted, but, although most mentioned the land problem and the Rebellion, few contained anything worthy of mention, especially with regard to the military history of the Rebellion.

NOTES ON ABBREVIATIONS AND TERMINOLOGY

Abbreviations

The following abbreviations have been used in this work:

A.Y.B.	Archives Year Book
Bloemhof Blue Book	Cape of Good Hope Diamond Fields Commission, April 1871
D.N.B.	Dictionary of National Biography
D.S.A.B.	Dictionary of South African Biography
L.M.S.	London Missionary Society
£.s.d.	Pounds, shillings and pence
O.F.S.	Orange Free State
Z.A.R.	Zuid-Afrikaansche Republiek (Transvaal Republic).

Terminology

The problem of an acceptable terminology has been solved by using the modern terms and orthography throughout. The spelling of Tswana chiefs' names was obtained from official sources in Bophuthatswana. In all other cases the orthography employed in The Oxford History of South Africa has been used where applicable. (e.g. Kora not Koranna and Tlhaping not Batlhaping.)

GLOSSARY

bogwera	initiation
boxadi	marriage cattle
burgher	citizen
koppie	hillock
landdrost	district magistrate
morgen	a unit of land equalling $2^{1}/_{9}$ acres
pitso	public assembly
Raad	Council
Uitvoerende Raad	Executive Council
Volksraad	elective popular legislative assembly
Veldkos	field foods (nuts, roots, etc.)

CHAPTER 1

EARLY HISTORY OF GRIQUALAND WEST

The ever-present problem of land ownership was the central focus in Griqualand West during the latter part of the nineteenth century, as both the Diamond Fields Dispute and the Griqualand West Rebellion of 1878 had their origins in the land settlement of the Province. The country to the north of the Orange River between Kheis and Ramah was considered too barren for much importance to be attached to it until the discovery of diamonds in 1868 threw a new light on the area. Before the discovery of diamonds no surveyed boundaries[1] had been drawn up, but by 1868 they were of prime importance.

The earliest inhabitants of Griqualand West were undoubtedly the San, who were followed by the Griqua and the Kora.[2] These San were hunters and gatherers who lived in small groups. They, like the Kora, throve on cattle stealing[3] and as such were regarded as a menace by the other inhabitants of Griqualand West.[4] The Kora were nomadic hunters and pastoralists who lived in clans mainly along the Orange River. The Griqua and Kora were both peoples of mixed blood who had access to firearms. Thus they found it easier to subdue their neighbours such as the Tswana with whom they came into contact.[5]

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1. The Ramah-David's Graf-Platberg line was a recognised, but unsurveyed, boundary between the Griqua and the Orange Free State. This boundary was controversial as the positions of David's Graf and Platberg were open to more than one interpretation.

2. GLW 166: Land Court Judgment, 16 March 1876, p.3; C. Warren: Report on the Land Question of Griqualand West, June 1880 (hereafter referred to as Warren Report), p.8.

3. After 1860 these people were often reduced to cattle stealing as most of the wild game had been hunted out.

4. W.J. Burchell: Travels in the Interior of Southern Africa, I, p.443.

5. D. Arnot and F.H.S. Orpen: The Land Question of Griqualand West, pp.1-2; See Chapter II for tribal backgrounds.

Barend Barends, a Griqua chief living in the Cape Colony in the late eighteenth century, induced Dr William Anderson, of the London Missionary Society, to accompany him through Griqualand West in search of watering points. They discovered a spring which they named Klaarwater and there in 1804 Anderson induced a number of Griqua to "assemble and reside and forsake their nomadic habits."[6] Adam or "Dam" Kok, son of Cornelius Kok the elder and grandson of Adam Kok of Kamiesberg in Namaqualand, was selected as chief of all the Griqua and he settled at Klaarwater, later called Griquatown. The Colonial Government gave the Griqua chiefs staffs of office to ensure their recognition as British subjects.[7]

Various Tswana tribes, particularly the Tlhaping and Tshidi-Rolong, were living as far south as Kuruman by 1800. They later came to live within the limits of Griqualand West but it was mostly as fugitives under the protection of Griqua chiefs. In June 1823 the Griqua chief Andries Waterboer and between sixty and ninety of his mounted and armed Griqua helped Mothibi and about 2 000 of his Tlhaping fight against and practically annihilate the Mantatees[8] at Dithakong.[9] Tswana tribes only claimed territorial jurisdiction in Griqualand West once the power of the Griqua chiefs was on the wane and then only

> at the instigation of the white man who wished to purchase the land, which was not available for sale under Griqua laws.[10]

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6. Warren Report, p.8.

7. GLW 166: Judgment of 16 March 1876, p.4.

8. This group comprised the Phuting of Tswane, Sebethwane's Fokeng and the Hlakwana of Nkarahanye.

9. M. How: "An Alibi for Mantatisi," African Studies XVI, 1964, pp.65-74; J.D. Omer-Cooper: The Zulu Aftermath, pp.94-5.

10. GLW 166: Judgment, 16 March 1876, p.8.

Knoffel Vley (Campbell) was taken possession of by the London Missionary Society in 1811 and some Griqua settled there. The Griquatown missionaries felt the need for more mission stations so Hardcastle was established, where some Griqua settled under the leadership of Barend Barends. Adam Kok resigned as chief of Griquatown and Andries Waterboer, a former catechist and schoolmaster, was elected in his stead. Adam Kok's brother, Cornelius, was elected as chief of Campbell at the same time and those appointments were sanctioned by the Colonial Government.

In the early nineteenth century there were no set boundaries between different tribes or sections of the same tribe. The mission stations accepted allcomers, as long as they obeyed the headman of the station during their stay. On their departure this jurisdiction ceased. With regard to all nomadic tribes

> the right of occupation of land was only co-extensive with the power of the occupiers to retain it.[12]

If land was abandoned by one tribe and occupied by another, the latter could retain it, until it wandered off elsewhwere or was dispossessed by some more powerful group.

The establishment of the two Boer Republics in the 1850s led to greater rivalry between White and Black as the Boers began to encroach upon the lands of the Griqua and their immediate neighbours, the Tlhaping. The Griqua, divided by the rivalries of their leaders and the teachings of the

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11. Arnot and Orpen, pp.4-5; GLW 166: Judgment, 16 March 1876, p.2. In 1822 the Cape Government appointed one Melville as its agent at Griquatown. This appointment lapsed in 1826 as Melville was left unsupported by the Colonial authorities. J.S. Marais: The Cape Coloured People, pp.38-9.

12. GLW 166: Judgment, 16 March 1876, p.6.

missionaries,[13] found it increasingly difficult to resist the westward expansion of the Boers.[14] The Tlhaping proved less prone to missionary influence, but by the late 1860s had found their tribal organization to be far from stable as their chiefs were often dispossessed of land by White land agents. This factor together with their lack of firearms and military expertise greatly reduced their effectiveness in countering the Boers. The need for land and the possibility of mineral wealth increased the westward pressure of the Boer Republics on the Black tribes. The missionaries and those trading to the north of the Orange River became concerned about the fate of those tribes and the possible closure of the "Road to the North" by the Boers.[15]

By means of the Sand River and Bloemfontein Conventions, signed in 1852 and 1854, the British Government

> in return for a promise of no slavery and an an assurance that some land would be reversed for the natives,[16]

declared a policy of non-interference by abrogating existing treaties and promising to make no others with the Blacks outside British possessions.

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13. Missionaries often took the side of one chief against another. This sometimes divided various chiefs against each other and led to rivalry between the chief and his followers. Marais, p.36; Bloemhof Blue Book, p.14.

14. W.B. Campbell: "The South African Frontier, 1865-1885: A Study in Expansion"; Archives Year Book, 1959(i), p.173. A.F. Lindley: Adamantia, p.100, stated that Waterboer only possessed Albania because the Free State Government permitted his claim to that territory and that the Orange Free State lawfully owned the Campbell Lands.

15. Campbell, p.169. This also determined that the missionaries should "look to the north seriously" and the Road assumed a greater importance. A.J. Dachs: "The Road to the North - the Origin and Force of a Slogan"; Salisbury, 1969. (Pamphlet of the Central African Historical Association).

16. L. Minott: Sir Richard Southey, Governor of Griqualand West 1872-75, p.6.

The Griqua suffered most from this repudiation of treaties as they had always regarded themselves as British subjects and had been treated as such.[17] Griqua now found that they were losing land in all quarters. Those who had leased grazing lands to Boer farmers on long leases found, when the leases expired, that the Boer had an Orange Free State title to the farm or that he demanded payment for improvements he had made to the land.[18]

In 1846 Sir Peregrine Maitland persuaded the Philippolis Griqua to divide their land into an alienable region in the north and inalienable in the south, the latter still reserved for tribal occupation.[19] In view of the increasing Boer pressure on Adam Kok's Philippolis Reserve and the fact that the Griqua sold or lost much of their land, Sir George Grey wanted to move Kok and his followers to Nomansland (later Griqualand East), east of the Drakensberg.[20] Kok inspected the land in 1859 and obtained Grey's permission to settle there. He and 3 000 of his followers then trekked from Philippolis to Nomansland in August 1861. On his departure Kok offered his land for sale to the Boers.[21]

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17. From the late 1820s onward Griqua chiefs received an annual supply of ammunition from the Cape Government. Marais, p.38.

18. Minott, p.7; Marais, p.55.

19. The Maitland Treaty affected the Griquatown Griqua in that it was a pointer to what extent the British were prepared to go in order to satisfy the land hunger of the Boers at the expense of the Griqua. Many saw Maitland's Treaty as an alternative to annexation. C.W. De Kiewiet: British Colonial Policy and the South African Republics, pp.16-19; W.P. Morrell: British Colonial Policy in the Age of Peel and Russell, pp.146-9.

20. J. Rutherford: Sir George Grey, pp.430-1; Marais, pp.59-61.

21. R. Ross: Adam Kok's Griquas, pp.94-103; Marais, pp.59-61.

Immediately after Adam Kok's departure David Arnot, a land agent from Colesberg, arrived in Griquatown,[22] and many citizens of the Boer Republic felt that he was there "om opnuut politieke wrywing en misverstand tussen Boer en Griekwa to skep".[23] The White expansionists of the Cape felt that they had found their champion in Arnot as he

> seized upon the one possible counter to Boer expansion - the legal rights of the native chiefs.[24]

As the agent of Nicholas Waterboer, the Griqua chief, and Mahura, a Tlhaping chief, Arnot stood out as the protector of the Blacks against the encroaching Boer Republics, which pleased the Cape expansionists immensely.

Oberholster described Arnot as "een van die duistere figure in die geskiedenis van Suid Afrika",[25] holding that he robbed the Boers of vast tracts of land and the richest diamond mines in the world. At the same time he argued that Arnot was the author of the Griquas' downfall because the Griqua and especially their chief, Waterboer, were "'n maklike slagoffer... vir enige politieke avonturier."[26]

Arnot succeeded in his scheme because he had his finger on the pulse of the political turmoil in Griqualand West. He was a gambler who played for very high stakes and thus he was either loved or hated depending upon

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22. Arnot took up Waterboer's cause in April 1862 by drafting a petition to Sir Philip Wodehouse, informing him of certain obligations which the British had not yet fulfilled, such as the ratification of definite boundaries. J.J. Oberholster: "Die Annexasie van Griekwaland-Wes," Archives Year Book, 1945, p.62.

23. Oberholster, p.58.

24. J.A.I. Agar-Hamilton: The Road to the North, p.38.

25. Oberholster, p.58.

26. Oberholster, pp.60-1.

GRIQUALAND WEST

Adapted from the map by
F.H.S. ORPEN (1872)

28°30'
29°
30°
22°E
23°
24°
25°

Koning
Maremane
Nelsonsfontein
Klipfontein
Danielskuil
Blinkkop
Kongs
Gasip
Wittesand
LANGEBERGE
Matsap
Kheis
Moosfontein
Griquatown
Witwater
Modderfontein
Bultfontein
Hardcastle
ASBESTOS BERGE
Radsdrif
ORANGE RIVER
Prieska
CAPE COLONY
KAAP PLATEAU
Campbell
Sitlagomi
VAAL RIVER
Sago
Roelofsfontein
Boetsap
Springbokfontein
HARTS RIVER
Mt. Rupert
Likatlong
VAAL RIVER
HEBRON
Klipdrif
Pniel
Pniel M.S.
PLATBERG
MODDER RIVER
Douglas
Vetberg Line
Losberg
MODDER R.
RIET R.
JACOBSDAL
Davids Graf
Vetberg
Kabels Pan
Vetberg Line
Graspan
Eskdale
Loskop
ORANGE RIVER
ORANGE FREE STATE
HOPE-TOWN
Ramah

STATUTE MILES
10 5 0 10 20 30 40

the circumstances of the parties involved. Being of mixed descent[27] Arnot was despised by many of his adversaries. The fact that he attained his goals says much for Arnot's coolness under pressure as well as his shrewdness in summing up the opposition. Sir Charles Warren said of Arnot:

> He sometimes looks like a Griqua and sometimes like a European, but at all times he looks shrewd, and has his eyes open. He is really a clever man of great ability though of a speculative turn of mind. It seems probable that he considers that he is partly of Griqua descent, as he has devoted his life to their champion against the Boers. We must not lose sight of the fact that he has made his mark in stemming the tide of Boer aggression.[28]

The boundaries of Nicholas Waterboer's State were outlined by Arnot in September 1862. In the south he claimed the line from Kheis to Ramah based on the treaty of 11 December 1834 between Andries Waterboer and Sir Benjamin D'Urban. In this treaty Waterboer promised to keep his district in order, protect the frontier and send criminals or fugitives back to the Cape Colony for which he received £100 sterling a year, arms and ammunition and £50 per annum for the furtherance of education and especially for the instruction of the English language among his people.[29] In the east Arnot claimed the Ramah-David's Graf-Platberg line based on the treaty of 25 February 1837 between Adam Kok of Philippolis and Andries Waterboer of

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27. Arnot's father was a Scot who in 1819 married Kaatjie van der Jend "a baptised Bastard Hottentot" at the missionary institution of Bethelsdorp. Arnot was born at Uitenhage in 1821. His mother died and his father married an Irish widow, Mary Nelson, nee Turvey, in 1830. Oberholster, p.58. (See Appendix A).

28. Sir C. Warren: On the Veldt in the Seventies, p.294.

29. C.252: Enclosure 1 in No. 40; D'Urban-Waterboer Treaty, 11 December 1834.

Griquatown which was witnessed by the British Resident.[30] At that time the whereabouts of David Isaac's grave was known to the two chiefs, but by 1862 its location had become a little hazy. This boundary was also supported by Sir Peregrine Maitland's agreement of 1846 with Adam Kok II[31] and Waterboer's replies to J. Montagu's Circular.[32] The northern boundary of Waterboer's territory was based on the treaty signed between A. Waterboer and Mahura on 22 April 1842, which laid down a line between the northern point of the Langeberg and the village of Boetsap.[33] This treaty was suspect as Mahura was not the Paramount Chief of the Tlhaping and thus had no authority to enter into any negotiations prejudicial to the lands of the tribe. Mahura was illiterate, yet his signature appeared on the treaty. However, on 18 April 1864 Mahura and his councillors reaffirmed that the treaty between himself and Andries Waterboer was valid.[34]

As the newly-appointed Secretary, Agent and Representative of Waterboer, Arnot republished in September 1863 a Proclamation which had appeared in the Colesberg Advertiser of 15 October 1862 laying down the boundaries of Waterboer's territory. J.J. Venter, the Acting President of the Orange Free State, then formally protested to the High Commissioner, Sir Philip Wodehouse, in November 1863 against the influence which Arnot had with Nicholas Waterboer.[35] Wodehouse refused to interfere because he held that Arnot was a free agent, but on 28 November 1863 he did offer to mediate between the Griqua and the O.F.S. In February 1864 the O.F.S.

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30. Arnot and Orpen, pp.191-3.

31. Arnot and Orpen, pp.194-5.

32. This Circular was sent to Waterboer, A. Kok and Moshesh. It concerned boundaries, tribal organization, land rights, population statistics and the cultivation of crops. Arnot and Orpen, pp.246-51.

33. Arnot and Orpen, pp.181-2.

34. Arnot and Orpen, pp.182-3.

35. Arnot and Orpen, pp.74-5.

agreed to arbitration only if it was limited to the area north of the Vaal River, but Waterboer declined unless the lands south of that river were also included.[36]

Arnot knew that his case was flimsy but he had the legal expertise to make it sound convincing. He stated that Cornelius Kok had been a vassal of the two Waterboers and not an independent chief as claimed by the O.F.S., because Waterboer's jurisdiction extended over Campbell.[37] The Vetberg Line had been drawn up by Adam Kok with the permission of Jan Bloem on 10 October 1855 and it marked the boundary between the lands of Nicholas Waterboer and Cornelius Kok.[38] Arnot countered that claim by stating that the Line was a private agreement between Griqua chiefs and not a binding treaty. Arnot also claimed that by recognising Waterboer's sovereignty south of the Vetberg Line, the O.F.S. recognised Cornelius Kok's and therefore Waterboer's sovereignty to the north of it. His final argument was that Major Warden, acting as President of the Bloemfontein Land Commission, had acted "ultra vires" when he issued land certificates to Boers without any knowledge of their boundaries or localities.[39] Warden stopped this indiscriminate behaviour when Waterboer protested.

As regards the lands to the east of the Vaal River, President Brand of the O.F.S. refused to discuss his claim to them, as it "rested on equity, commonsense and the acts of the Sovereignty Government."[40] The

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36. Agar-Hamilton: Road to the North, pp.40-1.

37. Arnot and Orpen, pp.11-14.

38. G.21-'71: A. Kok to Boshoff, 25 October 1855, p.19; Arnot and Orpen, p.54.

39. In 1870 there were 33 farms with Sovereignty and 110 with Free State titles between the Vetberg Line and the Vaal River. E.A. Walker: A History of Southern Africa, pp.330-1.

40. Walker, p.331.

Free State claim to the Campbell Lands rested solely on the deed of sale dated 26 December 1861 by Henry Harvey, who purported to be the authorized agent of Adam Kok. Harvey was supposed to sell only the Philippolis lands in the Southern Free State, but he included in the sale "the lands of the late Cornelius Kok" which did not belong to the Griqua Government of the Philippolis district.[41] The O.F.S. argued that Cornelius Kok's lands had accrued to Adam Kok, but evidence has shown that Cornelius Kok had other heirs.[42] When Adam Kok heard that Harvey was about to sell the Campbell Lands, he signed a document on 15 November 1862 denying the sale of any lands to the north of the Vaal River.[43]

Having reached no definite means of obtaining arbitration with the O.F.S., Arnot turned his attention to President M.W. Pretorius of the South African Republic who was again demanding the war indemnity promised by Mahura in 1858.[44] As Mahura's agent, Arnot refused any form of payment to the Z.A.R. and counter-claimed a boundary for the Tlhaping from Platberg on the Vaal River, up the Maquassi Spruit to the sources of the Molopo and Harts Rivers, which would have pushed the Boers back to the Mooi River Valley in which Potchefstroom lay.[45]

Pretorius failed in February 1869 to induce Mahura to recognise the Harts River as the western boundary of the Z.A.R. in return for a reduction

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41. M. MacMillan: Sir Henry Barkly, p.198; De Kiewiet, British Colonial Policy, p.282; Arnot and Orpen, pp.78-80.

42. G.21-'71: Hay to Brand, 15 October 1870, pp.21-2.

43. C.459: No. 31; Hay to Kimberley, 18 November, 1870.

44. A battle ensued between Boers and Tlhaping in 1858 when Boers encroached on Tlhaping lands. Two chiefs, Gasebone and Phehuetsile, were slain before Mahura made peace. In August 1858 Mahura recognised that within three months he would pay an indemnity of 8 000 head of cattle, 300 horses, 500 guns and other stolen articles in return for the captured women and children. By 1869 no prisoners had been returned. Agar-Hamilton: Road to the North, pp.23-7; Bloemhof Blue Book, pp.74-81.

45. Walker, p.331.

in the number of cattle owed in the war indemnity. Mahura was quick to realise that, as long as he possessed land, he had a chance to retain his freedom. However, on discovering that Arnot was claiming for Waterboer part of the land between the Vaal and Harts Rivers which he himself claimed, Mahura dispensed with his services and appointed the double-dealing Theodore Doms as his agent.[46] In Dom's hands negotiations soon broke down and stalemate was once again reached.

While negotiations between Waterboer and the O.F.S. were still not finalised over arbitration, Arnot conceived the idea of forming a settlement of British subjects to act as a buffer between the Griqua and the O.F.S. This so-called "wall of flesh" would be bounded by the Ramah-David's Graf-Platberg line in the east, the line from Platberg to the Hart River near Boetsap in the north, by the Harts and Vaal Rivers to their confluence with the Orange River in the west, and by the Orange River in the south. To many Arnot's scheme was inspired by "purely selfish motives, self-aggrandisement and personal gain",[47] as the settlement of a group of Whites in Albania would raise the value of the land and would give Arnot a chance to lease or sell his own land in the area. However, certain people such as Sir Charles Warren felt that:

> Self-interest, self-preservation and self-aggrandisement may be very human motives, but they may stimulate a man to exertions in a good cause as well as in a bad one. There is nothing on record to show that Arnot's motives were less honourable than those of any other of the English, Dutch and Griquas who engaged in land controversies

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46. Doms was all the while "in secret negotiation with Pretorius for the surrender of the documents on which the Batlhaping based their claim". Agar-Hamilton: Road to the North, p.47.

47. GLW 6: Buyskes' Evidence, 9 March 1876 quoted in Oberholster, p.83.

> on the outskirt of civilisation, and... Arnot probably saved the Griquas from utter destruction as a native state, and from losing all their lands and becoming merely servants of the Boers.[48]

The O.F.S. warned prospective settlers that certain areas of Albania belonged to the Boers and not to the Griqua. Undeterred, Arnot set up a Committee comprising F.H.S. Orpen as the Surveyor, T.H. Bowker as the Commandant-General and himself to put his ideas of the Albanian Settlement into practice.[49] Arnot's project appealed to many British settlers in the Eastern Cape, but he struck two problems which threatened to undermine it. The first was the realisation that he could only claim the land up to the Vetberg Line, which limited him to 60 farms of 3 000 morgen each, and the second was the withdrawal of Bowker, who lived in the Eastern Cape, from his scheme.[50]

One of the cornerstones of the Griqua constitution had been that no land could be sold to Whites. The Albanian settlers obtained the right to lease land at £7.10s to £15 per annum for 21 years and this agreement was renewable. Arnot stated that he had

> received full powers to do whatever he might consider advisable for the establishment of the settlement and the granting or refusing applications for farms.[51]

He then offered the Albanian settlers an illegal alternative, namely that they could obtain their farms in quitrent for a downpayment of £250 and thereafter a yearly payment of £3.[52]

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48. Warren, p.295.

49. Oberholster, p.85; Arnot and Orpen, pp.80-1. This Committee was set up in July 1867.

50. Oberholster, p.86; Arnot and Orpen, pp.85-91.

51. Arnot and Orpen, p.100.

52. Oberholster, p.86.

The Griqua Raad decided to present Arnot with two more farms, Loskop or Eskdale and Modderfontein, which together totalled 12 000 morgen, in lieu of salary. Arnot managed to secure the right to the rents on the Albanian farms for himself, and his son, William, received the "Southern Reserve" which comprised 361 square miles divided into thirty-six farms.[53]

Many people did not realise that over 400 Blacks were driven from their homes in Albania (some of them forcibly) in order to make way for the British settlers.[54] Protest meetings were held by the settlers, not to discuss the removal of these Blacks, but to accuse Arnot of feathering his own nest. When the Albanian settlement project seemed doomed to failure, Waterboer and his Raad asked Arnot to press for the annexation of Griqualand West by Britain.[55]

The twin discoveries of gold at Tati and diamonds at Klipdrift put Griqualand West into a completely different light, but the British Government did not want to add to its Colonial responsibilities in Southern Africa. The diamondiferous areas were claimed by the Z.A.R., the O.F.S., the Griqua and certain Tswana tribes, while frontier administrators such as Richard Southey saw in the mineral discoveries

> an opportunity for extending British authority, blocking Boer expansion and increasing the revenues of the depression-stricken Cape.[56]

Although he was from the Eastern Cape, Southey's opinion was respected in Britain, and his pro-Black and anti-Boer bias together with his expansionist views spelt trouble for the Boers' claim to the Diamond Fields.

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53. Oberholster, p.87 (See map).

54. Warren Report, p.27.

55. Warren Report, pp.10-11; Arnot and Orpen, p.134.

56. Campbell, p.169.

KALAHARI DESERT.

BECHUANALAND.

TRANSVAAL STATE.

ORANGE FREE STATE.

GRIQUALAND WEST.

CAPE COLONY.

Lotlakane River
Jan Massibi's
Mafeking
Schuiba
Saliris
Lotlakane
Maritzani R.
Pitsani
Kuruman
Lichtenburg
Molopo River
Morogoane
Hening Vley
Mashowing R.
Convention Line 1881.
Hart River
Mamusa
Batlaros
Matlaring R.
Kuruman R.
Kuruman
Taungs
Morite
Koning
Bloemhof
Potchefstroom
Maquassi Spruit
Vaal River
Reclef's Fontein
Pelwane
Christiana
Vet River
Sand River
Boetsap
Daniels Kuil
Andries Fontein
Blinkhip
Lekatlong
Platberg
Barkly
Boshof
Griquatown
Kimberley
Bushmen
Scheerdeberg
Langeberg
Matlabaskare Berg
Khamas
Baviaans Kloof
Vanwyksvlei Berg
Modder River
Orange River
Prieska

SKETCH MAP
OF
THE
"CIS-MOLOPO" TERRITORY.
(TAKEN FROM C3635-'83)

3792

At the end of the Volksraad Session of June 1870 Pretorius rushed through a diamond monopoly for 21 years to three of his friends.[57] This led to a public outcry and was one of the reasons for the establishment of a Diggers' Republic at Klipdrift under the Presidency of a British ex-trader, Stafford Parker. Pretorius visited Klipdrift and was derided and jeered until he consented to sign a copy of the diggers' own regulations.[58] On his return to the Z.A.R. Pretorius met Monthsiwe, a Rolong chief, and reminded him that the Rolong had recognised the Harts River as the western boundary of the Z.A.R. on 20 December 1851.[59] Meanwhile Pretorius had in fact extended the western boundary of the Z.A.R. to a line from the Langeberg in Griqualand West to Lake Ngami in Bechuanaland on 6 April 1868.[60] In the "Diamond District" between the Vaal and the Harts Rivers, Pretorius decreed that the English language[61] and currency were to be made official and a Resident Magistrate and Heemraden of nine were appointed.[62]

Pretorius had attempted various methods of trying to induce the Black chiefs to grant him land. In February 1869 the chiefs Massouw, Jacob Taaibosch and Jan Bloem of the Kora and Mahura, Motlhabane, Botlhasitse and Jantjie of the Tlhaping met Pretorius at Witgatboom. After much

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57. These men were Munich, Posno and Webb. Oberholster, p.97.

58. Agar-Hamilton: Road to the North, pp.46-7; De Kiewiet, British Colonial Policy, p.288.

59. F.A. Van Jaarsveld: Vaalrivier Omstrede Grenslyn, p.192.

60. Van Jaarveld, pp.186-7.

61. This part of his proclamation was probably a diplomatic move to win local White support.

62. C.459: Enclosure in No. 34: Proclamation issued by Pretorius, 10 September 1870.

wrangling the chiefs signed a document which granted the Z.A.R. concessions of cattle and a new boundary, but in the long run Pretorius received neither.[63]

When Pretorius produced a letter from the Rolong chief, Monthsiwe, as proof that the "disputed area" belonged to the Z.A.R., he played into the hands of his opponents. Monthsiwe's treaty had been entered into without the prior knowledge or consent of the other Rolong chiefs or the Tlhaping tribe. Monthsiwe resided about 200 miles north of the junction of the Vaal and Harts Rivers. Tribal law demanded that no part of the country could be disposed of without the prior consent of all the Tlhaping chiefs.[64] All the Tswana chiefs stated that the disputed area belonged to the Rolong tribe and this claim was not questioned by Pretorius at the Nooitgedacht meeting[65] on 22 August 1870.[66]

On the departure from South Africa of Sir Philip Wodehouse, the High Commissioner, Waterboer and President Brand of the O.F.S. met in private. After this meeting Brand issued a proclamation which asserted that Waterboer had failed to prove his claim to the disputed territory, which thus became the property of the O.F.S. by default. Waterboer appealed to the British Government to interfere on his behalf. The Acting High Commissioner, C.V. Hay, then informed Brand of Waterboer's appeal. Brand, in his turn, set up a Commission to investigate the Diamond Fields and sent Landdrost O. Truter first to Pniel and then to the Dry Diggings to uphold the law for the O.F.S.[67]

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63. Agar-Hamilton: Road to the North, p.50.

64. C.459: Enclosure 2 in No. 25: Doms to Hay, 19 September 1870.

65. The meeting at Nooitgedacht was held between the O.F.S., Arnot and Waterboer to determine the ownership of the diamond fields. President Pretorius arrived at the meeting and claimed the land between the Harts and Vaal Rivers, thereafter it was doomed to failure and ended abruptly on the fifth day. The O.F.S. felt that their case was stronger than Waterboer's so they proclaimed the Campbell Lands to be O.F.S. territory. Lindley, Chapters vi-x; De Kiewiet: British Colonial Policy, p.283.

66. C.459: Enclosure 3 in No. 25; Moroko to Hay, 11 October 1870; Oberholster, p.109.

67. C.459: No. 19; Hay to Kimberley, 19 September 1870; De Kiewiet: British Colonial Policy, p.283.

President Brand informed Hay that Waterboer's claim had not been recognised by the O.F.S. because all the evidence on which he relied predated the demarcation of the Vetberg Line in 1855. According to Brand,

> for the last nine years our [O.F.S.] Government has afforded every opportunity to Chief Waterboer to prove his pretended claim to the Campbell Lands.[68]

Hay replied that Brand laid too great a stress on proclamations and notices which did not affect the rights of Waterboer's Government and that Waterboer did not acknowledge the Vetberg Line as it was a purely domestic agreement between Griqua chiefs.[69]

Pretorius informed the Rolong chiefs on 16 November 1870 that all the land north of the Vaal River belonged to the Portuguese by virtue of a treaty with Mwene Mutapa and that the Z.A.R. had secured all the lands south of the Crocodile River. None of the Black chiefs had heard of Mwene Mutapa, so they asked Hay for advice and assistance.[70]

Hay decided to appoint a magistrate in the disputed area even though the land was occupied by Free State burghers holding British land certificates issued by the British Resident, Major Warden. Hay declared that these land certificates were invalid as they were not confirmed by the High Commissioner. He then instructed John Campbell to take up his position as special magistrate at the Diamond Fields under the Cape of Good Hope Punishment Act.[71]

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68. C.459: Enclosure 1 in No. 24; Brand to Hay, 1 October 1870.

69. C.459: Enclosure 2 in No. 22; Hay to Brand, 11 October 1870.

70. C.459: Enclosure in No. 45; Moroko to Hay, 27 December 1870.

71. C.459: Hay to Kimberley, 18 November 1870; De Kiewiet: British Colonial Policy, p.283.

The Z.A.R. took the stand that any British action, such as the acceptance of any chief's request to be annexed, would be a violation of the Sand River Convention, in which Britain had voluntarily renounced any alliance with Black tribes north of the Vaal River.[72] Barkly retaliated by bringing up the question of the Tlhaping women and children who had allegedly been in slavery for some years.[73] Black chiefs were desirous of being placed under British protection and Campbell feared bloodshed unless some sort of arbitration was conducted between the opposing parties. On 1 February 1871 Campbell posted a notice which cautioned anybody from

> purchasing or in any way alienating land in the neighbourhood of either Pniel or Klipdrift sides of the Vaal River, or from purchasing or hiring lands from petty native chiefs, as the same will not be recognised.[74]

The Earl of Kimberley informed the new High Commissioner, Sir Henry Barkly, that Griqua territory should not be open to the Boers as "an extended field for their slave-dealing operations" as this would "lead to much oppression of the natives".[75] He wanted Wodehouse's proposals for arbitration to be renewed, but stressed that the British Government did not want to annex Griqualand West and therefore extend her South African Colonies.

Barkly went to the Diamond Fields in February 1871 in order to see for himself what could be done to solve the problem of land ownership. He

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72. Minott, p.9; De Kiewiet: British Colonial Policy, p.64; Morrell, pp.302-3.

73. MacMillan, p.203.

74. C.459: Enclosure 2 in No. 49: Campbell's Notice, 1 February, 1871.

75. C.459: No. 28; Kimberley to Barkly, 17 November 1870; MacMillan, p.202.

met President Brand who offered to submit his claim to the Campbell Lands to foreign arbitration, but would not consider arbitration over the Dry Diggings. Barkly then interviewed Mankuruane, the Tlhaping chief, and Monthsiwe, the Rolong chief, who had been told by the Z.A.R. to become Transvaal subjects or to move away from their lands. Finally Barkly met Pretorius, who agreed to arbitration on his boundaries. It did not take Barkly long to realise that arbitration was essential, as it was not the rights of the Black chiefs that were in the balance but the political leadership of Southern Africa.[76]

By the end of 1870 all the claimants to the disputed area, except the O.F.S., decided to resolve their differences by arbitration. The Z.A.R. chose A.A. O'Reilly, Landdrost of Wakkerstroom, as their arbiter, while the Griqua and Blacks chose John Campbell, the British magistrate at the Diggings. These two arbiters were to sit at Bloemhof and on hearing all the evidence were to make their decision. In the event of a disagreement the case would be submitted to Lieutenant-Governor R.W. Keate of Natal whose decision would be accepted as final.[77]

The two-man Diamond Fields Commission met for the first time at Bloemhof on 4 April 1871. During the course of the Commission's inquiries no party would admit that it had never exercised jurisdiction in the tract of country north of the Orange River in which diamonds were discovered. The same arguments that had been used in the past were repeated during the proceedings, but no party was prepared to recognise the fact that the Diggers' Republic was set up because no sort of government was in existence at the Diamond Fields. The Whites tried to argue their case from the

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76. De Kiewiet: British Colonial Policy, p.289; MacMillan, p.202; Minott, p.10.

77. Agar-Hamilton: Road to the North, p.59; De Kiewiet: British Colonial Policy, p.297; MacMillan, p.207.

point of view of definite boundaries, but the Black tribes, being semi-nomadic peoples, refused to acknowledge that they were contained by such clearly defined boundaries. The Whites also tried to base their case on the treaties allegedly signed by the Black chiefs, but in many cases these chiefs declared certain treaties invalid.[78] In view of the conflicting evidence produced before the Commission, the two arbiters failed to reach an agreement and the issue was referred to Keate.[79]

In the Keate Award published on 17 October 1871 the arbitrator gave a compromise decision.[80] He gave the Rolong and Tlhaping a line running from the source of the Marico River down the Maquassi Spruit and the Vaal River to Platberg. This, in effect, meant that the Z.A.R. lost the village of Bloemhof. Keate then awarded a boundary from Platberg to a point north-east of Roelofsfontein and north of Boetsap, thence westward between Koning and Nelsonsfontein, south of Maremane and north of Klipfontein to the northerly point of the Langeberg as the northern and western boundaries of Griqualand West. Ten days after the Award Barkly annexed Griqualand West and the separate Crown Colony of Griqualand West was created.[81]

M.W. Pretorius was deposed as President of the Z.A.R. on the publication of the Keate Award. The Acting-President, D.J. Erasmus, protested that Pretorius had not been authorized to enter into any such arbitration as it had not been sanctioned by the Volksraad.[82] Barkly stated that his

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78. Two examples of this are the treaty signed at Witgatboom and indemnity claimed from Mahura by Pretorius in 1858 and 1869.

79. Agar-Hamilton: Road to the North, pp.86-8; De Kiewiet: British Colonial Policy, p.297; MacMillan, p.207.

80. C.508: Enclosure 1 in No.11; Keate Award, pp.26-7; Agar-Hamilton: Road to the North, p.88.

81. C.508: Enclosure 1 in No. 14: Proclamation, pp.33-4. Agar-Hamilton: Road to the North, p.93; E.A. Walker (ed.): The Cambridge History of the British Empire, 8, p.447.

82. C.732: Enclosure in No. 1; Erasmus to Barkly, 25 November 1871; De Kiewiet: British Colonial Policy, p.298.

annexation of Griqualand West was hailed by the Tswana chiefs, who had problems sorting out their respective territorial rights. He also reported that those chiefs wanted to be incorporated with Griqualand West under the protection of the British Government.[83]

President Brand continued to reiterate his former arguments in favour of the claims of the O.F.S. to a portion of the annexed territory. Throughout 1872 Brand tried to make the British Government accept someone who could arbitrate on the Keate Award, who would not be connected with either party.[84] The question of a super-arbiter reached stalemate as Kimberley would not accept Brand's choice of umpires. After much haggling Brand told Carnarvon in June 1876 that the O.F.S. would waive its claim to the Diamond Fields upon a payment of an adequate sum of money.[85] In July 1876 the O.F.S. received the sum of £90 000 in compensation for the loss of the Diamond Fields.[86]

Sir Henry Barkly's decision to annex Griqualand West was in many spheres unpopular and controversial. The Earl of Kimberley wanted Barkly to solve the problems which faced the Griqua and Blacks in Griqualand West, but stressed that the British Government did not want to annex the Province and thereby extend her South African Colonies. At the same time the O.F.S. and Z.A.R. did not want Barkly to "interfere" in what they regarded

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83. C.508: No. 23; Barkly to Kimberley, 18 December 1871.

84. Brand wanted Kimberley to choose the American, German, French or Russian Ambassador in London who would name the super-arbiter. C.732: Enclosure 1 in No. 32: Brand to Barkly, 31 May 1872; De Kiewiet: British Colonial Policy, p.289; MacMillan, p.201.

85. C.1631: No. 35; Brand to Carnarvon, 21 June 1876; A. Wilmot: A History of Our Times in South Africa, I, pp.166-9. Walker, pp.361-2.

86. Judge Stockenström declared in the Land Court in 1876 that Waterboer's cession was good and that therefore the proclamation of British Sovereignty over the ceded portion was good. This judgement was a comfort to the Colonial Office and it had a decisive effect on Carnarvon's decision to pay compensation to the O.F.S. Agar-Hamilton: Road to the North, p.134; Walker, p.361.

as their territory. On consulting the evidence taken at Bloemhof and Keate's Award, Barkly realised that he could only safeguard the rights of the Griqua and Blacks by annexing Griqualand West. He felt that Waterboer's petition which asked for the protection of the British Government justified his annexation of that territory. Barkly knew that Waterboer had no power to exert his influence over the territory and that his claims were being upheld by British authority in the guise of the the Cape Mounted Police and Magistrates. Barkly's annexation was not popular in Britain, but he felt that to wait much longer, with President Brand persistently refusing to agree to arbitration, would have led to anarchy, as the two rival administrations[87] at the Diamond Fields were becoming increasingly antagonistic.

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87. The O.F.S. and British Governments both had magistrates in that area.

CHAPTER II

LAND OWNERSHIP AND TRIBAL IDENTITY

Land ownership in Griqualand West was closely linked with tribal identity and later with various forms of racial identity. Even before the opening of the diamond mines land ownership was an extremely controversial issue in the territory. Not only were there continuous disputes between the Whites, Blacks, Griqua and Khoisan, but also between rival sections of various Black tribes. Land tenure among these non-White groups was allied to tribal structure and tribal identity, both of which had reached critical stages of disintegration by the 1870s. These systems were not conducive to change but the chiefs found that they were pressurised into adapting to the changing needs of society. This pressure was exerted by the demands of the labour market and the influence of the missionaries and others.

The San[1] were hunters and gatherers who needed a large extent of land to support a small group of families. The immediate family, that is, a man, his wife or wives and children, was the only solid social unit. The San were always on the move in search of food and small bands often broke up and recombined with other small bands. These bands were autonomous but, in many cases, united by intermarriage.[2]

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1. For sources on the history of the San see E.L. Thomas: The Harmless People; L. Marshall: "!Kung Bushman Bands", Africa, XXX, Oct, 1960, No. 4, pp.325-54; R.B. Lee and J. Devore (ed.); Man the Hunter; G.W. Stow: The Native Races of South Africa; G.M. Theal: The Yellow and Dark-Skinned People of South Africa; D.M. Duggan-Cronin: The Bushmen Tribes of Southern Africa; I. Schapera: Khoisan Peoples of South Africa.

2. Thomas, p.11; Marshall, p.329.

Among these people the men's work was hunting while the women gathered roots, bulbs, berries and nuts[3] and other edible food as well as fetched wood and water. Barter with the Kora and Tswana was often carried out by the San who would go to great lengths to obtain tobacco.[4]

There were different tribes of San scattered around Griqualand West. They spoke different languages and held different beliefs but all had basically the same mode of life. Each San group owned several permanent or semi-permanent springs or waterholes some distance from each other and they moved from one to another according to the season. In some instances several bands shared the ownership of permanent waterholes. The wild game drinking at these waterholes was regarded as the property of that group. The San depended upon these animals as a source of food. They had no livestock of their own because of the scarcity of water.[5]

The San groups each had their own specific territory which that group alone could use, and they respected their boundaries rigidly. San hunting customs did not require that the hunters confine themselves strictly to their own territory, and the ownership of the animals which were hunted was not based on territories. Once an arrow was shot into an animal, that animal belonged to the owner of the arrow. If the animal died in a territory other than that of the hunters, they would give a present of meat to the owners of the territory, should they see them, but no tribute was obligatory.[6]

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3. The mangetti nut was the most important food as it was drought resistant.

4. Duggan-Cronin, pp.1-5; W.J. Burchell: Travels in the Interior of South Africa, II, p.197.

5. Duggan-Cronin, pp.5-9; Marshall, pp.336-7.

6. Marshall, pp.331-4.

The San had no chiefs, only headmen who in function were virtually indistinguishable from the people they led. The headmanship had a patrilineal emphasis, but there was no rivalry or connivance to acquire headmanship, and no anxiety about retaining it. The authority of a band's headman was limited almost entirely to control of the veldkos and water. A headman was not always the leader of his band. Some other man was on occasions looked to as the leader if the headman was too young or too old.[7]

Feuds sprang up between the San and any trespassers, whether Black or White. In retaliation against the intruders the San often carried off their stock and were therefore dubbed as thieves. Most Griqua and Whites did not understand the San way of life, so these nomadic hunters were themselves relentlessly hunted and killed and most of their land claimed by the victors.[8]

The Kora[9] were made up of a certain number of small clans[10] who tended towards a nomadic, raiding mode of life rather than the more stable missionary-influenced life of the Griqua. These Kora clans were constantly pillaging each other of cattle and women, but they united against the San and the Tswana. Their political organization was loose and their leadership weak, so they were incapable of uniting for any length of time.[11]

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7. Marshall, pp.350-3; Thomas, p.10.

8. Duggan-Cronin, pp.9-14; Thomas, p.20.

9. For source material on the Kora see G.M. Theal: History of South Africa before 1795, IV; G.W. Stow: The Native Races of South Africa; J.A. Engelbrecht: The Korana; J.S. Marais: The Cape Coloured People; T. Strauss: The Korana and the Northern Border Wars of 1868-9 and 1878-9 (Unpublished Hons Thesis, University of Cape Town, 1977); L.F. Maingard: "Studies in Korana History, Customs and Language", Bantu Studies, 6, 1932, pp.103-62; R. Ross: "The !Kora Wars on the Orange River: 1830-1880, Journal of African History, 16, 1975, pp.561-576.

10. G. Stow, p.295 names twenty-five separate Kora clans.

11. Ross: "The !Kora Wars on the Orange River: 1830-1880" (hereafter referred to as !Kora Wars), p.562; Theal, p.386.

As a rule the Kora lived in separate kraals, each independent of the others. Each clan was nominally under the rule of a chief, who possessed very little real power as individuals did as they chose. Among the Kora rank was hereditary, but the richest man, usually he who possessed the most cattle, always had the greatest influence in the community.[12]

Most of the Kora were well-armed and were good horsemen and thus proved to be highly effective stock thieves. This was most probably one of the reasons for their being branded as lawless bandits. The main base from which the Kora ventured forth on their raids was a strong natural fortress situated between Olyvenhout's Drift (now called Upington) and the Augrabies falls. Here the Orange River spread out to form many small islands which were covered with dense bush. This bush was impenetrable, except to those who knew it well and the islands were difficult to reach as they were mainly surrounded by desert plains.[13]

In the first few decades of the nineteenth century the Kora ran a number of sheep, goats and cattle, collected edible plants and hunted wild game for a livelihood. An illicit trade with Colonial farmers in gems and liquor was started and resulted in an increase in cattle-raiding. Land tenure as such was non-existent among the Kora as, being a nomadic people, each man was expected to fend for himself. When living in a community each Kora shared the ground with the others in his group.[14]

The Kora were basically nomadic pastoralists who migrated seasonally with their herds in search of fresh grazing. However, in their

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12. Stow, p.272; Theal, p.387.

13. Ross: !Kora Wars, pp.563-4; G.61-'79: Jackson to Upington; 11 January 1879, p.xxiii.

14. Ross: !Kora Wars, pp.564-5.

wanderings they kept within certain well-defined areas. Some Kora had lost all their livestock and subsisted solely on the proceeds of the hunt. The Kora as a whole seldom slaughtered their stock, except on ceremonial occasions, and relied on hunting to supplement their diet of milk and vegetable food sources. Like the San, the Kora saw cattle theft as the traditional form in which hostility against an enemy was assumed.[15]

Each Tswana[16] tribe had its chief town or 'stad', where the chief himself lived and which accommodated from 5,000 to 20,000 people. Most other villages contained several hundred, although a few had more than a thousand inhabitants.[17] The 'stad' was the seat of tribal government and the focal point of social life. In spite of that, the bulk of the tribe only lived there for the smaller part of the year.

The system of having cattle posts scattered about the country, on account of the scarcity of water, kept many young men and boys away from their villages for long periods. The difficulty of finding good soil for cultivation made it necessary for practically the whole population to move, as each household was responsible for producing its own food. The Tswana created these large residential units for purposes of defence.[18]

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15. Strauss, p. 16.

16. For source material on the Tswana see I. Schapera: A Handbook of Tswana Law and Custom, Native Land Tenure in the Bechuanaland Protectorate, The Ethnic Composition of Tswana Tribes and Tribal Legislation among the Tswana; P.L. Breutz: The Tribes of the District of Taung and Herbert, The Tribes of the District of Kuruman and Postmasburg; F.J. Language: "Herkoms en Geskiedenis van die Tlhaping", African Studies, I, 1942, pp.115-133. M. West and J. Morris: Abantu; N.P. van Warmelo: A Preliminary Survey of the Bantu Tribes of South Africa.

17. Schapera: Handbook of Tswana Law and Custom, p.13.

18. West and Morris, p.119.

Two noteworthy features of Tswana life which had political overtones were kinship and the ward. The ward was a

> patrilineal but non-exogamous body of people living together in a single village or part of a village, and organized into a separate administrative unit under the leadership and authority of a hereditary headman.[19]

The members of a ward were usually related to one another but most wards also contained people of foreign extraction. Kinship was the basis of many disputes which sometimes led to secession and usually to the formation of new wards. These disputes were accepted by Tswana society and could be traced back to the markedly patrilineal basis of the society. Kinship cut across most of the tribal divisions and so was one of the most important aspects of Tswana tribal structure.[20]

Totemism played a dominant part in Tswana society and it was an indication of the different sources from which the membership of any tribe had been recruited. In most instances the totems were species of wild animal. People refrained from killing, touching, or eating the flesh of their totem animal lest some misfortune befall them. Among the Tswana one totemic group may be found in several different tribes and consequently representatives of different totemic groups may be found in the same tribe. People having the same totem are allowed to marry each other, a custom which is strictly forbidden in nearly every other Black tribe.[21] In the case of mixed marriages the children take the totem of the father.[22]

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19. Schapera: Ethnic Composition of Tswana Tribes, p.3.

20. Schapera: Handbook of Tswana Law and Custom, pp.20-1.

21. The members of the Sotho and other Kwena tribes could marry within their own totemic groups.

22. Schapera: Handbook of Tswana Law and Custom, pp.6-7.

The formation of men's regiments was preceded by initiation (bogwera) which usually entailed circumcision and other hardships which boys had to endure. These rites marked the transition from boyhood to manhood and were the most important ceremonial occasions in the life of the tribe. The boys were taken into the veld and taught tribal traditions and beliefs as well as tribal war songs. They were subjected to hardships such as arduous hunting expeditions, torture, starvation and much physical discomfort. The head of each regiment belonged to the ruling family and the chief could summon his regiment at any time. These regiments constituted the tribal army and fought its wars and it was regarded as a great honour to be called to action by the chief.[23]

The Tswana were not a closely-knit community as the tribes had over the years broken up into different sections. For example the Rolong had by the nineteenth century broken up into the Tlhaping, Tlhou, Tshidi, Seleka and Rapulana.[24] In their turn sections of the Tlhaping had followed different leaders and they had split into numerous clans. These Tswana tribes sometimes waged short wars against each other, but their usual enemies were the Kora and Griqua. Two-way cattle-thieving was common between the Tlhaping and these groups.[25]

In any Tswana tribe all the headmen of all the wards constituted an advisory council to the chief, being consulted by him on all matters of emergency. The chief also had a small number of confidential advisers other than ward heads and Tswana tribal government rested rather more on such officers of state than Nguni government generally did. All matters of public concern were discussed at a popular assembly (pitso), which

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23. Schapera: Handbook of Tswana Law and Custom, pp.105-115; Evidence of Chief Motlhabane, see Appendix E.

24. Language, p.115; Evidence of Mr. Matolo, see Appendix E.

25. Language, p.115.

all adult males were expected to attend.[26]

Tswana chiefs were seldom autocratic as they were in direct contact with their followers. If any chief proved to be oppressive or incompetent, his brothers or close agnates were expected to take action against him on behalf of the tribe. In their turn, chiefs did often manage to retain power by making grants to one subject against the others, thereby playing off various sections of the tribe.

> On the lands of the Tswana Tribal Estate, the manipulation of bounds and grants in relation to people was the basis of political life.[27]

Land was all important for the Tswana as they, like their White counterparts, were basically pastoralists. Cattle, which were the preserve of the young men and boys, had great importance within the tribal structure. They were a considerable source of food, although used more for milk than for meat. In addition, they provided many by-products such as skin for clothing and hides and horn for containers. Dung was extensively used for fuel and, when mixed with mud, for plastering walls and floors. Over and above these uses cattle were most important within the social framework where they were the principal source of wealth and the medium of exchange.[28]

Despite the attention given to cattle the Tswana depended upon agriculture for their livelihood. The crops were sown, tended and reaped by women. Traditionally the most important crop was sorghum (kaffir-corn), which was slowly replaced by maize. Pumpkins, gourds and other vegetables supplemented their diet which mostly consisted of starch.

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26. Schapera: Handbook to Tswana Law and Custom, pp.75-83: Evidence of Chief Toto, see Appendix E.

27. B. Sansom: "Traditional Rulers and Their Realms" in D. Hammond-Tooke (ed.): Bantu-Speaking Peoples of South Africa, p.257.

28. West and Morris, p.8; Evidence of Chief Toto, see Appendix E.

For this reason the most important crop was grain, into the growing of which the Tswana put a great deal of effort.[29]

The missionaries did not attain much immediate success among the Tswana, for, although they had an unstable tribal organization, it was complex and steeped in tradition. Tswana chiefs often sought the advice of missionaries on matters which involved Whites meddling in some form of tribal structure, usually land tenure.[30]

Land ownership among the Tswana was a communal venture. The rights of individuals to distinct pieces of land, apart from their dwelling and surround, were ignored and the land actually occupied by a tribe was used by all the members of that tribe in common. Even when certain fountains and the adjoining grazing lands were allotted to individual headmen, it still remained tribal land.[31]

Anomalies existed within the tribal structure, which were exploited by the Whites. They had an unstable tribal organization, as the size of any one unit was limited by the economic subsistence of the area, so tribes tended to split into smaller groups. "Paramountcy" did not really exist among the Tswana as chiefs were limited by usage and customary law. The succession lay in the "Great House", that is, the children of the wife whose marriage cattle (boxadi) had been supplied by the tribe. The heir of the Great House was the nominal head of the tribe, but not necessarily the most important chief.[32]

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29. West and Morris, p.8; Evidence of Chief Toto and Headman Suping, see Appendix E.

30. Evidence of Mr. Matolo, see Appendix E.

31. A.J. Kerr: The Customary Law of Immovable Property and of Succession, pp.30-48.

32. Agar-Hamilton: Road to the North, p.5. The rivalry between Mankuruane and Botlhasitse can in part be explained in terms of this phenomenon, see Appendix B.

The area in which Adam Kok,[33] his family and followers settled in the late eighteenth century had long been one of interaction between the Khoisan and the Southern Tswana tribes. A "wandering collection of Bastards" from the Cape Colony joined the Kok clan there because the area was marginal and contained a few scattered waterholes or springs.

> The society was organized on a loose clan structure, for ties of kinship and of clientage remained paramount.[34]

The two largest clans were those of the Koks and the Barendses but they needed the missionaries to act as a catalyst before any sort of political organization could be developed. The Griqua chiefs often followed the advice of the missionaries, who tried hard to combat the nomadic tendencies of the Griqua. The missionaries encouraged them to acquire immovable property in the form of gardens and houses. Rev. John Campbell, on his visit to Klaarwater in 1813, codified a set of laws[35] for the community who were being welded into manageable units by the missionary-appointed chiefs Adam Kok II and Barend Barends.[36]

The early prosperity of the Griqua came about as a result of their ability as hunters. The dried flesh of antelope was their principal food as they hunted far into the interior of South Africa, often being away for up to six months. While this prosperity lasted, the products of hunting and trading took over from cattle as the main export of the

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33. For source material on the Griqua see: R. Ross: Adam Kok's Griquas; J.S. Marais: The Cape Coloured People; M.C. Legassick: The Griqua, the Sotho-Tswana and the Missionaries, 1780-1840 (Unpublished Ph.D. thesis, University of California, Los Angeles); R. Ross: "Griqua Government", African Studies, 33, 1974, pp.25-42.

34. Ross: Adam Kok's Griquas, p.15.

35. See Appendix C.

36. Ross: Adam Kok's Griquas, p.15; Marais, p.36.

Griqua economy.[37] They bartered ivory, ostrich feathers and hides, largely for contraband firearms and ammunition as well as agricultural equipment, wagons, clothes and provisions. This condition of prosperity lasted until the Griqua were supplanted by the White hunters in the interior and all the large game in their own neighbourhood was destroyed.[38]

The Griqua then began to form into smaller splinter-groups as commerce, immigration and missionary influence vied for priority in the community. In that respect different sections of the Griqua community responded in different ways to the same influences and their ranks became riddled with internal dissent. At the same time grazing pastures seemed to be diminishing and the Griqua became involved in disputes over land ownership. The Griqua were then divided into groups in four main areas - Griquatown, Boetsap, Campbell and Philippolis - each with its own leaders and missionaries.[39] The Griqua were a non-White people in a milieu where colour was already a significant factor. They then decided that they should collaborate with the British Government officials,

> not because the British provided some advantage in recompense, but because there was no other way in which the Griqua could hope to fulfil the aspirations they held as a community.[40]

Each Griqua chief had his own Raad or Council,[41] whose influence depended on the circumstances and character of the chief. Each Griqua chief and Raad remained the highest legislative executive and judicial

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37. From 1811 the Griqua built up herds of cattle and flocks of sheep and goats. Marais, p.46.

38. Diamond Fields Advertiser, 16 October 1926; Ross: Griqua Government, p.28.

39. Ross: Adam Kok's Griquas, p.20; GLW 166: Judgment, 16 March, 1876, p.6.

40. Ross: Adam Kok's Griquas, p.65. This collaboration took place from 1834 when Andries Waterboer accepted the D'Urban Treaty.

41. There were usually twelve Councillors, although their number sometimes dropped to six.

authority in their section of the Griqua community. All the Councillors were elected by universal suffrage and the chief had an Executive Council (Uitvoerende Raad) appointed by himself. The chief also appointed Field Cornets to assist him in local administration and a magistrate to take cognizance of minor civil and criminal cases. The people could at all times appeal to the Raad against a decision of the magistrate. All these institutions were derived from Colonial or Boer sources.[42]

Unlike their Tswana neighbours, the Griqua never seemed to realise the importance of retaining possession of the land they occupied. They lacked any form of territorial feeling which would have allowed them to formulate a common policy on land ownership. Their early aspirations towards a common nationality

> were thwarted by dissensions and discord,
> by the frequent desire to break away and form
> clans and sections by their roving dispositions.[43]

Missionaries had stressed the advantages of individual tenure, but it was only at Philippolis that Griqua owned farms on individual tenure. For the rest the chiefs held the land on behalf of the people and it was only the produce of the agricultural lands that belonged to the individuals or families who had tilled the land.[44] Many Griqua, however, saw no harm in parting with farms they were not using in return for guns and brandy.[45]

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42. Marais, pp. 62-8; Legassick, p.616. Ross: Griqua Government, pp.28-38.

43. S.J. Halford: The Griquas of Griqualand, p.viii.

44. Marais, p.43; Evidence of Chief Toto, see Appendix E.

45. H. Averill: Confrontation and Conflict in South Africa (Unpublished M.A. thesis, Queens University, Kingston, Ontario), p.57; Agar-Hamilton: Road to the North, p.135; Cape Archives ZP 1/8/5: L.M.S. to Colonial Office, 5 November 1877.

The influence of Whites in Griqualand West was felt by the local inhabitants from very early in the nineteenth century. These Whites could be divided into three distinct groups: first there were the missionaries and traders; second the trekboers and other farmers; and third the diamond hunters. These three groups slowly taught the Griqua and Black tribes how to adapt to the new wave of White encroachment, and in the process deprived them of their land.

The missionaries and traders were tolerated by most of the inhabitants of Griqualand West, who accepted them for their specific services.[46] The missionaries had more success among the Griqua than any other group they encountered and it was they who introduced the Griqua to European forms of social organization. At the same time the missionaries were the moving spirits in the foundation of the Griqua nation. The election of Griqua chiefs was secured by the missionaries to ensure order at the mission stations, which were the forerunners in organized community development among the Griqua.[47] This sense of community also developed out of their conflicts with their neighbours, whether Black, Boer or British, and was "made manifest in their political institutions and their ecclesiastical fellowship".[48]

The British missionaries in Bechuanaland and Griqualand West sought the peaceful advancement of the Whites, which in their eyes would supposedly benefit both Blacks and Whites. For that advancement to succeed they had first to break down the traditional tribal structures and rebuild social organization on more Western-orientated lines.

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46. Evidence of all witnesses, see Appendix E.

47. GLW 166: Judgment, 16 March 1876, p.3.

48. Ross: Adam Kok's Griquas, p.134.

Although the actions of the missionaries showed their concern for the welfare of their Tswana wards, they were nevertheless conscious or unconscious agents of White encroachment. A clash of imperialism took place in Bechuanaland durin the 1850s which resulted in a struggle for the control of the road to the north and the slow decay of traditional tribal life. After the Sand River Convention of January 1852 the Boers called a meeting of all the Tswana chiefs at Mabotsa. There they asserted their claim to all the land formerly held by Mzilikazi and declared all persons then living on that land to be Boer subjects.[49] This Boer declaration resulted in British missionary and humanitarian societies combining in a campaign for Imperial intervention in order that British and Black interests might be protected. The missionaries grew to realise that tribal power and chiefly authority had themselves to be reduced to allow missionary success and Christian advance. Thus, the missionaries helped to weaken the tribal structure which enabled land-hungry Whites to benefit greatly.[50]

Sir Bartle Frere in several letters to the Board of the London Missionary Society referred to the disintegrating effect of Christianity and civilization among the Blacks. He reported that,while the individual was raised intellectually, old ties, both social and political were severed. He felt that the missionaries had by 1878 broken down the tribal system and as a result had also increased the susceptibility of the people as a mass to political influence.[51]

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49. A.J. Dachs: "The Road to the North, the Origin and Force of a Slogan", Salisbury, 1969 (Pamphlet of the Central African Historical Association) hereafter referred to as Road to the North , p.3.

50. Dachs, Road to the North, p.6.

51. Cape Archives ZL 1/3/32: Frere to L.M.S., 28 July 1879.

The missionaries, on the other hand, felt that their educating programmes merely helped to foster better relations between Blacks and Whites. Rev. Ashton in a letter to the Board of the London Missionary Society outlined the aims of the Bechuanaland District Committee[52] as follows:

> Our work... as an Educating Society, in its secular aspect is... to teach both classes Black and White , as far as may be in our power, such lessons as shall lead to their living happily together in the same country.[53]

L. Jantz, a Griqua, when giving evidence before the Diamond Fields Commission in 1871, alleged deceitful behaviour by the missionary Robert Moffat. He stated that

> Moffat was a decent man, but an enemy of the Griquas. He came to preach the Gospel, but mixed himself up with political matters.[54]

This same accusation was also directed at other missionaries who, in all sincerity, felt that they were helping to promote goodwill within the Griqua clans by giving advice on political issues. It was the internal political strife among the Griqua which was the deterrent to community development and it was the missionaries who often prompted people to take sides on controversial issues.

The forerunners of White expansion into Griqualand West were the trekboers, who became more inclined to establish a permanent home in the sweet grass veld of the Province. The official Griqua reaction to these people was one of disapproval and the Griqua Raad tried to prohibit the

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52. In January 1879 this Committee comprised Revs. Ashton (Barkly), Brown and Mackenzie (Kuruman), Hepburn (Shoshong), Helm (Hopefountain), Sykes (Inyati) and Wookey (Motito).

53. Cape Archives ZL 1/3/32: Ashton to L.M.S., 18 January 1879.

54. Bloemhof Blue Book, p.14.

sale of land to any White men. Some Griqua were in possession of farms and they were only too anxious to let some of them to Boers who needed grazing for their flocks and herds. Thus began the process of land alienation which was a contributary factor to the eventual demise of the Griqua nation.[55]

The Boers had great difficulty in containing the San and Kora, but found the Tswana lands relatively easy to encroach upon. At first the Tswana did not resist Boer encroachment, but when they were forced off too much land they began to show their disapproval by certain acts of aggression.

Fighting occurred over land between Whites and Blacks because their economic habits were similar. The Tswana inhabited a region which was admirably suited to pastoralism. It was relatively dry but free of tsetse fly and human diseases such as malaria. After some time Blacks were induced to become farm labourers by the right to occupy land and the opportunity to earn cattle, which were the highest values of their own economic life. The economic bonds which tied Blacks and Whites more closely were then the outcome of a considerable measure of compatibility between them.[56]

The Whites who encroached upon the Tswana lands were mainly pastoralists who relied upon the availability of large tracts of land for the grazing of their flocks and herds. This territory could only be obtained through the dispossession of its Black inhabitants, but land was also indispensable to the continuance of the Tswana tribal system. A large reserve of manpower was essential to a chief's influence and prestige, so the greater the area he controlled the more numerous his following might become.

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55. Ross: Adam Kok's Griquas, p.32.

56. C.W. De Kiewiet: A History of South Africa, Social and Economic, pp.82-4.

Land was important to the maintenance of the indigenous social system of the Tswana and the traditional form of holding land by communal tenure did not allow any part of it to be sold or disposed of.[57]

Whites played up to various chiefs as the Tswana did not really have a system of "paramountcy". By 1870 most of these chiefs had been ranged in opposition to each other. Tswana custom did not recognise the transfer and alienation of land, still less the right of any chief to dispose of the inheritance of the tribe. Whites occupied the land when they were strong enough and it was very seldom that "claim and title deed preceded occupation."[58]

The cosmopolitan group which invaded the diamond fields in the late 1860s and early 1870s did not disturb the traditional tribal life of the local inhabitants as much as they forced a greater cleavage between the traditional and the more modern tribesmen. The diamond mines opened up new opportunities for Blacks and made them realise the potential value of their tribal lands.

The opening of the diamond fields was one of the last links in the chain which bound the Blacks even more closely to the Whites and forced a deterioration in the tribal structure. As the authority of the Tswana chiefs was so narrowly identified with the law and custom of the tribe, it broke down even before the tribe lost its apparent unity. The opening of the mines forced these tribes to change inwardly until they were mere shadows of their former selves.[59]

A view which was held by many Whites in Griqualand West during the 1870s was that Blacks required different treatment according to their degree of civilization. There was a feeling that

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57. Averill, p.2; Sansom, pp.254-5.

58. Agar-Hamilton: Road to the North, p.17.

59. De Kiewiet: History of South Africa, pp.85-7.

> they must be gradually taught and brought under the influence of our [White] law.[60]

Many Whites backed Sir George Grey's policy which they summed up as being that the Blacks should not be freed too suddenly but that the Whites should gain influence over them by degrees.[61] This can be seen as a variant of the missionary impulse, more secular in tone.

According to Sir Charles Warren many White officials in Griqualand West had views which reflected a distinct racial bias. S.G.A. Shippard, the Attorney-General, when addressing the Land Court on behalf of the Crown, reached the conclusion that if a White man squatted on land it belonged to him, but if a Black man lived on land, even on which his forefathers had lived, he had no right to that land. Warren then commented on the "half-civilised Griqua" who, he held, was just as white in many cases as the darker Boers, and just as civilised, but as he was classed as Black he had no rights to land.[62]

The problem of land ownership in Griqualand West was closely associated with tribal identity,but by the 1870s it became contested on more racial lines. Two of Waterboer's old Raad, L. Jantz and N. Kruger, reported at Bloemhof in 1871 that Griqua law did not allow of any land to be sold to foreigners. Jantz stated that Waterboer had dispossessed Cornelius Faber for purchasing land in Waterboer's country.[63] The idea that no-one could buy or sell land in Griqualand West was borne out in 1866 when Barend Bloem informed Nicholas Waterboer that Jantjie had allowed Whites to settle at Likatlong and that they were destroying the land.[64]

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60. Warren, p.268; De Kiewiet, pp.85-6.

61. Warren, p.268; De Kiewiet, pp.85-6.

62. Warren, p.276.

63. Bloemhof Blue Book, pp.8-15.

64. Bloemhof Blue Book, p.53.

The Boers felt that they also had a right to land in Griqualand West and they produced witnesses at Bloemhof to substantiate their claims. J.L. Pretorius swore that

> when Mahura asked Potgieter for ground [in 1839], it was granted on the condition that he should be subjected to emigrant Boers, and he was quite willing.[65]

J. Ludorf stated that the Rolong continually complained of the Boers having taken their land and the fact that they were constantly called upon to furnish labourers for the Boers.[66] Motlhabane, a Tlhaping chief,[67] complained that after he had lived at Maklou for seven years S. Schoeman had told him to move because it was not his land as "a Kafir could not possess ground."[68]

During the 1870s most White South Africans had a strong sense of White racial identity. Their aim was to subdue and control the Blacks thereby making Black land open for White settlement and making Blacks available as labourers. In this respect the Tswana were hindered by the internal divisions within their tribal structure which divided Tswana communities and produced a series of cross-alliances with various White authorities.

The Griqua did not want to form alliances with Black tribes in order to safeguard their land holdings. They had always attempted to dominate

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65. Bloemhof Blue Book, p.198.

66. C.1748: Enclosure 2 in No. 26; Monthsiwe to Lanyon, 6 March 1876; Bloemhof Blue Book, p.175.

67. Leader of the Baga-Maidi section of the Tlhaping tribe.

68. Bloemhof Blue Book, p.263.

the Blacks whom they regarded as inferior and so found themselves very short of allies.[69] The minor rivalries that marred the relationships between the Black and Brown groups in Griqualand West made it easy for Whites to gain control of vast tracts of land by playing off one group against another. Land ownership and racial identity were allied in Griqualand West and,as the Whites had nothing to lose and had the law on their side, they took far more land than they were entitled to. By and large what counted was de facto possession of land and the transactions of exchange were various forms of legitimation. Whites who "bought" land from Griqua or Blacks did not in fact "buy" the land: while the non-White chief regarded the "price" as a recognition of his own authority over the land, the White purchaser regarded it as transferring authority to himself or to "some White-ruled polity."[70]

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69. Ross: Adam Kok's Griquas, p.135.

70. Legassick, p.655. The O.F.S. Volksraad passed a law authorising the registration of any transfers of land by Whites, whether their own subjects or not, from Blacks. Arnot and Orpen, p.64.

CHAPTER III

LAND COURT AND WARREN REPORT

The questions of rights to land, both the rights of individuals over against other members of the tribe or community and the right of individuals to alienate or sell land to foreigners, were central to the land problem in Griqualand West. By 1875 this problem had become too vast and too complex for the Griqualand West Administration, so the Executive drafted an Ordinance which would enable them to set up a Land Court. Carnarvon advised Barkly on 30 April 1875 that he approved of the draft Ordinance. His one objection was that he preferred three judges to the one that had been proposed "taking into consideration the nature of the case, and the long and acrimonius disputes which have arisen upon it."[1]

An Ordinance to establish a Court "to adjudicate on all claims to land" in Griqualand West was passed on 9 Semptember 1875.[2] On the following day a young Cape Dutch advocate, Andries Stockenström, was appointed as Judge of the Land Court by Sir Henry Barkly and he began to adjudicate on the various claims to land on 28 October.[3] The Land Court Ordinance laid down that the Court should take cognizance of all pleas which arose out of claims to land. The Land Court, which was given the same judicial powers as the High Court of Griqualand West, would hear and summarily decide all claims to land. Judgments would be provisional for three months and any appeals would have to be noted within those

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1. GLW 4: Carnarvon to Barkly, 30 April, 1875.
2. GLW 173: Ordinance No. 3 of 1875; 9 September 1875.
3. GLW 8: Lanyon's Report, 9 January 1877.

months, otherwise the judgments would become absolute. After judgment, all the titles had to be registered in the Land Register. Only land claimed[4] within the boundaries of Griqualand West, as laid down by Lieutenant-Governor Keate in October 1871 would be adjudged, and the Court could reduce claims, if it deemed them to be too extensive in law.[5]

One of Stockenström's dilemmas was the divergence of outlook between Whites and Blacks with respect to land ownership. The Griqua and Kora felt that the right to any piece of land was not forfeited by removing from it. In the same light the Tswana left kraals, huts and other buildings to define their land as, according to their custom, the first proprietor owned the ground even if he was absent.[6] When Whites encroached upon Black land which they felt was unoccupied, they often totally disregarded the customary rights of the Blacks, whom they had dispossessed. It was not correct for those Whites to pose a dichotomy between "communal" ownership of land and individual tenure. In any society rights were not indivisible but involved a complex of relations which precluded absolute ownership. Specifically, residual rights to the land were vested in the state, but rights of occupation could never be arbitrarily denied.[7]

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4. All claims had to be accompanied by a schedule setting forth the name of the claimant, the name (if any) of the property claimed with its extent (if known), the ground on which the claim was based, the names of the grantor and grantee (if any) and other sellers or purchasers (if any). GLW 173: Ordinance No. 3, 9 September 1875.

5. GLW 173: Ordinance No. 3, September 1875.

6. GLW 166: Land Court Evidence, 6 December 1875, p.82; Kerr, p.68.

7. Legassick, p.15; Kerr, pp.30-48.

Richard Southey,[8] the Lieutenant-Governor of Griqualand West, had noted in May 1874 that the Griqua were not "mere nomadic savages" as they possessed "considerable property, exclusive of their lands" and generally speaking lived in the same houses for several generations.[9] Nicholas Waterboer and his ex-Raad specifically stated in an interview with Southey on 19 May 1874 that "no foreigner could obtain lawful right to land" and that mere occupiers had no power to sell. Individual Griqua who privately owned land could sell and buy among themselves, but they needed the consent of the Chief in Council to render the transaction lawful. Waterboer stated that only those Griqua with written certificates of their rights and boundaries owned private land. Other members of the Griqua community occupied kraals or stations with common rights, that is, by communal tenure.[10] In a Memorandum of 11 September 1875 to S.G.A. Shippard, the Attorney-General of Griqualand West, Southey reported that among the Black tribes of South Africa there was no such thing as private or individual property in land. To them the land belonged to "the people" and therefore could not be disposed of by individuals, not even by the chief.[11]

Prior to August 1867 there was no law under which the Griqua Government had the right to alienate or sell land to foreigners. However, in 1867 lands in Albania could be obtained by British subjects in order that a "wall of flesh" might be formed between the Griqua and the O.F.S.

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8. On 29 May 1891 Southey was informed by the Governor of the Cape Colony, Sir Henry Loch, that he had been promoted to K.C.M.G.

9. A.30-'78: Southey to Barkly, 30 May 1874; Ross: Adam Kok's Griquas, p.15; Marais, p.36.

10. A.47-'78: Southey's interview with Waterboer, 19 May 1874, pp.6-7; Arnot and Orpen, pp.335-9.

11. C.1401: Enclosure 7 in No. 28; Southey to Shippard, 11 September 1875; Merriman Papers: Merriman to Currey, 19 May 1875; Agar-Hamilton: Road to the North, p.86.

This Albanian scheme[12] was the brainchild of Waterboer's agent, David Arnot, who hoped to prevent Boer encroachment into the eastern section of Griqua territory.

The Keate Award of October 1871 supposedly defined the boundaries between the O.F.S., the Z.A.R., the Griqua and the Tswana tribes, but many Blacks, especially those passing to and from the Kimberley mines, were harassed by Boers while in their own territory.[13] F. Orpen, the Surveyor-General of Griqualand West, also pointed out to the Administrator, Major Lanyon, that most Black tribes had been the prey of many interested land jobbers and political agents. The objects of these men had been

> either to despoil them of their land
> piecemeal for private aggrandisement, or
> wholesale for an extension of territory.[14]

Nicholas Waterboer left Griquatown on an extended visit to his father-in-law, Adam Kok III of Griqualand East, "shortly after the assumption of British authority in Griqualand West." During his absence adverse reports were circulated about his handing over the country to the British and rumours of extensive land swindles in which the Government was involved were broadcast.[15]

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12. The system adopted was to grant land on a limited leasehold tenure, with right to the leasehold tenant to convert his grant into one of perpetual quitrent upon payment of a certain sum of money. A.47-'78: Southey's interview with Waterboer, 19 May 1874, p.7; Arnot and Orpen, p.340.

13. C.1748: Enclosure 7 in No. 26; Extract from Transvaal Argus, 5 May 1876; GLW 50: Arnot to Barkly, 20 June 1878.

14. GLW 7: Orpen to Lanyon, 10 December 1876; Agar-Hamilton: Road to the North, p.135.

15. Southey denied that the Government had been involved in land swindles and he organised a meeting with Waterboer, Mankuruane and their Councillors to hear if they had any complaints. The chiefs expressed their satisfaction with the Government's handling of land claims. A.47-'78: Southey to Barkly, 30 May 1874, pp.1-5.

A further complication, which greatly added to that already confronting Judge Stockenström, was the devious activities of various chiefs' agents. Theodore Doms, Jantjie's agent, had sold some of the Tlhaping lands to Whites without the authority of the chief and those Whites insisted upon a recognition of their alleged rights.[16] At the same time David Arnot claimed vast tracts of land as "payment" for the service he had rendered to Waterboer and Mankuruane.[17]

J.X. Merriman advised J.B. Currey,[18] the Secretary of the Griqualand West Government, of a means to defeat Arnot at his own game. In a letter dated 19 May 1875 he wrote:

> I have been thinking about your land muddle - I suppose the only lion in the path of settlement is Arnot and his enormous claim. This I think you might get over by going on the broad principle - that Waterboer, from whom he claims, only held his land in trust for his people and had no sort of power to alienate it to private individuals.[19]
>
> As really he was not the possessor but only the trustee. The only objection to this is that if he had no power to grant to Arnot he had no power to hand it over to you. But I don't think the cases are similar as by handing over to the British Govt. [sic] he only handed over his trusteeship, whereas by handing a large slice over to Arnot he was in reality disposing of

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16. GLW 166: Judgment, 16 March 1876, pp.2-3.

17. Arnot claimed 840 square miles between the Vaal and Harts Rivers, as a grant from Mankuruane in November 1871 after the Bloemhof Arbitration (see Map). C.3114: No. 8(b) in Appendix; Moysey to Robinson, 20 October 1881; Agar-Hamilton: Road to the North, p.17.

18. John Blades Currey was Colonial Secretary from December 1872 to October 1875.

19. Waterboer did have the power to alienate land to private individuals. A.47-'78: Southey's interview with Waterboer, 19 May 1874; Arnot and Orpen, pp.335-6.

> what belonged to the people of the country.
> At any rate I think you might trip up A's [sic]
> heels which is I suppose all you want to do,
> as the people of Waterboer are not likely to
> call on you for an account of your stewardship,
> (What a Flemish one it would be!)[20]

Stockenström's task was then at the outset vast, and highly complex, but the majority of people in South Africa supported Barkly's appointment because "questions of a semi-political character" would have to be discussed in connection with the land claims.[21] The Diamond News hailed Stockenström's appointment, as from his background it was well known that his sympathies lay with the Boers in the dispute between the British Government and the Boer Republic's.[22]

The other Kimberley newspaper, the Independent, meanwhile summed up Stockenström as "calm, and patient even to a fault" while keeping "the even tenor of his way without fear, favour, or affection."[23]

As the Land Court proceedings progressed and Stockenström at times allowed his personal bias to come to the fore, these newspapers soon changed their attitudes towards the formerly esteemed Judge. By his conduct Stockenström was more than once guilty of an act of the most serious indiscretion on the bench.[24]

Stockenström's greatest faux pas was committed on 19 January 1876, when he suddenly took it upon himself to describe Waterboer as "half

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20. Merriman Papers: Merriman to Currey, 19 May 1875. Merriman's use of the phrase "Flemish stewardship" is obscure, but he was probably referring to underhand deals and mismanagement.

21. Cape Argus, 29 January 1876.

22. Diamond News, 8 February 1876.

23. Independent, 22 January 1876.

24. Agar-Hamilton: Road to the North, p.137; Wilmot, p.167. See Appendix D for Schedules of land claims allowed and disallowed by Stockenström.

an imbecile" who was "perpetually half drunk" and therefore "a puppet in the hands of designing persons."[25] To make matters worse, the Judge used this language when Waterboer's counsel, J. Halkett and H. Wright, were out of the Court. The next day, Halkett told the judge that throughout the proceedings Waterboer had been treated

> more like a pilferer of British acres than as the donor of the whole province[26]

to the British Government.

The Diamond News stated that in all the evidence presented to Stockenström, Waterboer's words, far from appearing as the incoherencies of an imbecile, read more like the evidence of a man whose memory and natural powers of reasoning were beyond those usually exhibited in the witness box. It reported that much was made of Waterboer's references to Arnot as "my mouth" when Stockenström must have known that the expression was in common usage among the Griqua and Blacks and meant no more than that the person indicated as the mouth spoke for them. Nor did Stockenström, according to that newspaper, give sufficient weight to the prescriptive right under which Waterboer's farms were obtained and held. That was a right which was recognised everywhere else within the British possessions and should not have been ignored by the Land Court.[27]

The Independent, on the other hand, argued that Waterboer had trifled with the Court, and that Judge Stockenström had been subjected to indignities from him which few British judges would have permitted.

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25. Cape Argus, 29 January 1876; C.2222: Enclosure 1 in No. 74; Stockenström to Frere, 12 May 1879.

26. Cape Argus, 29 January 1876; Wilmot, p.167.

27. Diamond News, 10 December 1876. The article does not state in which system of law this "prescriptive right" would apply. It is not clear whether it meant that the rights under the old laws were allowed on annexation or that rights of Roman-Dutch law were accorded after annexation to those whose holding of land before annexation would have given Roman-Dutch law ownership by prescription if Roman-Dutch had applied.

It stated that

> If we blame Judge Stockenström at all it is for treating Waterboer with more consideration than he did White men; and yet we are told that "Waterboer has not got justice!" In our view of the case he has not got justice. We sincerely hope it will be meted out to him, and if there is such a thing as retribution, that justice will probably not be in scant measure.[28]

The Diamond News felt that all the claimants under Theodore Doms, the Koks and the Bloems had made a dead set at Waterboer and Arnot, and that stories of perjury and underhand deals were sent abroad and kept in circulation with "marvellous pertinacity." It held that there was an impression abroad that Waterboer was a bad lot, but that Arnot was ten times worse.[29] This newspaper stated that the Land Court was not the place where Waterboer's claims for land should have been decided upon. Together with Het Volksblad, the Diamond News agreed with Stockenström and Southey that the Griqua had been unjustly treated, and that their peculiar claims ought to have been decided upon by a Commission appointed by the Executive.[30]

It seems that Stockenström did have some valid cause for complaint, although his language was somewhat strong for a man of his station. Het Volksblad reported that

> Captain Waterboer would appear to be so much wanting in the faculty of distinguishing Government property from his own, that there is

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28. Independent, 12 February 1876.

29. Diamond News, 22 January 1876.

30. Het Volksblad, 13 June 1876; Diamond News, 22 January 1876.

> every chance of him being soon compelled to part with a good many farms he had reserved to himself.[31]

The Independent meanwhile contended that Arnot and Waterboer should have paid more attention to the rights of the Griqua people as well as looking after their own. According to that newspaper, T. Ubsdell, the deputy sheriff who went to Griquatown, said that the Griqua in that area were in great fear of Waterboer who held absolute power.[32]

The Independent also criticised Waterboer and his counsel for withholding valuable information from the Land Court. Stockenström demanded the Land Register of the Griqua nation time and again. Document after document had been put into Court referring to this book and many witnesses swore to its existence, but Arnot and Waterboer denied ever hearing of or seeing the Land Register to which Stockenström referred.[33]

In his official Land Report of January 1877, F. Orpen stated that in most instances the Blacks were too ignorant of the White man's lifestyle to be able to understand the workings of the Land Court. He held that in some respects these Blacks had no actual ownership which could be

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31. Het Volksblad, 11 March 1876. Part of the background to this dispute was similar to that in Ratsialingwa and others v. Sibasa, 1943(3) SA 781 (AD) (see Kerr, pp.76-80) where a Court had to distinguish from the private property previously held by a ruling chief which part was private (and therefore still his after he ceased to be chief) and which part he had controlled as chief (and therefore passed into the control of the new chief.). In Waterboer's case the new chief was the Government, as sovereign rights passed to the Government after annexation.

32. Independent, 2 March 1876.

33. Independent, 12 February 1876. C.2222: Enclosure 1 in No. 74; Stockenström to Frere, 12 May 1879. Waterboer and his Raad stated on May 1874 that a land register did not exist as the original grants were registered on loose papers, and each grantee received the original document. There was apparently no record of transfer. A.47-'78: Southey's interview with Waterboer, 19 May 1874, p.6; Arnot and Orpen, p.336.

dealt with by a Court of Law as they were nomadic or semi-nomadic.[34]

During the Land Court proceeding Stockenström's biggest problem was that of multiple grants. He found

> from the Land Register, that the same pieces of ground had, in many instances, been granted or sold to different individuals by the Representatives or Chiefs of various tribes, each tribe claiming that the land in question belonged to it, - while Waterboer claimed to be regarded as the sole lawful lord of the soil... and that his grants alone were valid.[35]

In the light of conflict not only over title to particular pieces of land, but also over Waterboer's claim to be the sole distributor, Stockenström found that he was compelled at the outset to delve into the history of each set of claims.[36]

The claims of the Tlhaping, Kora and Griqua came into conflict, not only with each other, but also with Waterboer's recently-made grants. In Griqualand West,[37] north of the Vaal River, land had been claimed under grants made by Cornelius Kok, the Griqua chief at Campbell. Waterboer failed to recognise these and all others not issued by himself, while the British Government stated that no-one had the power

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34. GLW 8: Orpen's Land Report, January 1877. Orpen's contention that Blacks had no actual ownership was incorrect. It has not been ascertained whether he reached this conclusion after reading Stockenström's judgment or whether they both obtained it from a common source.

35. GLW 166: Judgment, 16 March 1876, p.1.

36. GLW 166: Judgment, 16 March 1876, p.1.

37. Stockenström took the boundaries of the Province as those described by Proclamation No. 67, 1871, issued by Barkly on 27 October 1871. GLW 166: Judgment, 16 March 1876, p.1.

RHODES UNIVERSITY

GRIQUALAND WEST

DIAGRAM Showing approximately the general divisions under which lands have been claimed, mentioned in the reports of Captain Warren.

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5(a

Koning
Roelofsfontein
Boetsap
Hart's River
Daniels kuil
Likatlong
Vaal River
PLATBERG
Papkuil
Barkly
Pniel M.S.
Wittesand
Kheis
Griquatown
Campbell
Modder River
Modder R.
Riet R.
JACOBSDAL
David's Graf
Douglas
Yetzberg Line
Orange River
Reid's Drift
Prieska
HOPETOWN
Ramah

28°S
29°S
30°S
22°E
23°E
24°E
25°E

Statute Miles
0 5 10 20 30 40 50

I Orange Free State Titles

II Albanian Grants from Waterboer

III Lands granted by several chiefs (claims overlapping) viz.: Waterboer
Land in S.A. Republic
Jan Bloem
Kats Koras
Adam Kok & Others

IV Campbell Lands claimed by Cornelius Kok & O.F.S.

IVa Total amount of Land recommended to Blacks (in Farms) on Campbell lands: Shown in one block for comparison.

V The Koap grants by Adam Kok, N. Waterboer, the Barendses & Jantjie.

VI Lands granted by N. Waterboer.

VIa Total amount of Land recommended to Griquas in A. Waterboer's list: shown in one block for comparison.

VIb Total extent of Land recommended to Waterboer: shown in one block for comparison.

to alienate lands by the establishment of estates in severalty.[38] Meanwhile, south of the Vaal River, farms with Free State titles overlapped with lands leased by Waterboer for the Albanian Reserve, and the British Government wanted to reduce the extent of farms[39] with British land certificates and Free State titles.[40]

Stockenström felt that, as a basis of pronouncing a satisfactory judgment on these conflicting claims, it was first necessary to trace the history of the Province back to the time when the country was the "grazing and hunting ground of various tribes of Nomads."[41] The Judge then started his history with the earliest inhabitants, the San, worked through the founding of the Griqua State and the influence of the missionaries with both the Griqua and the Black tribes up to the Keate Award of October 1871.[42]

With this extensive historical background, Stockenström found that he could see the problems of land settlement far more clearly. The one conclusion drawn by Stockenström from his historical research that greatly influenced his decisions regarding the land claims of the Griqua and Black tribes was the controversial one of the chief's jurisdiction.

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38. In his Commentaries on the Laws of England, II, W. Blackstone stated that "he that holds lands or tenements in severalty, or is sole tenant thereof, is he that holds them in his own right only..." (p.179). The Crown's contention that Waterboer could not establish estates in severalty was false as both N. Waterboer and his father admitted that some Griqua had individual rights to land. Arnot and Orpen, p.229 and pp.335-6.

39. This referred to their individual size and not the area of land which they collectively covered.

40. GLW 166: Judgment, 16 March 1876, p.3.

41. GLW 166: Judgment, 16 March 1876, p.3.

42. GLW 166: Judgment, 16 March 1876, pp.3-5.

He stated that these men

> were chiefs over tribes, not over territories. Like all chiefs of nomadic tribes they exercised personal jurisdiction over their followers, but territorial jurisdiction was to them a thing unknown.[43]

This statement of Stockenström's might have been correct if he was referring to the Griqua in the late eighteenth century but it was not true for those Griqua ruled over by Andries and Nicholas Waterboer.[44] Stockenström quoted Rev. William Anderson who travelled among the Griqua in the early nineteenth century and described them as

> a herd of wandering and naked savages, subsisting by plunder and the chase... with no covering, but a filthy kaross, without knowledge, or morals or trace of civilization.[45]

However, J.S. Marais and R. Ross have since proved that the Griqua were not mere savages before the arrival of the missionaries.[46]

A great deal of evidence presented at the Land Court showed that the allotment of land to the Griqua was not affected by any condition of occupation. This was important as Stockenström based his disallowing of certain claims on the basis of non-occupation. The verbal consent of the chief to the occupation of land was said to be as effective a security

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43. GLW 166: Judgment, 16 March 1876, p.5.

44. A.47-'78: Southey's interview with Waterboer, 19 May 1874, pp.6-7; Ross: Griqua Government, p.31; Arnot and Orpen, pp.335-6.

45. GLW 166: Judgment, 16 March 1876, p.5.

46. Ross: Adam Kok's Griquas, p.15; Marais, pp.33-5.

for a piece of land as a written certificate and absence of the occupier from the land granted to him did not imply forfeiture. Stockenström chose to disregard this evidence as he felt that Griqua witnesses

> could not give any instances in support of their opinions, and as they were very ignorant, as well as interested in establishing their theory.[47]

He considered their evidence insufficient to overthrow that previously recorded,

> supported as it was by the written law of Campbell and the testimony of the traveller Burchell.[48]

In Stockenström's eyes, W.J. Burchell, who travelled extensively among the Black tribes north of the Vaal River before White ideas and land speculators "had created confusion in the native mind", and who published his Travels[49] in 1824, entirely bore out the conclusions at which he had arrived.[50]

Using Burchell's testimony as a basis for his later Judgment of 18 May 1876,[51] Stockenström stated his theory on land ownership among

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47. GLW 166: Judgment, 18 May 1876, p.3.

48. GLW 166: Judgment, 18 May 1876, p.3. For Campbell's Laws see Appendix C.

49. W.J. Burchell: Travels in the Interior of South Africa; Volume 1 was printed in 1822 and Volume 2 in 1824.

50. GLW 166: Judgment, 18 May 1876, p.3.

51. During the first session of the Land Court the consideration of certain claims to land had to be postponed as the claimants and their witnesses had not appeared.

Black tribes as follows:

> In fact, with respect to 'territory' they have none of those ideas which a European would attach to the word. The soil appears never to be considered as property, nor is it hardly ever thought worth claiming or disputing the possession of: the water and pasturage of it is all that is rated of any value, and when these are exhausted the soil is abandoned as useless.[52]

After summing up what Burchell had to say about Griqua, Kora and Tswana land tenure, Stockenström stated that estates in severalty were quite unknown among the Griqua and Black tribes. This supposition was incorrect, even though in their circumstances individual ownership did not extend to grazing lands, as both Griqua and Blacks owned the land on which they lived.[53]

Andries Waterboer had begun to issue written "requests"[54] or certificates for land to prominent members of the Griqua community from about 1822 but few of these requests seem to have been issued. It was

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52. GLW 166: Judgment, 18 May 1876, p.3.

53. Schapera: Native Land Tenure in the Bechuanaland Protectorate, pp.85-6; Kerr, pp.78-9. See above p.30.

54. R.C. Duly: British Land Policy at the Cape, 1795-1844, pp.77-8 states: "The Boers' self-devised method of holding land was capable of providing reasonable security for the settled grazier and farmer. The old system of loan-farm tenure reappeared in the Colony under the name of 'request' tenure. Request places, so named because the land had been petitioned for from the government, achieved a semi-official status from the local district officer... The farms were bought and sold and enjoyed almost all of the rights of quitrent or freehold property."

only when Adam Kok's Griqua were allowed to sell their land to Free State farmers on their departure for Griqualand East, that Waterboer's subjects realised the advantages of direct control over the land by individuals. When fellow-Griqua were ejected from Albania, Waterboer's subjects suddenly felt the insecurity of their position and "clamoured to have separate estates confirmed on them."[55] N. Waterboer promised to issue these people with written certification of their land rights, but failed to do so.

Stockenström held that the Tswana were the least nomadic of the Black claimants and incorrectly stated that they also ignored the rights of individuals to distinct pieces of land. The Tlhaping felt that the Republics would take most of their land unless this were opposed and so they were willing to part with some of their vacant land to friendly Whites. This tribe wanted a barrier to be formed between the Republics and themselves but did not intend to authorise the wholesale alienation of land which Doms effected.[56] Stockenström then decided that the Tlhaping were

> entitled to have sufficient ground secured to them for locations at Sihunel, Sitlagome, Sogo, Lekatlong, Merinetse and Borogolong, as also at other points along the Hart River which they have occupied for a great many years. Locations should also be provided west of the Hart River for those Batlapins who had formerly resided there.[57]

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55. GLW 166: Judgment, 18 May 1876, p.4. By "separate estates" Stockenström meant individual ownership.

56. GLW 166: Judgment, 16 March 1876, p.18. The only other occasion on which land had been alienated was when the Tlhaping sold a piece of land at Kuruman to the L.M.S. for a Mission Station. Doms' claims were, on the whole, claims made by Whites. See Appendix D.

57. GLW 166: Judgment, 16 March, 1876, p.19.

The Kora, according to Stockenström, were nomadic pastorlists who used the land in common and did not recognise individual ownership.[58] In 1870 Barend Bloem was advised by J.G. Donovan to issue large grants of land north of the Vaal River to his followers, but Bloem's Kora were only a small part of the whole tribe. Stockenström did not uphold any of Bloem's grants but suggested that the Kora should have a location allotted to them.[59]

The claims of those who held title under Waterboer grants and had "long occupied land verbally allotted to them before the cession of the country" were allowed, as were those based on written "requests" or certificates as long as "no abandonment had been proved." Stockenström then strangely disallowed all claims based upon verbal allotments made by Waterboer where no occupation could be proved before the country was ceded to Britain.[60] All similar allotments made by the chief after annexation were understandably disallowed.[61] Stockenström's reason for disallowing claims based on verbal allotments made before annexation where there was no occupation seemed to have been based on his original premise that allotment was not complete in Griqua law until occupation was taken up. In his judgment he stated that he thought it idle to contend

> that rights to land could... be attained by any of the Griquas without actual occupation and... that in this particular no change

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58. See Chapter II, pp.24-5.

59. GLW 166: Judgment, 16 March 1876, p.18. Stockenström found both Bloem's and Barendse's claims to be suspect as they were based on alleged "requests". See Appendix D.

60. In 1879 Stockenström stated that the majority of Griqua claims on Waterboer's List were disallowed because the List was proved to have been framed by Arnot, whose evidence he did not consider conclusive. C.2482: Enclosure in No. 74: Stockenström to Frere, 12 May 1879.

61. GLW 166: Judgment, 18 May 1876, p.4.

had been effected in the Griqua laws up to the time of British jurisdiction over this country.[62]

Stockenström experienced great difficulty in trying to classify claims under general headings, because of the allegedly unsatisfactory evidence which had been adduced. For example, the book which was produced and described as the Griqualand Register was compiled to a large extent after the cession of the country.[63] It contained the names of several persons who admitted that they had only obtained grants after Waterboer's return from Nomansland in 1873. The old Griqualand Register, which Waterboer swore did not exist, but which he referred to in a letter to A. Krotz in 1870 and which was seen in his possession until 1875, was not produced, as it could have thrown a great deal of light on the proceedings.[64] Where no written "requests" or certificates were produced, Stockenström relied entirely on the "parol testimony[65] of interested witnesses."[66]

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62. GLW 166: Judgment, 18 May, 1876, p.4.

63. Apparently there were two volumes of the Land Register of which Stockenström only managed to obtain the second from Waterboer. C.2482: Enclosure in No. 74; Stockenström to Frere, 12 May 1879.

64. In a meeting with R. Southey in 1874 Waterboer and his Raad denied that a Land Register existed. A.47-'78: Southey's interview with Waterboer, 19 May 1874, p.4; Arnot and Orpen, p.336.

65. "When we now speak of anything being done 'by parol'... we generally mean doing it orally." Stroud's Judicial Dictionary, 4, p.1931.

66. GLW 166: Judgment, 18 May 1874, p.5. Stockenström claimed in 1879 that the vast majority of those whose claims were disallowed did not appear in Court to substantiate them. C.2482. Enclosure in No. 74; Stockenström to Frere, 12 May 1879.

Nicholas Waterboer's private claims were numerous, embracing some farms which he allegedly inherited or received as gifts from his father, some bought or bartered for and some appropriated to himself by virtue of his position as chief. Waterboer's counsel indicated that he would withdraw some of his claims but Waterboer himself was adamant that they should all stand. Stockenström found that on the whole Waterboer's evidence was unsatisfactory, especially as he refused to state what relevant documents he possessed pertaining to the various land claims. He also pointed out that the non-production of the old Griqualand Register tended to bias one's attitude against Waterboer.[67]

Stockenström believed that Waterboer was an elective and not an "hereditary" chief, therefore his authority was of a patriarchal nature and based upon the voluntary obedience of the tribe in which all had the same privileges. This does not follow, as elective chiefs enjoyed all the privileges of their position. Waterboer could not conclusively prove that his councillors had approved of his land claims, so Stockenström disallowed the appropriation of land made by Waterboer to himself. As for the rest of his claims, Stockenström charged that the tribe only acknowledged three farms as belonging to the chief so those claims were allowed.[68]

Stockenström disbelieved Arnot's assertion that in February 1871 Sir Henry Barkly had been obliged to accept Arnot's claim as a condition for British acceptance of sovereignty over Griqualand West, because Barkly denied the truth of this.[69] However, Captain Warren admitted in 1877

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67. GLW 166: Judgment, 18 May 1876, p.5.

68. GLW 166: Judgment, 18 May 1876, p.5. Stockenström disallowed the rest of Waterboer's land claims because he said they were proved to be tribal lands. C.2482: Enclosure in No. 74: Stockenström to Frere, 12 May 1879.

69. On 28 February Barkly wrote to Southey that "Arnot handed me what he styles a Memorandum... in which the usual preposterous demands are put forward on behalf of him and Waterboer." These demands were never agreed to. MacMillan, p.201.

that promises were made to Arnot by Barkly in 1871 and 1872 concerning Arnot's claims and, as in Waterboer's case, no reference was made as to their submission before a Land Court for their adjudication.[70]

Nine out of eleven Griqua councillors denied granting Arnot more than two farms, yet the signatures of some absent councillors appeared on the Southern Albanian grants to him. Also, Waterboer granted the Northern Reserve to Arnot, and yet the signatures of councillors who were never consulted appeared on the grant.[71] As land grants had to be made by the chief and council in order to be valid, it was alleged that Arnot obtained these signatures by false means.

Arnot's evidence was found by Stockenström to be unreliable and as Waterboer had "surrendered himself" into Arnot's hands, he could not be classed as an independent or reliable witness. Arnot's claims to the Albanian and Northern Reserves were disallowed as were those to the erven at Douglas, but his claim to Eskdale was accepted as valid. Stockenström also mentioned that the rent of the farms in the Albanian Reserve was intended to be paid to Arnot as a salary and that he should therefore not be deprived of it.[72]

Stockenström marvelled at the way in which those who had gained the confidence of the Blacks were able to

> induce them to append the signatures or marks to any document upon a mere statement of its alleged contents.[73]

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70. Warren, p.297; Warren Report, pp.12-13.

71. GLW 166: Judgment, 16 March 1876, p.26.

72. GLW 166: Judgment, 16 March 1876, p.27.

73. GLW 166: Judgment, 16 March 1876, p.27.

What Stockenström must have overlooked was the illiteracy of many Blacks who put their trust in an agent as a means of preventing the encroachment of Whites on Black land.

After Stockenström's judgment had been published,[74] David Arnot wrote to the Administrator, Major Lanyon, and alleged certain irregular practices carried out by the Judge during the Land Court proceedings. He reported that the witnesses for the most part only understood Dutch, in which their evidence was given, but for the interpretation of which no adequate provision was made. Stockenström, whose mother-tongue was Dutch, frequently interrogated witnesses without the aid of an interpreter, thus placing the Members of the Bar at a distinct disadvantage and depriving them of certain information essential to the conduct of their cases.[75]

Stockenström's judgment was condemned by many people of all races after it was published and it was given as one of the reasons for the rebellion in 1878.[76] His basic premise, which was unsound, was that the Griqua were nomadic "naked savages" at the turn of the nineteenth century and that neither the Griqua nor the Black tribes recognised individual ownership of land. Blacks did, in fact, own the land on which they lived, but they held all other land in common.[77] Certain Griqua held estates in severalty while the others lived under a similar system to their Black neighbours, which did not preclude them from individual ownership.[78]

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74. See Appendix D for claims allowed and disallowed by Stockenström.

75. GLW 112: Arnot to Lanyon, 18 October 1877.

76. See Chapter IV.

77. Once a man had been given residential land, he acquired the exclusive right to use it. The chief could move him away if there was some good reason but, as long as he was lawfully occupying the land, he could not be removed by anyone without just cause or reason. On his death, his right to land was inherited by his children. Schapera: Native Land Tenure in the Bechuanaland Protectorate, pp.85-6; Kerr, pp.78-9.

78. Arnot and Orpen, p.229 and pp.335-6.

The accounts of Campbell and Burchell which Stockenström used to substantiate his case were not full enough as they dealt with Griqua custom prior to 1825. As Stockenström's theory of Black land tenure had an erroneous base, his judgment was not in accordance with what the Griqua had every right to expect; hence a genuine grievance resulted from unwise reliance on out of date sources and an unwise extension of logical principles in an area where they were not called for.[79]

Stockenström also made much of the fact that, in his eyes, Griqua law stated that non-occupation meant forfeiture of land rights. This question became increasingly important in those claims where verbal grants had been received, but witnesses could not prove occupation. In this respect it often seemed as if Stockenström thought the witnesses were lying, as he did not believe testimony with regard to allotments not taken up.[80]

Stockenström's view of Griqua law introduced bias into his judgment, and Captain Charles Warren was later called in by the Administration to settle the land question anew.[81] After Stockenström's judgment was published, complaints, in the form of appeals, were received from smallholders as well as those who owned large tracts of land and whose claims had been disallowed. In certain cases this happened because Stockenström had applied the law incorrectly and in others because he had not heard these cases, which was at worst an administrative omission.

The question of the rights to land had become a bone of contention in Griqualand West by the 1870s and, although Stockenström's judgment cleared the ground for Warren's reappraisal, it also influenced some

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79. This is similar to Gaboetloele's v. Tsikwe, 1945 NAC (C & O) 2 (Kerr, pp.72-3) where a White judicial officer gave a decision on what he though was a logical view of customary land tenure, which later proved to be wrong.

80. GLW 166: Judgment, 18 May 1876, p.4.

81. See below, pp.64.

Blacks to rebel against the Administration as a result of their losing land.[82] Stockenström's judgment was valuable in that it put the land question into perspective but it also proved to be the source of considerable discontent which culminated in rebellion in that Province two years later.

Stockenström wrote to Sir Bartle Frere in May 1879 requesting a Royal Commission to inquire into reflections upon him as Judge of the Land Court. He also complained of the allegations of Lanyon, Warren and F. Orpen that his judgments were a cause of the rebellion of 1878. He particularly took offence at Warren's remark that he was "an advocate who did not mete out justice to the Griquas and other native tribes",[83] which the Argus said was "as unfounded as it was uncalled for."[84]

Warren's remarks were published in an Imperial Blue Book and Stockenström countered them with proof of the justice he exhibited towards the Griqua and Blacks. He pointed out that not one acre of land claimed by a Black was given to a White man, whether claiming under Free State title or otherwise,which was correct. Stockenström directed that the occupied portions of Waterboer's territory, not disposed of by the Land Court, should be divided among Griqua and Blacks in possession in proportion to their improvements and the number of their stock.[85] That this instruction was not carried out does not reflect on the bad judgment of Stockenström.[86] After reading Stockenström's request

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82. See Chapter IV, pp.84-5.

83. C.2222: Sub-Enclosure 1 in No. 36: Warren to Villiers, 21 September 1878.

84. Cape Argus, 13 May 1879.

85. GLW 166: Judgment, 16 March 1876, p.21.

86. C.2482: Enclosure in No. 74; Stockenström to Frere, 12 May 1879.

Sir Michael Hicks-Beach informed Frere that

> having regard to Mr Stockenström's high reputation for the conscientious discharge of his official duties, the appointment of a Commission... is not necessary.[87]

After the sitting of the Land Court few judgments could be made absolute because of the number of cases on appeal. Consequently, the land question was as far from solution as before. Captain Charles Warren[88] of the Royal Engineers was therefore requested in mid-1877 to proceed to Griqualand West to endeavour to resolve the continuing difficulties. Warren came to the conclusion that the Griqua as a nation had not received the justice promised them when their country was taken over and in this respect he was supported by Major Lanyon,[89] the Executive Council of the Province, and ex-Lieutenant-Governor Richard Southey. Each recommendation which Warren made was submitted for the consideration of the Executive Council before it was approved by Lanyon and forwarded to Frere. Thus each member could add his suggestion to Warren's recommendations.[90]

F. Orpen, the Surveyor-General of Griqualand West was appointed as a Commissioner to "define and set apart the native locations" and "to contribute towards the final settlement of what is commonly called the Land Question"[91] on 15 February 1877. From February until June Orpen

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87. C.2482: Enclosure in No. 74; Stockenström to Frere, 12 May 1879.

88. See Appendix A for a biographical sketch.

89. See Appendix A for a biographical sketch.

90. C.2695: No. 31: Warren to Colonial Office, 19 July 1880.

91. A.84-'81: Orpen to Robinson, February 1881, p.1.

defined locations and inspected over 300 claims to land. When Warren was appointed Special Commissioner for the settlement of all land claims in Griqualand West, Orpen handed all his notes and reports of his researches to Warren as well as any information which could prove helpful.[92] After Lanyon was appointed Administrator of the Transvaal and Warren Acting-Administrator of Griqualand West, Orpen was instructed to carry on the duty of reporting on land claims.[93]

In October 1877 Warren re-opened the land question and told the Civil Commissioners of the various districts to enquire into all land claims not submitted to the Land Court.[94] He was consequently accused of bypassing Barkly's Ordinance[95] which provided that no claim to land should be entertained unless it was based on the judgments of the Land Court.[96] In December 1877 Warren visited Griquatown and, according to the Argus, announced that no claim not on Waterboer's List[97] could be entertained by the Government.[98]

The Independent contended that Warren saw that several persons pretended to have claims which had not been advanced in any formal way,

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92. This information was verbally given by Orpen to Warren from time to time.

93. A.84-'81: Orpen to Robinson, February 1881, p.2; Warren, p.17.

94. Cape Argus, 13 May 1879.

95. Ordinance No. 3, 1875.

96. Warren said he did not alter Stockenström's judgments, but adopted a system of "levelling up" the land claims, so as to be fair to everyone. C.2482: Enclosure in No. 74: Stockenström to Frere, 12 May 1879.

97. On annexation Waterboer was asked by the Government to send in a list of all Griqua claims which would be guaranteed by the Government. He sent in the first list of his own and the Griqua claims on 10 January 1874; a further list followed on 31 October, and on 27 May 1875 a supplementary list was forwarded, together with a certificate signed by all the members of the ex-Raad, stating that all the lists had been examined and confirmed by them. Warren Report, p.91.

98. Cape Argus, 13 May 1879.

and that, by causing these claims to be investigated and, when proved real, to be allowed, he had promoted contentment throughout the Province.[99] On the whole, Warren seems to have been highly regarded throughout Griqualand West. Rev. A.J. Wookey, in a letter to the Board of the London Missionary Society, stated that Warren had shown himself considerate of the interests of all parties, and had been anxious to do justice to the Blacks in all his dealings with them.[100]

Warren was on the point of completing his Report on the land question when he was ordered to the Eastern Frontier of the Cape Colony, in command of the Diamond Fields Horse, on 10 January 1878. The Report was completed on his return to Kimberley after the Griqualand West Rebellion, in January 1879, and laid before the Governor, Sir Bartle Frere in May, but was kept back with Frere's sanction "owing to the want of information on various points." It was finally forwarded to the Governor on 29 August 1879.[101]

Warren stated in the Report that the Griqua had in fact possessed fixed boundaries.[102] It was on the assumption that Andries Waterboer had no boundary line around his territory[103] and that his people were nomadic[104] that Stockenström had refused many Griqua land claims. According to Warren, the deprivation of land suffered by the Griqua had a "serious effect upon the native mind." He felt, furthermore, that his

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99. Independent, 29 May 1879.

100. ZL 1/3/32: Wookey to L.M.S., 23 December 1878. Warren, called "rra-digelasi" by the Blacks because he wore glasses, was commonly remembered by them as being a very fair man. Evidence taken during Inverviews, see Appendix E.

101. Warren Report, p.7; A.84-'81 Orpen to Robinson, February 1881, pp.1-3.

102. Warren Report, p.9.

103. GLW 166: Judgment, 16 March 1876, p.6.

104. GLW 166: Judgment, 16 March 1876, p.5.

adjustment

> was made too late to influence all the natives for good, for the greater portion of them had already cast their lot with the rebels from the Cape Colony.[105]

Warren reported that the "poor and ignorant" Griqua were forced into the Land Court or obliged to abandon their claims. He contended that

> The Chief Waterboer himself was thus forced into Court, was insulted by the judge, his case was withdrawn, his claims disallowed, although guaranteed by the British Government, and in addition to this his Land Court expenses amounted to over £1,000.[106]

Other Griqua and Blacks fared worse than Waterboer as, not having sufficient money to pay their legal expenses, they often had to part with their farms, which were bought for a pittance by eager land speculators.[107]

The work of the Land Court was, according to Warren, so hastily got through that there were hundreds of claims left out of the Schedules altogether, although the Schedules purported to give lists of claims which were allowed or disallowed.[108] In some cases the judgment had been totally omitted, although it asserted that a decision had been arrived at, while in others the judgment on the Schedule did not agree with that on the judgment paper.[109]

In his study of the early history of Griqualand West Warren ascertained that there were "certain liabilities which the British Government took

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105. Warren Report, p.9.

106. Warren Report, p.13.

107. Warren Report, p.13; Agar-Hamilton: Road to the North, p.135.

108. In Schedule 2 alone there were 30 omitted and Warren had to add five new Schedules to make up the deficiencies.

109. Warren Report, p.13; GLW 7: Orpen to Lanyon, 10 December 1876.

over on the occupation of the territory"[110] and which Stockenström did not consider as binding in a court of law, although Barkly had guaranteed them in writing. In this respect Warren alluded to the claims of Arnot, Waterboer, his councillors, other Griqua and Blacks and the claims of those Whites who had occupied or bought land with Waterboer's sanction before annexation. Warren held that the Land Court could not invalidate those promises and guarantees, as they were the "distinct promises made by the head of the Government."[111]

Warren considered that the outbreak among the Griqua in 1878 was not only caused by the failure of the Government to resolve the land problems. He claimed that all the rebels spoke of their ill-treatment at the hands of certain land and law agents, but they also ascribed the rebellion "to other circumstances which did not specifically affect Griqualand West."[112] Many of the rebels were those who had their land claims disallowed by Stockenström. They stated that justice had been done to them in the end, but that matters had gone too far by 1877 for Warren's recommendations to have had any effect on them.[113]

Three principal points with regard to the land had to be settled by Warren, namely the ownership of the land claimed, the extent of each farm, and the amount of quitrent to be paid on each farm. Only in a very few cases had Stockenström given any decision on the extent of farms, and he had given no opinion at all on the amount of quitrent to be paid. By contrast, Warren gave a separate ruling on extent in each case, though he considered 3,000 morgen to be the size of a normal farm.[114]

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110. Warren Report, p.15.

111. Warren Report, p.15.

112. Warren Report, p.19. Warren did not state what the "other circumstances" might have been.

113. Warren Report, p.19.

114. Warren Report, p.15.

Certain claims by persons on Nicholas Waterboer's Lists were disallowed by the Land Court owing to the "non-appearance" of the claimants.[115] To those claimants of whose existence Warren could obtain any information, he recommended grants of farms. He also recommended grants of farms to all Waterboer's ex-councillors, whose claims had been disallowed by the Land Court, as he considered that those farms had been guaranteed to them when Britain annexed their country. In addition to Waterboer's claims there were certain subjects of Adam Kok and Cornelius Kok, the Black refugees of Albania, some Tlharo and other Tswana who had presented special claims, to whom unoccupied farms were recommended. There were thus, in all over 200 farms, amounting to 1,200,000 acres granted to the Blacks west of the Vaal and Harts Rivers.[116]

During his investigation Warren received about 170 claims which had not been before the Land Court and for which no proof of former occupation could be shown. These claims were based on the "burgher rights"[117] of the individuals. Warren found out that this application had been arranged by speculators on whose behalf the Blacks had entered into an agreement to pay £20 per farm should the land be granted. All those "false claimants" were to be placed in locations, varying in extent from 6,000 to 8,000 acres on the land on which they lived. The Government would watch their conduct for twelve months and, if they showed industrious habits and made improvements to those lands, they

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115. See above, p.57.

116. Warren Report, p.17. Recommendations dated 29 November to 24 December 1877. Stockenström had in fact made provision for farms to be granted these claimants, See above, p.63.

117. Warren did not expand on this point, and merely stated that they were the so-called rights of burghers for which there was no foundation. This looks like an illustration of how Cape Dutch (or Republican) political values had taken root in Griqua society. It was axiomatic in Boer republics that "burger-recht" carried with it the right to a farm.

would be granted title.[118] The rebel leaders Lukas Kok, Jan Pienaar (Gamga), Willem Moos and Donker Malgas were some of those whose claims were based on "burgher rights" and were therefore rejected.[119]

Warren recommended that all Griqualand West Blacks who had no claims to farms should be placed in locations of 6,000 to 8,000 acres on the lands which they occupied, except where the farms had been awarded to other Blacks under Waterboer's grants. He also recommended that, in view of the fact that many Blacks were selling the farms awarded to them, locations should be reserved for them to occupy as soon as they had spent their money and become destitute. A water erf was recommended for every Griqua who had no farm at Griquatown, Campbell, Backhouse, Daniel's Kuil or any other suitable place.[120]

Warren expressed concern at the fact that land speculators could obtain farms awarded to Blacks for a small sum of money, but he felt that he had overcome that problem. He reported that:

> It is to the interest of land speculators that an indefinite number of farms should be given out to natives, not for the benefit of the natives, but for land jobbing purposes; and many of those whose cry is 'the interests of the natives' are those who have done the most to ruin the natives and to drive them to desperation. My proposals to grant them locations have not been well received by speculators because the land cannot be sold.[121]

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118. Warren Report, p.18. Recommendation dated 14 October 1877.

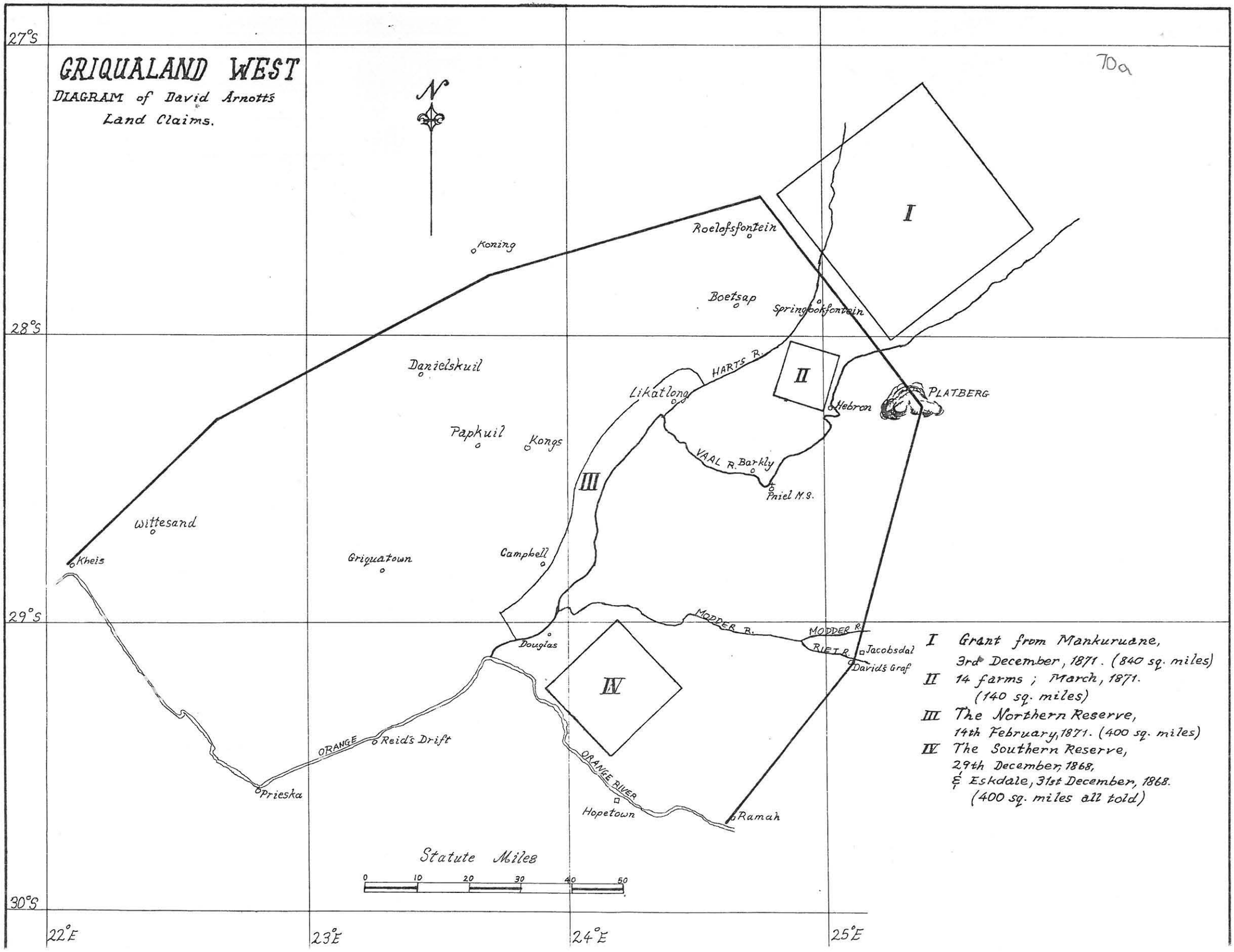
119. Warren Report, p.106.

120. Warren Report, p.19. Recommendation dated 27 December 1877.

121. Warren Report, p.19. This bears out very strongly the argument that individualisation of tenure had undermined Griqua society. One might argue that, if Maitland had done this in 1846, the exodus of Philippolis Griqua to Kokstad might not have been necessary.

GRIQUALAND WEST

DIAGRAM of David Arnotts Land Claims.



I Grant from Mankuruane, 3rd December, 1871. (840 sq. miles)

II 14 farms; March, 1871. (140 sq. miles)

III The Northern Reserve, 14th February, 1871. (400 sq. miles)

IV The Southern Reserve, 29th December, 1868, & Eskdale, 31st December, 1868. (400 sq. miles all told)

The first and most formidable difficulty which Warren encountered on his arrival at Kimberley in July 1877 was arranging for a compromise of over 200 cases on appeal.[122] These claims covered all the land between the Vaal and Harts Rivers, a large portion of land to the west of the Vaal, a large tract west of the Harts, a great portion of Albania, and numerous isolated claims. These cases were most complex as many claims overlapped and were interwoven such that "a great portion of the country was one intricate mass of confusion."[123]

The only hope which Warren had to settle the disputes was to persuade the various claimants to effect compromises. Some claimants would have preferred to lose everything rather than make concessions to an antagonist, while others were willing to come to terms, but their attorneys or land agents refused to do so. In the case of the Albanian Reserve, Warren became the object of a smear campaign in the local newspapers, as the Reserve had become "the watchword of a political party." He solved the problem by visiting the tenants on the Albanian Reserve who agreed in writing to accept his leases.[124] Warren managed, with imagination and Government backing, to settle the bulk of the claims to the satisfaction of those concerned.[125]

The claims of David Arnot were controversial, but Warren was not swayed by public opinion and he granted Arnot what he thought Arnot deserved. The "Southern Reserve" was granted to trustees of Arnot's son,[126] or, at his option, subject to certain conditions. First, that

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122. Warren's powers were limited to settling all the cases on appeal out of court.

123. Warren Report, p.20. In many cases there were up to seven overlapping claims.

124. Warren Report, pp.20-1.

125. He allowed altogether 325 claims which had not been formally acknowledged by the Land Court. Warren Report, pp.35-41.

126. W. Grimmer, T. Draper jr., T.J. Plewman jr. were the joint guardians of William Octavius Robert Arnot. GLW 166: Judgment, 16 March 1876, p.25.

each tenant of the 36 farms constituting the "Southern Reserve" should at any time during the continuance of their leases have the option of purchasing the land at the rate of £500 per 3,000 morgen and of then obtaining from the Government a perpetual quitrent grant of the same. Second, if the lessees had, at the expiration of the lease, not purchased the land, they were entitled to compensation for any permanent improvements. Third, Arnot and the trustees were to indemnify the Government against all claims to the lands of "Ramah" and also against all claims to any portion of the Southern Reserve.[127]

Warren also recommended that Arnot should receive £1000 as compensation for all the services and claims in respect of which he claimed the Northern Reserve and lands elsewhere in Griqualand West. Further, in lieu of all claims against the Griqua Government and for all the services rendered to the British Government during the years 1872 to 1874, Arnot was to receive £3000. He and his wife were to receive annual pensions of £500 for life, and these were retrospective to 1875.[128] Finally, Arnot received the farm Eskdale and erven at Backhouse consisting of about twelve acres on perpetual quitrent, but with special endorsements remitting their payment.[129]

Captain Warren recommended that 18,000 morgen about the Pniel Mission premises should be granted to the Berlin Missionary Society for missionary purposes among the Kora, with the proviso that should the Kora community cease to exist the Society could sell their lands and use the proceeds to continue their work among the Kora in South Africa. A joint commission had first to ascertain that the Kora had not been driven from the soil. The "hotels" on the property of the Pniel Mission were

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127. Warren Report, p.71. Recommendation dated 1 September 1877.

128. Warren Report, p.71.

129. Warren Report, p.75.

restricted from selling spirits to the Blacks in the mission lands. The Civil Commissioner had to hold a monthly court on the mission lands, as the missionaries could exercise no disciplinary power over the Blacks, except in the case of those who had signed contracts after they had been made.[130]

The original delay in settling the claims of Nicholas Waterboer was caused by the ex-chief himself, as he had remained in Griqualand East from 1871 until late 1873.[131] Waterboer then delayed in sending in the lists of his own and Griqua claims which the British Government had guaranteed.[132] A Land Commission had been appointed on 28 January 1875 to ascertain and define the boundaries of Waterboer's private properties, which had apparently been immediately allotted to him. These lands had been beaconed off in about the middle of 1875. Waterboer had protested to no avail when told that his claims had, as a matter of form, to pass through the Land Court.[133]

Waterboer was supposed to have received a "handsome fixed salary befitting his rank"[134] from the time the country was annexed by Britain. Warren held that if the salary had been regularly paid,[135] Waterboer would

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130. Warren Report, p.83. Recommendation dated 1 December 1877.

131. Warren Report, p.91.

132. See above, p.65 footnote 97.

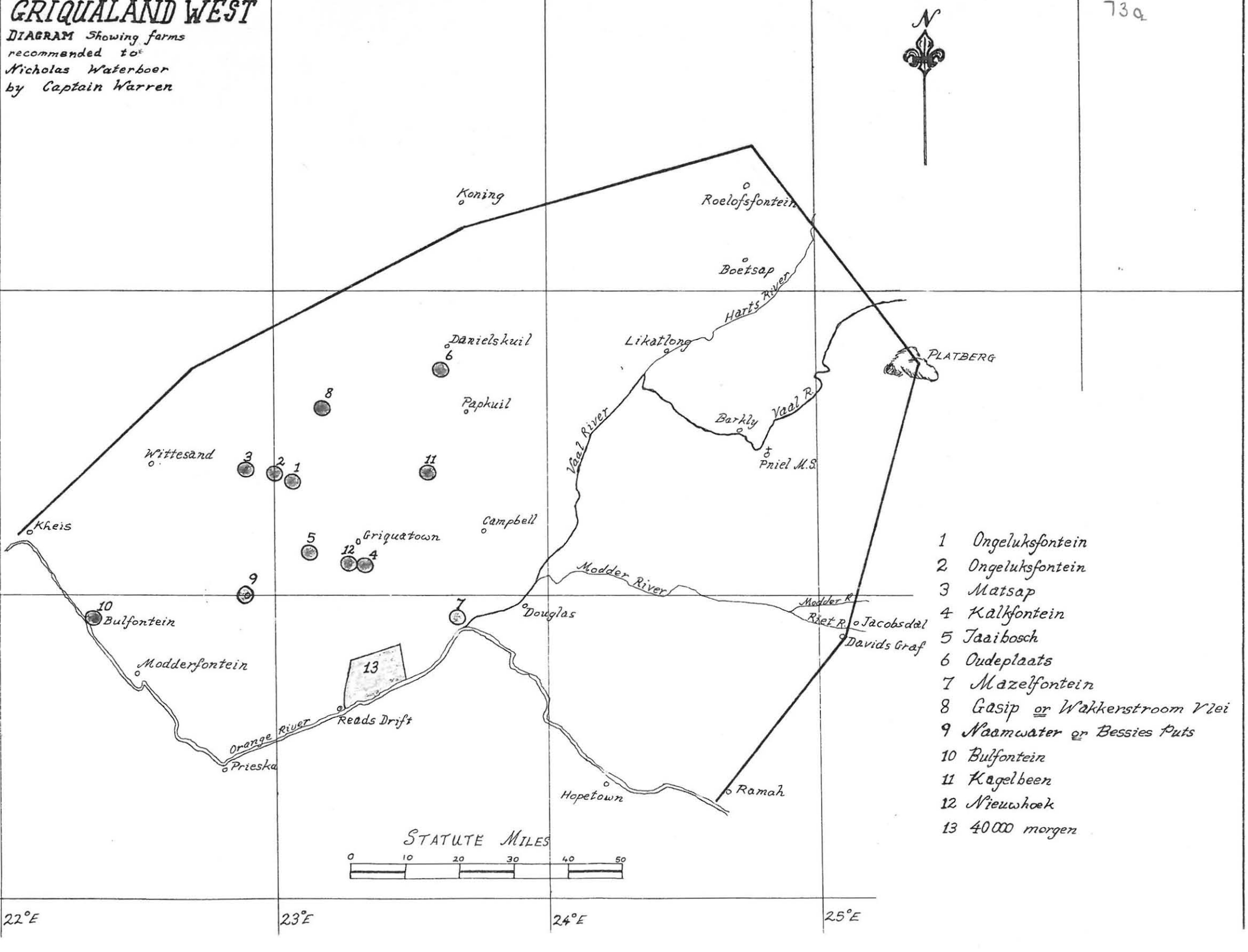
133. Warren Report, p.91.

134. The amount of Waterboer's pension was not officially laid down until June 1877 when the Executive Council of Griqualand West approved that he was entitled to £1500 p.a. from January 1877. GLW 8: Barry to Lanyon, 6 June 1877.

135. Allowances paid to Waterboer as pension were as follows:
1872 and 1873 .....£250
1874 .....£500
1875 .....£575
1876 .....£1825
1877 .....£155
Warren Report, p.96.

GRIQUALAND WEST

DIAGRAM Showing farms recommended to* Nicholas Waterboer by Captain Warren



1 Ongeluksfontein
2 Ongeluksfontein
3 Matsap
4 Kalkfontein
5 Jaaibosch
6 Oudeplaats
7 Mazelfontein
8 Gasip or Wakkerstroom Vlei
9 Naamwater or Bessies Puts
10 Bulfontein
11 Kagelbeen
12 Nieuwhoek
13 40000 morgen

not have had to sell certain of his farms "at almost nominal prices" in order to repay his debts.[136]

Warren felt that, as the amount of land claimed by Waterboer for himself and his subjects was about 500,000 morgen, it was no matter of surprise that Waterboer should have taken 200,000 morgen for himself. He also saw no reason to doubt that Waterboer held his land on a far more secure footing than did any of his subjects. Evidence showed that Waterboer possessed those lands as far back as 1858 and that he was in the habit of placing poor Griqua or Blacks on his farms to look after his cattle.[137].

Warren recommended that Waterboer forgo all claims against the British Government in return for certain advantages:[138] first, that each of his five sisters[139] should receive a farm of 6,000 morgen; second, that his claim to eight farms[140] should be recognised, save in the case of those which had already been purchased and which would have to be transferred to their rightful owners; third, that three farms should be granted as "pension" for his children;[141] fourth, that 40,000 morgen on the Orange River between the junction of the Orange and the Vaal Rivers, Reid's Drift, should be selected by the Government for Waterboer's use. All the farms granted to Waterboer were subject to a quitrent of £3 per

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136. Warren Report, pp.91-6.

137. Warren Report, p.93.

138. Only the most important conditions have been cited.

139. Elizabeth Kruger, Katrina Moos, Annie Bezuidenhout, Meta Klassi and Gertrude Kok. Warren Report, p.99.

140. Ongelukfontein (12,000 morgen); Matsap (6,000 morgen); Kalkfontein (according to beacons); Taaiboschfontein (6,000 morgen): (subject to the result of an appeal by Kivido Kok); Oude Plaas (6,000 morgen); Mazelsfontein (4,000 morgen); Gasip or Wakkerstroom Vley (6,000 morgen); Naamwater or Bessies Put (6,000 morgen); See map. Warren Report, p.99.

141. Bultfontein (6,000 morgen) for Andries Waterboer; Koegelbeen (6,000 morgen) for Cornelius Waterboer; Nieuwhoek (according to beacons) for Gertruda and Sophia Magritta Waterboer. Warren Report, p.99.

1000 morgen. Waterboer was also granted an annual pension of £1000, while £500 per annum would accrue to his widow on his death.[142]

His fairness towards all people who had claimed land was demonstrated when Warren set aside locations for various Black tribes as well as Griqua who had no hope of regaining their lost lands.[143] In the same vein Richard Southey was handed over the house which he had occupied as Lieutenant-Governor. He was paid £700 in lieu of all claims which he had on his account against the Government of Griqualand West.[144]

The land problem in Griqualand West was not completely solved by Warren but people of all races and tribal groups commended him for the fairness of his land grants.[145] Stockenström had broken the back of the land problem and Warren, not bound by a court of law, was able to come to grips with the larger issues far more firmly. However, a comparison of their respective approaches to the problem would not be fair on either of them as they were from totally different backgrounds and had been given different terms of reference. Suffice it to say that the land problem in Griqualand West did not end with Warren, and it was left to Colonel Moysey to give it the finishing touches after the rebellion. However, Moysey did not handle any land claims within Griqualand West itself, only on its northern and western borders.

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142. Warren Report, p.99. Recommendation dated 31 October 1877.

143. A suitable location was recommended for the Tlharo on 7 December 1877 and for the Kora chiefs, Kats and Bloem,on 8 December 1877. Sotho, Tlhaping and Tlharo received locations between Chogo's, Nicholson's, the Vaal River and the Kaap and Griqua received erven at Daniel's Kuil, Griquatown, Campbell and Boetsap on 27 December 1877. Warren Report, pp.117-125.

144. Warren Report, p.131. Recommendation dated 6 January 1878.

145. Rev. Wookey stated that Warren "has shown himself considerate of all the interests of all parties, and has been anxious to do justice to the natives in all his dealings with them." ZL 1/3/32: Wookey to L.M.S., 23 December 1878. While the Diamond News of 11 October 1879 reported that Warren "occupies so large a place in the hearts of the people."

CHAPTER IV

CAUSES OF THE REBELLION

The causes of the 1878-79 rebellion in Griqualand West are not easy to determine with precision. The fact that no official inquiry was held into the origins of the rebellion makes the task of the modern historian more difficult, for it means that the questions which he would like to see answered were not put systematically to contemporary witnesses.

Of the explanations given by contemporaries, those which focussed on the growing pressure on the land appear to carry most weight. But it was clearly more than a rebellion - or series of loosely connected rebellions - about land. Much antagonism seems to have been evoked by the secret manner in which N. Waterboer had made his territory over to the British Government. The political temperature was clearly raised by the prior or simultaneous outbreak of hostilities in other parts of Southern Africa - among the Pedi of the Transvaal, among the Cape Nguni, among the Kora, and among the Zulu; and these developments in turn probably affected the outlook of the Tswana, Griqua, Khoisan and other chiefs in Griqualand West who provided the local leadership - notably Botlhasitse, Luka, Gamga and Donker Malgas.

The nearest the British Government came to an official inquiry into the causes of the rebellion was when Saul Solomon moved in the House of Assembly in the Cape Parliament that all papers connected with the Griqualand West disturbances and their causes should be laid on the table of the House.[1] This motion was not taken any further as Griqualand West was a separate Crown Colony and did not fall under the jurisdiction of the Cape Parliament.

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1. Het Volksblad, 13 June 1878.

Both Colonel Lanyon and Colonel Warren submitted reports on the rebellion and its causes, but no official commission was appointed to inquire into the reasons for the discontent from a non-partisan point of view. Sir Bartle Frere felt that there was no reason for a Royal Commission to inquire into the origins of the rebellion as "the causes of the war and rebellion were, and ever must remain, questions of opinion and judgment."[2]

Jantjie was seen by certain missionaries of the London Missionary Society to be at the centre of the disturbances. Rev. John Mackenzie held that the inclusion of Jantjie and his people as being subjects of Waterboer under the Mahura treaty of April 1842 was a bone of contention among the Tlhaping. Mahura, according to Mackenzie, had no authority to make the treaty and he had repudiated the document once it had been translated from the Dutch into Tswana.[3] Mackenzie felt that Luka's feelings had also been irritated by the rough handling he had on occasions received from the diggers before British law was established at the Diamond Fields.[4]

Jantjie's bad treatment at the hands of the Government was given by Rev. H. Ashton as a reason for the rebellion.[5] He also stated that many White farmers had taken advantage of Jantjie's goodwill and then reported

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2. C.2482: No. 74: Frere to Hicks-Beach, 26 August 1879.

3. A.J. Dachs: The Papers of John Mackenzie, p.112.

4. A.J. Dachs: The Papers of John Mackenzie, p.113.

5. He stated that the Government always took the side of the White farmers against Jantjie who was usually blameless. What he failed to mention was that Lanyon had offered and Jantjie had accepted £200 per annum on condition that he lived at his old residence, Likatlong, and used his influence there to keep his people law-abiding. C.1776: No. 46; Barkly to Carnarvon, 25 January 1877. ZL 1/1/13: Mackenzie to L.M.S., 2 June 1879.

minor incidents to the authorities, making out that Jantjie had been the guilty party.[6]

The reasons for Jantjie's rebellious behaviour were also outlined by Rev. J. Brown of Kuruman in a letter to the Argus dated 16 July 1878. He said that the real cause of Jantjie's rupture with the British Government should be sought in 1871. Before that time Jantjie's people were industrious and peaceable. The spirit of restlessness and dissatisfaction came about when Waterboer handed their country over to the British Government.[7]

Nor were the Griqua satisfied with the British annexation of Griqualand West. A Griqua witness revealed that his people had rebelled against the Administration for two reasons. First, they did not want to be governed by the British and were angry that Waterboer had handed their country to Britain; and secondly, they had many complaints about the amount of land which had been allotted to them.[8]

Two other major causes which, it was argued, were responsible for the rebellion were Botlhasitse's aggressive behaviour and the Pokwane incident.[9] According to Rev. John Mackenzie, Botlhasitse was a restless and aggressive man[10] who caused trouble among Blacks and Whites as the northern border of Griqualand West had not been "officially marked out or beaconed off."[11] After the Pokwane incident,[12] which Mankuruane

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6. ZL 1/3/32: Ashton to L.M.S., 26 June 1878.

7. Cape Argus, 8 August 1878.

8. C.2144: Enclosure in No. 68; Affidavit of B. Sal, 20 May 1878.

9. See below, pp.100-102.

10. This was borne out by most witnesses in Bophuthatswana, see Appendix E.

11. A.J. Dachs: The Papers of John Mackenzie, p.113.

12. See below, pp.100-102.

had condoned, Ngqika and other Blacks from the Eastern Frontier offered Botlhasitse assistance against the Government. This led to the formation of marauding parties similar to that by whom F. Thompson had been killed.[13] Ngqika and others then induced those Blacks living on the Orange River to send emissaries to the Tswana chiefs "for the purpose of plotting a general rising and massacre"[14] of all the Whites in Griqualand West.[15]

The expedition to Pokwane, when "burning with military ardour, Colonel Lanyon seized the stock of some perfectly guiltless natives",[16] was seen by the Argus as a prime cause of the discontent in Griqualand West. Another cause which was put forward by the same newspaper was the hasty and haphazard way in which the civil law in Griqualand West was converted into a "gigantic engine of injustice and spoliation."[17]

Not all legislation in Griqualand West was detrimental to the Blacks, as was explained in the Native Labour Commission Report of May 1876. This Commission was concerned mainly with Black labour for the diamond mines. It suggested a high rate of wages, the securing of a safe passage and means of subsistence along the line of route for Black workers. It felt that depots should be set up in Black areas and near various mines,

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13. See Chapter V, pp.113-4.

14. A.J. Dachs: The Papers of John Mackenzie, p.114.

15. See below, p.102.

16. Cape Argus, 13 May 1878.

17. Cape Argus, 13 May 1878. The Griqua, like their compatriots in Griqualand East, complained that they weren't told they were British subjects and the English laws and ordinances which they did not understand were not explained to them. Warren complained in 1878 that H. Roper's conduct towards the Griqua, with regard to land sales and land allocation, was so detrimental to the settlement of the land question that he was obliged to bring the circumstances to the notice of the Administrator. C.2222: Sub-Enclosure 2 in No. 36; Warren to Villiers, 21 September 1878; C.2222: Sub-Enclosure 2 in No. 52; Extract from Cape Argus, 16 November 1878; Cape Argus, 3 December 1878.

and it stressed that Black labour should be protected while travelling to and from the mines. Only two clauses[18] of the Report were not concerned with the betterment of Black labour in Griqualand West. The first was that every Black entering Griqualand West had to carry a pass and the second, that everyone who sold a gun to a Black had also to deliver a certificate citing the terms of sale.[19]

The Griqualand West Masters and Servants Law[20] was not cited by anyone as a cause of the rebellion, but it was a hindrance to the non-Whites in the Province. This Law made no discrimination between Black and White servants, but it was invoked only in the case of non-White servants.[21]

Servants had to sign contracts with an official registrar and they were provided with "certificates" stating the terms of their contracts. They were also required to obtain a pass, for which a fee of one shilling was charged, before they were allowed to leave the Diamond Fields. This pass was only given if the servant produced his "certificate" which had been endorsed by his master to the effect that he had completed his contract.[22]

Claim-holders were given the right to search their servants' persons and property at any time without a warrant. Any diamond found in the possession of a servant was presumed to be the property of the

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18. These were included in Ordinance No. 10, 1876.

19. GLW 6: Native Labour Commission Report, 23 May 1876.

20. This replaced and supplemented parts of the Cape Act, which had by proclamation No. 68 of 1871 been made applicable to Griqualand West.

21. S. Van der Horst: Native Labour in South Africa, p.73.

22. Van der Horst, p.73.

master. Severe punishments were laid down for the theft of diamonds by servants. The maximum penalty was imprisonment with or without hard labour for up to one year, in addition to which up to fifty lashes could be administered to a proven thief.[23]

The sale of liquor to non-White servants was prohibited in 1871, unless the servant had a written order from his master,[24] as many complaints had been received regarding the drinking habits of Black servants.

The interference of outsiders was often hinted at during the rebellion and some of them were actually blamed for certain atrocities,[25] which took place during the disturbances. The Independent reported that the rebellion among the Griqua was undoubtedly caused by the same restless expectation of being able to drive out the Whites who had moved their compatriots in Griqualand East. The disturbance was reported by the Recorder at Kimberley to be similar to that in Griqualand East and was therefore probably traceable to the influence of men such as Jan Pienaar (Gamga), the late chief councillor of Adam Kok.[26]

The immediate outbreak among the Blacks was also said to have been occasioned by "a sort of tidal wave in insurrection" from the Eastern Districts of the Cape Colony.[27] This point was borne out by Rev. John Mackenzie in his discussion of Botlhasitse's aggressive behaviour.[28]

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23. Van der Horst, p.73-4.

24. Proclamation No. 64, 5 December 1871, "Government Notice imposing Penalty for Sale of Liquor to Native Servants without Masters' Written Order." Van der Horst, p.74.

25. For example the murder of Thompson and the three Burnesses. See Chapter V, pp.107-8 and 113-4.

26. C.2144: Enclosure in No. 68; Recorder to Frere, 21 May 1878.

27. Independent, 21 May 1878; ZP 1/8/5: Confidential Report, 3 June 1878; Mackenzie, pp.81-2.

28. See above, p.78.

F. Orpen, the Surveyor-General of Griqualand West, also felt that the outbreak was traceable to the "machinations of certain Colonial Blacks."[29] Kora prisoners of war gave no particular reason for making war, but said that in 1877 repeated reports came "from the east" informing them that all Black and Brown races were uniting to drive out the Government.[30] An organized attempt was allegedly made to induce all the Blacks in South Africa to rise together,[31] but Warren said that mutual distrust between the tribes prevented that happening. Instead the tribes rose individually "when local causes favoured their opportunity."[32]

One of the most unsettling theories about the origin of the rebellion was that it occurred as a result of the animosity which existed between Blacks and Whites. Rev. Wookey at Motito noted that the rebellion in Griqualand West had been in contemplation among the Blacks for some time. He reported that there seemed to have been a growing hatred on the part of all classes of Blacks against the Whites[33] and also an increasing suspicion which was especially prevalent in Griqualand West.[34]

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29. C.2222: Sub-Enclosure 3 in No. 36: Orpen's Notes, 9 July 1879; GLW 122: Orpen to Lanyon, 20 July 1878.

30. A.30-'80: Scott to Sprigg, 3 July 1879, pp.2-3.

31. C.2144: Enclosure 2 in No. 54; Lanyon to Frere, 9 May 1878. This was shown by the combination of all the Black and Brown groups in Griqualand West against the Whites. The dead and wounded after battles often included persons from all groups. See Chapter V, p.121.

32. C.2222: Sub-Enclosure 1 in No. 36; Warren to Villiers, 21 September, 1878.

33. Wookey does not elaborate on this point.

34. He felt that the Tswana looked upon every White man as trying to take their country from them, but explained that "of course the Kafir war in the Colony excites them a great deal, and the disturbances on the borders near the Diamond Fields." Wookey did not elaborate on these notions, nor did he state what evidence he had to substantiate his theories. C.2222: Sub-Enclosure 4 in No. 36; Letter of Rev. A. Wookey, 27 August 1878. ZL 1/8/1: Wookey to L.M.S., 5 February 1878.

The blame for the rebellion was also laid at the doors of the Z.A.R. and the Cape Colony for the policies pursued by them prior to the outbreak. Lanyon suggested that most of the troubles with South African Blacks had their origins in the "aggressive native policy of the South African Republic" which, when resisted by Sekhukune, it was not able to enforce. He held that the hostile and successful attitude adopted by Sekhukune against the Z.A.R. "spread like wildfire" among the tribes of Griqualand West.[35] The Pedi were the most prominent group at the diamond fields[36] and their influence on the aggressive behaviour of the Griqualand West Blacks may be seen in terms of an extension of their own war against the Z.A.R.

The policy of the Cape Colony which did not take measures of self-protection against the Black tribesmen, especially those on the Eastern Frontier, also came under fire. On the one hand Blacks were allegedly unduly oppressed, and on the other encouraged to fight by a vacillatory policy, which led them to suppose that the White man was afraid of the Blacks. This policy was accused of being as detrimental to the interests of the Whites as it was to those of the Blacks, and of arresting all progress in South Africa. The result was a "general war epidemic, which, spreading like a veldt fire" extended over many parts of South Africa.[37]

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35. C.2222: Enclosure in No. 36; Lanyon to Frere, 19 November 1878. Sekhukune himself was said to have rebelled because of some extraneous influence - most notably, that of the Zulu chief, Cetshwayo. C.2100: No. 72; Clarke to Secretary of Government, 8 March 1878 and Shepstone to Frere, 13 March 1878 quoted in K.W. Smith: "The Campaigns against the Bapedi of Sekhukune, 1877-1879", A.Y.B. 1967 III, p.17.

36. R.F. Sieborger: The Recruitment and Organization of African Labour for the Kimberley Diamond Mines (M.A. thesis, Rhodes University, 1976). pp.180-186.

37. C.2222: Sub-Enclosure 1 in No. 36: Warren to Frere, 21 September 1878; C.2222: Enclosure in No. 36; Lanyon to Frere, 19 November 1878.

Many people, both Black and White, held that the land problem was at the centre of the rebellion, but opinion was divided as to whether Stockenström and Warren were to blame. Colonel Lanyon reported that no-one in Griqualand West could have anticipated the outbreak as no complaints had been received against Warren's settlement of the land question.[38] The Recorder at Kimberley, J. de Wet, stated that the Griqua were dissatisfied with the settlement of the land question, but he put that down to their "unthrifty character" which caused them to be indebted to land speculators.[39]

The Argus's point of view[40] that the land question was at the bottom of the outbreak was opposed by F. Orpen. In his opinion Colonial Blacks and not the land question were responsible for the commencement of hostilities. He reported that Ngqika emissaries had been as far north as Motito, and they went there with the intention of creating a diversion.[41]

Stockenström and the Land Court were held responsible for the rebellion by some sources, one of whom was Richard Southey.[42] Even if injustice had been done to the Griqua in the Land Court, Het Volksblad held that they would have gained nothing "by seeing Mr David Arnot enriched at the expense of the Cape Colony"[43] At the same time, according to J.D. Barry, the inhabitants of Griqualand West had a grievance which was primarily

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38. C.2222: Enclosure in No. 36; Lanyon to Frere, 19 November 1878.

39. C.2144: Enclosure in No. 68; de Wet to Frere, 21 May 1878.

40. The leaders of 11 June 1878 and 13 June 1878.

41. C.2222: Sub-Enclosure 3 in No. 36; Orpen's Notes, 9 July 1878; GLW 112: Orpen to Lanyon, 20 July 1878.

42. Het Volksblad, 8 June 1878.

43. Het Volksblad, 8 June 1878. This newspaper supported the Dutch party in the Cape Colony which Warren stated "appears to desire to see Arnot stripped, not only of the vast possessions which he claimed, but also of the comparatively small property that has been awarded to him by the Land Court." Warren, p.297; Warren Report, pp.12-13.

connected with the proprietary right of land.[44]

The law expenses of the Land Court were another sore point with the Griqua. These expenses were reported by F. Orpen to have left many Griqua at the mercy of the land agents[45] to such an extent that for every three farms granted one became the property of an agent. He also reported that traders often recovered capital, interest and costs amounting to two or three times the original debt by allowing Griqua to open longstanding accounts.[46]

Conversely, the Argus reported that the proceedings of the Land Court were only incidental to the rebellion as a whole. It held that Stockenström's judgment could not be blamed for the disturbances as "the powers with which he was invested did not extend to a conclusive settlement."[47] This was true as he was bound by a court of law and had insufficient assistance from the Griqualand West Administration,for example,with the procuring of evidence in support of specific land claims.

Warren's report on the land question in Griqualand West was seen in certain quarters as being responsible for the rebellion. His "interference with the effect of the decisions of the Land Court" was, in the eyes of Het Volksblad, a major factor in the origin of the rebellion.[48] The Argus meanwhile cited Warren's land settlement and the treatment meted

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44. Cape Argus, 11 June 1878. The Griqua and Blacks had lost far more land than they had expected during the Land Court proceedings, although none of their land was given to Whites.

45. Waterboer's law expenses alone amounted to £3,000 and his case was withdrawn from the Land Court after Stockenström's allegedly insulting remarks. C.2144: No. 105; Aborigines Protection Society to Hicks-Beach, 15 July 1878.

46. C.2222: Sub-Enclosure 2 in No. 36; Orpen's Notes, 9 July 1878.

47. Cape Argus, 13 June 1876; C.2482: Enclosure in No. 74; Stockenström to Frere, 12 May 1879.

48. Het Volksblad, 8 June 1878. This newspaper was opposed to Warren as he, in their opinion, gave far too much land to the Blacks.

out to the Pramberg Xhosa[49] therein as a cause of the disturbances.[50] Warren himself felt that his adjustment was made too late to influence those who had suffered deprivation of land at the hands of the Land Court.[51] Rebel prisoners of war said that justice had been done to them in Warren's land settlement but that matters had gone too far by 1877 for the recognition of their claims to have had much effect on them.[52]

The Kora on the northern border of the Cape Colony stressed that pressure on the land was a cause of their rebellion. Lands around Prieska were surveyed in 1876 and were to be leased to Whites, so all the Blacks squatting at Buis Vlei near Prieska were evicted.[53] As these people had nowhere to go they became resentful and hostile towards the Government. These Blacks joined the rebels in Griqualand West in 1878.[54]

Of the various official reports on the rebellion, that of Colonel Warren was probably the most informative. He had first hand experience of the rebellion and the land question and he felt that there were both extraneous and local causes governing the disturbances in Griqualand West. He saw the extraneous causes as being generally important, while the local causes were felt far more deeply by the inhabitants of Griqualand West. The extraneous causes were: firstly,the rumours that the Whites had been defeated in Kaffraria;[55] secondly, the fact that with a good gun the Blacks

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49. See Chapter III, p.69.

50. Cape Argus, 13 May 1878.

51. Warren Report, p.9.

52. Warren Report, p.19.

53. These Blacks were incensed when they observed White farmers squatting on land which they had formerly owned. Strauss, p.73.

54. G.17-'78 Blue Book on Native Affairs, p.55. Strauss, pp.68-73.

55. See Chapter V, p.103.

were on a par with the Whites;[56] thirdly, in the Transvaal the Whites had not defeated the Blacks[57]; and lastly the Ngqika and others had offered the Griqua assistance[58] against the Whites.[59]

Warren's local causes were concerned with the welfare of the Griqua. He stated that the Griqua "as a tribe state" were not aware that Waterboer and his Raad had handed over the country to the west of the Vaal River to the British Government.[60] He condemned the attitude of Stockenström in the Land Court, his treatment of Waterboer and the Griqua and their subsequent loss of land.[61] Finally, he felt that the attitude of H. Roper, the Civil Commissioner at Griquatown, who allowed the Griqua to pay excessive rates of interest on debts, thereby often losing their farms, greatly contributed to the feeling of resentment among the Griqua.[62]

As there was no official inquiry into the origins of the rebellion, they remain "questions of opinion and judgment," which does not make the task of the modern historian any easier. The land problem and all its ramifications was seen by most observers, both Black and White, to be at

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56. See Chapter V, p.109 footnote 28.

57. See above, p.83.

58. See Chapter V, p.106.

59. C.2222: Sub-Enclosure 1 in No. 36; Warren to Villiers, 21 September 1878.

60. A Griqua witness stated that his people were angry that Waterboer had "given" their country to Britain. C.2144: Enclosure in No. 68; Affidavit of B. Sal, 20 May 1878. Orpen felt that the Griqua never fully understood the change in their position and Waterboer did not explain it to them. C.2222: Sub-Enclosure 2 in No. 36; Orpen's Notes, 9 July 1878.

61. See Chapter III, pp.66-68.

62. C.2222: Sub-Enclosure 1 in No. 36; Warren to Villiers, 21 September 1878.

the root of the discontent, but opinion differed greatly as to what else contributed to the outbreak. The other causes which carried most weight were centred on the disenchantment of the Griqua and Blacks at the British annexation of the Province, the manner in which Black and Griqua leaders were drawn into the boiling pot of discontent and the incentive given to them by various external influences such as the Ngqika and Pedi.

The sale of arms and ammunition to Blacks in Griqualand West increased during 1877, which worried the White inhabitants of that Province and the neighbouring territories. The acquisition of guns by Blacks was not a cause of the rebellion, but a circumstance which made rebellion seem a reasonable risk, especially as the guns were easy to come by. The Boers of the two Republics often complained of the ease with which Blacks could obtain and keep arms and ammunition in British territories. During the 1860s David Livingstone had enjoyed an unenviable reputation among the Boers as being one of those who kept the Blacks well supplied with firearms. The convincing proof of Livingstone's complicity in the gun-running trade came from his friend, Chapman, the trader, who admitted that Livingstone bartered powder and ball with the Black tribes and repaired guns for a "paltry remuneration."[63]

Black labourers on the diamond mines at first spent nearly all the money they earned on goods such as brass, copperwire, knives or hatchets. When guns were introduced in 1872 the diamond industry was flooded with potential labourers all wanting to earn enough money to buy a gun.[64]

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63. J.A.I. Agar-Hamilton: The Native Policy of the Voortrekkers, p.208. The guns which Livingstone repaired were mostly used for hunting, but some were also used in battle against Boers and others.

64. S. Van der Horst: Native Labour in South Africa, pp.69-77; J.W. Matthews: Incwadi Yami, p.278; Siebörger, pp.25-6. A gun cost from £3 to £7.10s and many Black labourers worked only long enough to be able to buy one.

Guns were an effective incentive but not the only one as ploughs, wagons, saddles, household utensils, blankets and European clothes became popular.[65]

There was a widespread belief that Blacks only went to Kimberley in order to obtain a gun and many Whites outside Griqualand West acutally believed that Black labourers received guns in lieu of wages.[66] Richard Southey's "laissez-faire attitude towards the arms trade" remained a burning issue between the Griqualand West authorities and the Boer Republics[67] but, as he wrote to Barkley,

> The reason why natives come from long distances to this Province to purchase guns instead of obtaining them from traders who reside there [their own residential areas] is that they can earn the money wherewith to make the purchase instead of having to dispose of cattle or other valuables to them on purpose and possibly also because many of them do not possess sufficient cattle or other property which can be spared to exchange for a gun.[68]

Southey knew that the illegal trade in firearms could never be controlled, and his policy of free sale of guns to Blacks was supported by the diggers, who needed the labourers.[69]

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65. Van der Horst, p.106.

66. Siebörger, p.26.

67. Minott, pp.65-6.

68. GLW 188: Southey to Barkly, 13 August 1874, quoted in Siebörger, p.26.

69. In 1872 a deputation waited on Sir Henry Barkly and told him that the Blacks came to the mines at Kimberley for guns more than anything else. The deputation urged him not to prohibit the sale of guns to Blacks or else a sufficient amount of labour would not be obtained for the mines. Matthews, p.278.

The strict gun control ordinance of the O.F.S.[70] forbade the sale of arms to any Black person without a written certificate from a Landdrost. No White person was able to transport any firearms except for "personal use" without the written permission of the State President. Punishments for violation of the Ordinance were severe; fines from ten to five hundred pounds and imprisonment with or without hard labour, from three months to three years. Any Black person not resident in the O.F.S. was required to have a paper signed by his missionary or his chief stating his place of residence and the object of his trip plus a list of his possessions; otherwise he was liable to a fine, to a term of imprisonment or to being contracted as a labourer.[71]

President M.W. Pretorius of the Z.A.R. more than once complained to Sir Theophilus Shepstone about the ease with which Blacks could obtain arms and ammunition at the diamond fields and he hoped that the Griqualand West Government would enforce stricter measures to reduce the trade.[72] Blacks did need special permits in order to be able to carry guns in Griqualand West, but J.B. Currey said that these permits were granted "without inquiry and with scandlous laxity."[73] Colonel Crossman[74] wanted

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70. Ordinance No. 7, 1858.

71. South African Archival Records: Orange Free State, 3, Volksraadsmotule Deel III, 1858. pp.285-9; Siebörger, p.52; Oberholster, pp.255-6.

72. C.2100: No. 3; Shepstone to Carnarnon, 6 February 1878. The Transvaal had many laws forbidding the trade in guns with Blacks in and on its borders. Article 6 of the Sand River Convention forbade it. Wet No. 9-1870, Arts.10 and 11 required a one shilling pass for a Black to carry a rifle and Wet No. 3-1876 introduced an import duty on Black arms and ammunition. They were charged 15s per rifle barrel, 1s per pound of powder, 4s per 1000 caps and 3d per pound of lead. Siebörger, p.43.

73. J.B. Currey: Half a Century in South Africa, p.254.

74. Colonel Crossman was a Special Commissioner appointed in August 1875 to report upon the financial condition and administrative arrangements in Griqualand West.

to stop the firearms trade in February 1876 by introducing restrictive legislation, but he was warned that, if the trade was made illegal or burdened with heavy conditions, smuggling would take place through the harbours beyond British territory.[75]

A circular was sent to all the districts of Griqualand West in March 1878, preventing the issue of arms and ammunition to Black tribes. This did not make the trade totally illegal as Blacks could still obtain permits for small quantities - that is, enough to protect life and property.[76] It did not take long for traders to sell their firearms under cover and in May 1878 F. Villiers, the Colonial Secretary in Kimberley, received a complaint that Blacks were still able to purchase all the arms they needed in Kimberley itself.[77] They either hid their weapons by day and travelled at night or paid Boers and others with wagons ten to twenty shillings per gun to transport them through Griqualand West and the Transvaal.[78]

During the rebellion the rebels obtained guns from Nicholas Waterboer. His house was searched by the authorities and fifteen new guns were found

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75. Cape Argus, 12 February 1879. Arms and ammunition were smuggled to the Pedi via the port of Beira in Mocambique in 1876. E. Axelson: Portugal and the Scramble for Africa, 1875-1891, p.16.

76. GLW 117: Circular No. 14, 30 March 1879. Trade with Blacks in rifles on the Diamond Fields was prohibited at the end of 1877. Arms dealers in Kimberley petitioned about the loss of trade but the petition was unsympathetically received. The Peace Preservation Act (No. 13 of 1878) was made applicable to Griqualand West by Ordinance No. 3 of 1879, which made it impossible in practice for Blacks to purchase guns. GLW 10: Frere to Lanyon, 8 April 1878; Siebörger, p.30.

77. Lanyon informed Frere in early 1879 that he had received reports of illicit trading in guns by Natal merchants in Ngwato country. GLW 16: Lanyon to Frere, 26 February 1879.

78. GLW 119: Registrar to Villiers, 31 May 1878. This is the only reference which has been found for this information.

in the cellar. Both Willem September and Jan Grootboom bore testimony to the fact that Waterboer had supplied rebels with quantities of arms and ammunition at night. On being confronted with the evidence Waterboer admitted to his nefarious dealings and accepted exile in the Cape Colony by removing himself to Hope Town.[79]

E. Metrovich, the missionary, was accused by J. Bartlett, a Bastard, of twice exchanging firearms for oxen. On two occasions he had also been seen to sell or barter gunpowder with Jantjie's tribesmen.[80] Certain traders also adopted unscrupulous means of currying favour with Black chiefs. Arms and ammunition were sold to Blacks to be used against Whites, as many traders "cared little about their nationality, creed or race, so long as they made money."[81]

With the acquisition of guns the Black tribes also gained in confidence and daring,and cattle-stealing became the common form of overt hostility towards the Whites. Cattle-stealing had always been the manner in which San and Kora had reacted to people encroaching on their land,[82] but by 1877 it had become far more prevalent as they had no food[83] and the practice had been taken up by the Black tribes.[84] Farmers following up the spoor of their stolen cattle sometimes came into conflict with the thieves, many of whom they arrested, and some sort of counter-

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79. C.2144: Enclosure 2 in No. 128; Lanyon to Frere, 15 June 1878.

80. GLW 122: D'Arcy to Lanyon, 19 July 1878.

81. C.2222: Enclosure 4 in No. 130; Lanyon to Frere, n.d.

82. See Chapter II, pp.24 and 26.

83. In 1877 the northern border of the Cape Colony and Griqualand West was suffering from a severe drought.

84. A witness reported that Ngqika had moved in among the Tlhaping and commenced stock lifting, which was a sure sign of war. ZP 1/8/5: Confidential Report, 3 June 1878.

action on the part of the farmers seemed imminent. In November 1877 a Langeberg farmer was fired upon and in turn shot dead three San; the remaining San then sent messages to him declaring their intention of making war on the Whites.[85]

The Boers on the northern border of the Cape Colony found the San most troublesome and they wanted to establish a commando to exterminate them. The Resident Magistrate of Calvinia reported in October 1878 that the San's dread of the farmers was so great that they ran for their lives at the sight of a party of Boers, leaving everything behind them.[86]

The San at Kheis became irrepressible in December 1877. They drove three families and all their stock towards the Orange River and then shot a farmer before returning to the hills with all they could lay their hands on, including cattle.[87] By the beginning of January 1878 these San cattle-raids had become a far more frequent occurrence than in the past and their activities soon infected other Blacks, which resulted in an increase of cattle-stealing over vast areas. From the police station at Fourteen Streams Sergeant Brooks reported that cattle-stealing was being carried on to an alarming extent and that a violent collision between farmers and Black tribesmen was imminent. Most of the cattle were stolen by "Red Kaffirs",[88] whose kraals were at Seskoppies, the Kaarp and Louwberg. The thick bush and difficult nature of the country around Fourteen Streams made it perfect for hiding cattle and horses.[89]

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85. GLW 111: Orpen to Lanyon, 22 November 1877.

86. Cape Argus, 22 October 1878.

87. GLW 111: Roper to Lanyon, 1 December 1877.

88. These people were Xhosa from the Cape Colony.

89. GLW 128: Brooks to Lanyon, 30 April 1878.

The stolen cattle often found their way to the kraals of chiefs such as Botlhasitse and Morwe who lived beyond the borders of Griqualand West.[90] They refused to return the cattle to their rightful owners as they held that it was not their duty to apprehend criminals for the British Government. A few minor cattle thieves were arrested, but in the main they usually managed to drive the stolen stock across the border before being apprehended.[91]

Mankuruane,[92] whose capital was at Taung, took the law into his own hands in June 1878 when he rescued 150 cattle and nineteen horses from Botlhasitse's "Blood Kaffirs."[93] For this action he was threatened by Botlhasitse and so he requested Lanyon to supply him with ammunition as he was short.[94] Mankuruane then claimed that in future he would have Motlhabane's assistance in preventing stock-lifting. Motlhabane was insistent that his people did not steal cattle and that those which he had captured could be claimed from him by the owners.[95] Jantjie prohibited his people from stealing cattle but he was an old man and was losing the leadership of his tribe to his son, Luka, who turned a blind eye to cattle-stealing.[96]

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90. Botlhasitse lived at Pokwane and Morwe was based at Batlharos.

91. GLW 112: Campbell to Lanyon, 21 May 1878.

92. Mankuruane was urged by Daumas and Mackenzie to co-operate with the Government. Evidence of Mr. Matolo, see Appendix E.

93. These people were also Colonial Xhosa.

94. GLW 122: Mankuruane to Lanyon, 3 June 1878; GLW 122: Edwards to Lanyon, 21 June 1878.

95. GLW 128: Motlhabane to Donovan, 4 June 1878.

96. Jantjie lived at Likatlong but had lands at Manyeding and that is where Luka set up his base. Evidence taken at Manyeding, see Appendix E; C.2220: Enclosure 1 in No. 62; Mackenzie to Lanyon, 10 July 1878.

Rev. John Mackenzie reported in August 1878 that among the Tswana tribes to "steal" cattle was the act of one member of a tribe against a fellow tribesman, but to "lift" cattle was an act of war by one tribe against another and done only by the command of the chief.[97] Viewed in the light of this custom, Jantjie and Morwe were at war with the Government early in 1878 and Botlhasitse before the Pokwane expedition[98] in January 1878. The rebellion did not grow out of the stock-lifitng, but these chiefs showed their hostility towards the Government before it realised that these activities would precede a rebellion.

The rebels themselves were a very mixed group who did not align themselves along tribal lines but tended to split up according to whether their chiefs felt compelled to fight or not.[99] Therefore there were sections of the same tribe fighting on both sides at different times. Most of the chiefs had divided loyalties and they professed their obligation to the Crown while at the same time turning a blind eye to the activities of the rebels in their areas.

The rebel leaders were not all from Griqualand West. Some had gained experience in other parts of South Africa. One of the main rebel leaders,

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97. Cape Argus, 24 August 1878; Evidence of Chief Motlhabane, see Appendix E.

98. See above, pp.93-4.

99. It was up to each individual chief to decide if the trouble which arose at any time necessitated a call to arms. In this situation the chief was as likely to have been influenced by his councillors as to have influenced them. There was a considerable variety in the reaction of the chiefs and their followers, which could generally be explained in terms of their sense of interest. For example, Jantjie was powerless to stop his son Luka from leading a section of his tribe into the rebellion. The tribes usually remained friendly towards each other even if one had fought in the rebellion and another had not. Evidence of Manyeding witnesses, see Appendix E.

Donker Malgas, belonged to a clan of Xhosa and Thembu commonly called the "Pramberg Kaffirs," whose headquarters were at Schietfontein. These refugees had fled the Colony in about 1828 before the invading Fetcani and they were helped by the British and settled at Pramberg on the Orange River.[100] For those who knew him in the Cape Colony and Griqualand West Donker Malgas was "an excellent and trustworthy servant, ready at all times to risk his own life in defence of his master's property."[101] He spent twelve years in the Colony acquiring money and stock and on his return found no land available for him[97] after his appeal to Captain Warren had been disallowed.[102]

Another principal leader, Jan Pienaar, or Gamga, was one of Waterboer's ex-councillors who signed the petition requesting that Griqualand West be taken over by Britain, but he had become disenchanted at the manner in which the land question had been resolved.[103] Klaas Windwaai was an old Colonial Black who had migrated to Griqualand West;[104] Solomon the Rolong an ex-policeman from Victoria West, who had taken the oath of allegiance.[105]

Botlhasitse began troubling the Whites living near Pokwane because he believed that he was the rightful paramount chief of the Tlhaping[106] and

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100. C.2144: Enclosure in No. 68; de Wet to Frere, 24 May 1878.

101. Cape Argus, 13 May 1879.

102. See Chapter III, pp.69-70. His claim did not appear before the Land Court.

103. Jan Pienaar and his brother Piet (Smous) were on Waterboer's List, but were not granted land by Stockenström.

104. Strauss sees Gamga and Windwaai as the same person but they were both rebel leaders. GLW 13: Warren to Frere, 2 August 1879; GLW 14: Frere to Rose Innes, 22 March 1880; Diamond News, 7 February 1880.

105. GLW 13: Warren to Frere, 2 August 1879.

106. Botlhasitse was the rightful heir to the position of Paramount Chief although the British had recognised Mankuruane; Het Volksblad, 22 June 1878; D.S.A.B. II, pp.72-3.

that they were trespassing on his land.[107] He saw that the British Government had preferred Waterboer's claim to the Diamond Fields to that of the Free State and he was repeatedly told by Whites that his treaties with the Transvaal were not binding, so he began to stir up trouble.[108] Of the 42,000 Blacks in Griqualand West, Mankuruane's tribe alone could lay claim to any exhibition of good faith, but the chief's influence was not sufficiently assured to enable him to keep the peace. Certain other chiefs[109] exercised a greater influence than Mankuruane and their actions were far from peaceful.[110] Botlhasitse and Mankuruane led different factions,[111] but Botlhasitse would not attack Mankuruane while he continued to receive assistance from the Government. However, Botlhasitse did address a letter to N. Kok of the Christiana district requesting arms and ammunition, especially breech loaders. He stated that these weapons were needed "to give Mankuruane a good hiding" because he supported the Griqualand West Administration.[112]

Jantjie would not himself combine with Botlhasitse to make war but Luka did. Luka and Jantjie's other sons[113] completely dominated the old

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107. Boers of the Z.A.R. and O.F.S. flaunted the Keate Award and openly squatted on Botlhasitse's lands, so he threatened Whites living on or near his lands, such as N. Rock(?), T. Doms and L. Best, with violence if they did not move. Botlhasitse also fined Gert Louw £5 for living on "his" land, although Louw had the Land Court judgment paper as proof of occupation. C.1748: Enclosure 7 in No. 26; Extract from Transvaal Argus, 5 May 1876; GLW 7: Orpen to Lanyon, 10 December 1876; GLW 117: Lanyon to Botlhasitse, 2 April 1878.

108. Het Volksblad, 24 January 1878. Colonel Moysey found in 1880 that Mankuruane had been granting some of Botlhasitse's land to Whites before the rebellion on pretence of being Paramount Chief. C.3114: No 8(b) in Appendix; Moysey to Robinson, 20 October 1880.

109. The source does not specify which chiefs.

110. Diamond News, 27 July 1878.

111. See Appendices A and B.

112. GLW 128: Sgt. Brooks's Report, 7 June 1878; C.2220; Enclosure in No. 25; Shepstone to Frere, 18 July 1878.

113. Especially Olebile Devolk.

chief, who was by 1878 no more than a figure-head as he became powerless to influence the upsurge of military ardour within his tribe.[114]

Mokgolokwe,[115] Mankuruane and Motlhabane declared themselves friendly to the British Government in opposition to Luka, Morwe and Botlhasitse who were the most aggressive of the rebel chiefs.[116] From the correspondence of the Kora chief, Klaas Lukas, it was ascertained that other Kora leaders, Pofadder, Jacobus Afrikander and Klein Cupido were in league with the rebels, but that the Bondelswarts chief, Willem Christian, was loyal to the Government.[117]

Many of the rebels came from the Diamond Fields, with Hebron being the main recruiting centre.[118] These rebels were joined by local Tswana, Ngqika and others from the Cape Colony, about two hundred Sotho and a number of Whites.[119] The Kora from Mamusa also showed great eagerness in wanting to join Botlhasitse against Mankuruane.[120]

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114. GLW 112: Edwards to Lanyon, 21 June 1878; C.2220, Enclosure 1 in No. 62; Mackenzie to Lanyon, 10 July 1878.

115. Breutz: The Tribes of the Districts of Taung and Herbert says he was a Tlharo chief, but the present chief, Toto, says the tribe is the Bahurutshe Baga-Motlhware.

116. C.2144: Enclosure in No. 128: Lanyon to Frere, 16 June 1878; Evidence of most witnesses in Bophuthatswana.

117. Independent, 10 May 1879; G.61-'79: Upington's Report, 2 July 1879, pp.iii and iv.

118. It was not specified who did the recruiting at Hebron. The other big recruiting centre was Kimberley where Ngqika, influenced by their kinsmen from the Eastern Cape, tried to coax others to join the rebellion. ZP 1/8/5: Confidential Report, 3 June 1878.

119. A.30-'78: Metrovich to J.D. Barry, 30 May 1878 pp.4-6: GLW 112; A. Baillie to Lanyon, 24 December 1878. Between ten and fifteen Whites were known to have traded powder and goods with the rebels as well as fought on their side. An Irish blacksmith named McCarthy was the only White man to have taken part in most of the actual fighting.

120. These Kora under their chief Dawid Massouw coverted Mankuruane's land and cattle and they provoked him into war in 1882. See Appendix A.

Census reports were drawn up for Griqualand West in 1877, but many Blacks were wary of their nature and refused to co-operate with the authorities. Metseman, a minor Tlhaping chief, incited his people to give no information to the Government so he was taken into custody.[121] He should never have been arrested, for it was well known in what a lackadaisical manner the census was taken among Whites. Scores of people absented themselves so as not to give information upon which they believed taxes would be imposed. The Independent reported that Metseman's arrest was enough to stir up bad feeling among the Tlhaping who had had "so many peculiar samples of civilisation" thrust upon them that they were "jealous and suspicious."[122] It was no wonder then that war was threatened unless Metseman was released.

Botlhasitse was in the process of stirring up trouble among the Tlhaping[123] and Metseman's arrest was the tonic he needed to persuade his people that the Government should be overthrown by force. Mankuruane had reported in 1876 that Botlhasitse and Motlhabane had robbed Blacks returning from the mines of guns and money. Their task was made easier by the fact that these Blacks had to take a circuitous route through Tlhaping territory to and from the diamond mines as the Transvaal Government afforded th m no protection from the Boers who often forced

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121. Diamond News, 17 January 1878.

122. Independent, 24 January 1878.

123. Botlhasitse's tribe was the most openly dissatisfied with the amount of land allotted to them by Stockenström and Warren. ZP 1/8/5: Edwards to Villiers, 20 November 1877. Some of their later aggressive behaviour may have stemmed from a sermon given by Rev. H. Ashton on 6 January 1878, in which he said that the Blacks had been cheated out of land. GLW 114: Sgt. Morris to C. Campbell, 14 January 1878.

them to work.[124] By 1878 Botlhasitse had become more daring and White members of the Barkly district complained that he had threatened them, stolen their cattle and demanded rent for the land which they occupied.[125]

The fresh frontier war in the Cape Colony sent fugitive Xhosa to Griqualand West to "appeal to the black man's sense of ill-usage at the hands of the white."[126] At the same time Botlhasitse tried to influence men of the Ngqika and Gcaleka tribes working on the mines in Kimberley to join him in attempting to release Metseman.[127] Major Lanyon did not want Botlhasitse to be allowed to set a precedent so he arranged an expedition to his capital Pokwane.[128]

One hundred and forty-nine Whites and fifty-two Blacks set out for Pokwane on 21 January 1878. On their arrival they were met by P. Blignaut, Botlhasitse's agent, who reported that the chief had disappeared. The area was searched and about sixty prisoners were taken. A fine of 445 head of cattle was imposed on the absent chief and the expeditionary force

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124. C.2100: Enclosure 2 in No. 7; Lanyon to Frere, 9 September 1878; Siebörger, pp.42-3.

125. C.2100: Enclosure 1 in No. 7; Bradshaw to Lanyon, 10 January 1878; GLW 7: Orpen to Lanyon, 10 December 1876; GLW 117: Lanyon to Botlhasitse, 2 April 1878.

126. Agar-Hamilton: Road to the North, p.138; C.2222, Sub-Enclosure 2 in No. 36: Orpen's notes, 9 July 1878; C.2222, Sub-Enclosure 2 in No. 36; Warren to Frere, 21 September 1878; Cape Argus, 15 August 1878.

127. C.2100: Enclosure in No. 7; Evidence of "George," 19 January 1878. At a meeting of Ngqika, Gcaleka and Thembu at the Diamond Fields it was put to them that, as they could not join their kinsmen on the Eastern Frontier of the Cape Colony, they should help the Tlhaping against the Whites.

128. C.2100: Enclosure 1 in No. 7; Lanyon to Frere, 31 January 1878.

departed on 25 January. During Lanyon's sojourn at Botlhasitse's capital Mankuruane arrived and fully agreed with the action taken by the Government.[129]

Some of Botlhasitse's behaviour stemmed from the fact that during 1876 the drought affected the crops and White settlement made grazing difficult and hunting almost impossible.[130] The fine which Lanyon imposed on Botlhasitse was injudicious because many of the cattle belonged to the people and not the chief. Rev. W. Beavan of the Southern Bechuanaland Mission reported that, of the cattle taken by Lanyon, about 140 belonged to the people among whom he was "administrator" and they were their sole means of support.[131] Revs Ashton and Beavan then appealed to the public for assistance for the starving Blacks.

Lanyon sent an "independent commission" comprising A.C. Bailie and W. Lord to review the situation. Their report, detailed after the cattle had been taken, asserted that "if any man will not work neither shall he eat."[132] P. Buyskes, Botlhasitse's other agent, then asked Sir Bartle Frere to decide that the cattle should not be sold until the

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129. C.2100: Enclosure 1 in No. 7; Lanyon to Frere, 31 January 1878; Cape Times, 4 February 1878.

130. Agar-Hamilton: Road to the North, p.139; ZL 1/3/32: Ashton to L.M.S., 27 November 1877. Owing to a severe drought following on a bad harvest many Blacks suffered from want of food. No land was ploughed from Likatlong to Maremane as it was too dry to sow. Those who did sow reaped no crops; if the plant grew it merely withered. Many Blacks began transporting wood to the Diamond Fields and bought food with the money, but most of the people suffered from lack of food. Some in the Taung/Pokwane area were reported to have died and many were living on roots and drought-resistant plants.

131. Diamond News, 28 February 1878; ZL 1/3/32: Ashton to L.M.S., 8 February 1878. Lanyon took away a lot of milch cows which were the sustenance of the Blacks.

132. Matthews, p.305.

law had pronounced on the proceedings, and he made an application to the High Court in the regular way.[133]

During February and March 1878 Botlhasitse's followers continued to harass the farmers in the Fourteen Streams area. Lanyon then sent a message to the chief warning him that Fourteen Streams was within the Queen's territory and that the unruly behaviour of his tribesmen would not be tolerated.[134] At about the same time a programme to kill all Whites was circulated among the Blacks of Griqualand West. It was reported that no Whites would be spared and that missionaries and traders would also be put to death, but most of the Tswana chiefs did not want to be connected with such dealings. Rumours were also circulated as to how often the Whites had been defeated and killed in South Africa and many Blacks tended to believe them.[135].

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133. Diamond News, 2 February 1878.

134. GLW 117: Lanyon to Botlhasitse, 2 April 1878.

135. These references were to the wars on the Eastern Cape Frontier and in the Z.A.R. Diamond News, 6 July 1878; Cape Argus, 2 April 1878; W.W. Williams: The Life of General Sir Charles Warren, pp.108-9; Mackenzie, p.82; ZL 1/3/32: Mackenzie to L.M.S., 1 June 1878.

CHAPTER V

THE REBELLION

The first phase of the war in Griqualand West began in earnest in April 1878 and lasted until October. Then a second phase, stimulated by the Kora rebellion on the Northern Border of the Cape Colony, began and lasted, mainly in the area in and around the Orange River Islands, until July 1879.[1] Most of the rebel leaders were only captured during 1879 by which time their original followers had dwindled to a mere handful.

Men of the Diamond Fields Horse,who had fought on the Eastern Cape Frontier under Captain Warren between 4 February and 11 May 1878, asserted that the Blacks in Griqualand West fought with twice the courage and determination of the Cape Nguni.[2] Colonel Lanyon reported that the Cape Nguni were only partially armed while in Griqualand West nearly every Black man had a good gun.[3] In the Cape the Blacks were indifferent shots but in Griqualand West, being hunters from their youth, the rebels' shooting was better than that of the average White man. Although physically inferior to the Cape Nguni, the Griqua and Tlhaping were, according to Colonel Lanyon, "superior in intellect and civilisation."[4]

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1. The Cape/Kora war began in early 1878 and some Blacks from Prieska joined the Griqualand West rebels in February 1878, before any battles had been fought against the Administrator and his forces.

2. Diamond News, 25 June 1878.

3. This was borne out by all the informants during interviews conducted in Bophuthatswana, see Appendix E. Doughty: Early Diamond Days, p.184 stated that some Blacks in Griqualand West obtained muzzle-loading Enfields. By 1878 Blacks also started to buy breech-loading rifles.

4. C.2220: No. 82; Lanyon to Frere, 30 August 1878.

Diamond Fields Horse Volunteers stated that the Griqualand West rebels evinced more bravery than the Nguni of the Cape Colony had done and they exhibited a much greater appreciation of the science of war. This could be observed in the judicious division of their forces, the rapidity with which their columns moved from point to point and the expertise of their mounted sections.[5]

H.B. Roper, the resident magistrate at Griquatown, investigated reports of disturbances on the Orange River on 10 April 1878 and he came upon a laager of Griqualand West Boers at Modderfontein. There he found that two farmers, de Klerk and Viviers, had been attacked by Blacks and robbed of their stock, while other farmers had been attacked at Blaauwboschfontein. In his report Roper stated that these attacks were merely the beginning of far worse times, unless they were put down "with a high hand." He found the Tswana on the northern side very restless and wanting but a signal to rise up together against the Whites.[6]

Major Lanyon[7] received news of the disturbances in the division of Hay on 19 April 1878. A great deal of stock-lifting had been attributed to "Kaal Kaffirs,"[8] but Lanyon did not anticipate that they would combine with other groups and resort to open acts of violence and aggression. He felt that the combination of "Kaal Kaffirs" with San and Kora, with whom they were formerly anything but friendly, served to show that it was

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5. Diamond News, 30 July 1878; ZP 1/8/5: Confidential Report, 3 June 1878; Independent, 7 May 1878; Wilmot, p.251.

6. A.23-'78: Roper to Villiers, 19 April 1878, pp.3-5; ZL 1/8/1: Wookey to L.M.S., 5 February 1878.

7. See Appendix A for a biographical sketch of Lanyon.

8. These were Xhosa refugees from the Cape.

a "war of colours"[9] and that a general feeling of antagonism towards the Whites existed.[10]

Lanyon, with 75 volunteers and 23 of the constabulary, headed for Koegas on 24 April and he was reinforced by 51 burghers and Bastards at Blaauwboschfontein. Koegas, which was situated about eight miles west of Bulfontein and 150 miles from Kimberley, was to be the first battle ground between the forces of the Griqualand West Administration and a Black force.[11] On his arrival at Koegas on 24 May Lanyon sent Andries Waterboer, the son of the Griqua ex-chief Nicholas Waterboer,[12] to parley with Donker Malgas, the rebel leader. Donker Malgas expressed surprise at the Government's offensive against him as his quarrel was supposedly with the Boers. The next day Roper and twenty men were led into an ambush by Rooi Thys.[13] There Walton was killed and Essendemine wounded before the party was saved by Lanyon, who drove the Blacks into the hills. Ten of the rebels, who had obviously made up their minds to fight, were killed and Inspector Percy wounded in Lanyon's advance. The engagement lasted about three hours and Lanyon's forces captured 300 cattle. The rebels then ensconced themselves in the hills, so Lanyon ordered a cannon from Kimberley.[14]

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9. See Chapter IV, pp.76-88 for the causes of the rebellion.

10. C.2144: Enclosure 2 in No. 54; Lanyon to Frere, 9 May 1878; A.23-'78: Lanyon to Frere, 12 May 1878, pp.1-3; ZL 1/8/1: Wookey to L.M.S., 5 February 1878; Agar-Hamilton: Road to the North, p.140.

11. C.2220: Enclosure 2 in No. 28; Précis of operations, 30 July 1878.

12. See Appendix A for a biographical sketch.

13. He was one of Donker Malgas's councillors. Strauss, p.75.

14. Independent, 7 May 1878; GLW 128: Edwards to Villiers, 14 May 1878.

During Lanyon's encampment at Koegas about 600 Griqua led by Moses Moos advanced on Griquatown. The men in the town were short of ammunition. Waterboer's old gaol was hastily changed into a fortress, and 100 Whites and 400 loyal Griqua, including N. Waterboer, were sheltered inside. On 18 May a body of men marched from Kimberley for the relief of Griquatown. On the night of 21 May this force arrived at its destination and it was joined by a body of forty men under Lanyon, who, having heard of the plight of Griquatown, had hurried there.[15] The rebel force was driven off on the next day and they took up a strong position in some stone-walled cattle kraals on the farm Driefontein.[16]

F. Orpen's scouts outflanked the rebels at Driefontein and an attack commenced. In the Driefontein kraals over thirty of the rebels were killed, including two leaders, Moses Moos and Piet Jonas, and numerous others were wounded, while the attacking force suffered only two minor casualties. The dead in this battle included Kora, San, Griqua, Colonial Blacks and one Tswana.[17]

Meanwhile on 16 May a rebel force of about 150 Griqua and Blacks sacked van Druten's Store at Jackal's Vlei, which was three miles south of Griquatown. In the attack a White and a Black assistant were killed. The reason given for the insurgent's attack was that van Druten would not accept 48 oxen from two Xhosa for the release of a wagon he had taken in pawn for debt. This campaign then became known as the War of the Wagon.[18]

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15. Lanyon marched 78 miles in 26 hours in order to relieve Griquatown.

16. Matthews, pp.305-6; H.H. Curzon: The History of the Kimberley Regiment, pp.120-2; Diamond Fields Advertiser, 22 June 1938.

17. C.2144: Enclosure in No. 76; "Piet's" statement, 22 May 1878; Diamond Fields Advertiser, 22 June 1938.

18. C.2144: Enclosure 2 in No. 76; Lanyon to Frere, 24 May 1878.

The rebels were pursued from Driefontein to Taaiboschfontein and then north to the Langeberg. Here they seemed willing to parley but on receiving reinforcements became more aggressive. Four principal Griqua surrendered and forty prisoners were taken but the action proved inconclusive. The main Government force then moved to Doornfontein from where patrols could easily observe any rebel movements. These forces were cheered by the fact that Captain Warren and his contingent of the Diamond Fields Horse, who had been engaged on the Eastern Cape Frontier, were en route to Doornfontein.[19]

About 800 of the rebels unexpectedly attacked the camp at Koegas, which was defended by Captain Nesbitt, on 29 May. No losses occurred on the side of the defenders, but those of the attackers were numerous.[20] Reinforcements under Captain Ward were rushed to Koegas and on 3 June the mountain to which the rebels had retired was shelled and taken. Corporal Woodward of the Frontier Police was killed as were about fifty of the rebels.[21] They also captured 1700 sheep, some horses and three wagons.[22]

The rumour that all the Whites in Griqualand West were to be murdered seemed to have some foundation when J. Burness, his wife and brother were murdered in broad daylight at Daniel's Kuil on 30 May.[23] Their murder came as a shock to everyone as they were respectable people who were very friendly with the Blacks. Mrs Burness had kept a free school for Black

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19. C.2220: Enclosure 2 in No. 28: Précis of Operations, 30 July 1878; Williams, p.108.

20. A.30-'78: Lanyon to Barry, 28 May 1878, pp.2-3; C.2220: Enclosure 2 in No. 28: Précis of Operations, 30 July 1878.

21. The numbers of the rebel dead and wounded could usually only be estimated by the Griqualand West forces as the dead bodies were often carried from the battle ground during the fighting.

22. C.2144: Enclosure 1 in No. 128: Lanyon to Frere, 14 June 1878.

23. Morwe stated that the Burnesses had been murdered by a commando sent out against all Whites in general. GLW 130: Morwe's statement, 16 June 1878.

children and had often gone around helping the sick. A faithful servant had warned them of the attack but they had not believed him; indeed they were so trustful as to be unarmed.[24] Rev. J. Mackenzie obtained information that the Burness murderers were at Koning, which was half-way between Daniel's Kuil and Kuruman. He stressed that neither Jantjie, who was powerless, nor Mankuruane, who professed that he lived too far away, would arrest them.[25]

After some months Gert August and Jan Kruger were remanded for the murder of the Burnesses. August turned state evidence and helped the authorities by obtaining useful information from other prisoners in gaol, but Kruger, who was found in possession of Burness's whip, seemed guilty.[26] By late 1879 the Burness murderers were still at large as Rev. J. Mackenzie informed Colonel Warren that two of the leaders in the attack, Molame and Habanateyko, were living near Daniel's Kuil and unsettling the local Black population.[27]

On the battle front, the rebels fired on Captain McKenna's force on 7 June 1878 and they were found by Warren's force at Dassiesfontein on the next day. By 9 June the rebels had retired to Withuiskloof, which was situated about nine miles south-west of Campbell. Here Warren led his force over the mountain and Captain Rolleston went around it in order to attack the rebels on two fronts. All told, over thirty of the rebels were killed, while about 200 cattle, 850 sheep and goats and six horses

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24. C.E. Prior: Diary of the "Griqua Campaign" from June 1 to October 31 1878, p.32; Mackenzie, p.83; ZL 1/3/32: Mackenzie to L.M.S., 1 June 1878; Williams, p.111; Currey, p.312.

25. A.30-'78: Mackenzie to Ashton, 3 June 1878, p.10.

26. GLW 125: Minute, 30 November 1878.

27. GLW 145: Mackenzie to Warren, 15 November 1879.

were captured.[28]

Captain Nesbitt and his force joined Lanyon at Griquatown on 11 June, and on 17 June the combined force left for the Langeberg. At Paardekloof Warren, supported later in the day by Lanyon, won a superb victory on 18 June. This engagement resulted in the death of 35 rebels and the capture of 37 fully-laden wagons,[29] 2000 head of cattle, 2000 sheep and 200 horses.[30] About 100 women and children were found hiding in the area so they were taken prisoner.[31] In this battle Warren lost only one man killed.[32]

The rebels, far from being down-hearted, continually harassed Lanyon's patrols and on 20 June Captain Nesbitt was wounded in the thigh while on patrol. The rebels then tried to cut off a party at the Springs and three of them were killed. Lanyon retaliated by launching an attack on the rebels on the heights above Wittesand, while Warren attacked them from the rear.[33] Many of the rebels were killed and over eighty captured, while about 500 women and children found hiding in the kloofs were also taken in. Of Lanyon's 230 men, seven were wounded in the course of the battle.[34]

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28. C.2144: Enclosure in No. 128; Warren to Frere, 10 June 1878; Agar-Hamilton: Road to the North, p.140; Currey, p.313; Prior, p.15 stated that in this battle the rebels had good guns as a Wesley-Richards breech-loader and other first class rifles were captured.

29. Wagons stood as a symbol of wealth among the Tswana. They were also invaluable as a means of transport as food, water, wood, dung and hides had to be transported from place to place. Evidence of Chief Toto, see Appendix E.

30. C.2220: Enclosure 1 in No. 110; Lanyon to Frere, 6 July 1878; Curzon, p.122; Diamond News, 25 June 1878; Williams, pp.108-9.

31. The sources do not state whether they were taken prisoner for service or as part of a rescue operation.

32. Corporal Miller was the only casualty. Curzon, p.122; Prior, p.27.

33. This battle took place on 25 June 1878.

34. C.2220: Enclosure 1 in No. 110; Lanyon to Frere, 6 July 1878; Agar-Hamilton: Road to the North, p.140; Williams, p.109.

Lanyon left for Kimberley on 26 June leaving Warren to complete the campaign. Patrols were sent out in search of rebels and cattle in the Langeberg, to no avail. Warren's column, consisting of 216 Whites and twenty Zulu, then marched to Xoung's Kloof,which was taken without opposition on 30 June as the rebels had moved to the north and out of the Province.[35]

During his return journey to Kimberley Lanyon heard that Campbell was in danger, so he obtained reinforcements from Griquatown and immediately marched to Campbell. The rebels attacked Campbell on 28 June and were beaten off with the loss of five men killed and many wounded. On the next day forty burghers arrived as reinforcements so patrols were sent to Solomon's Fontein and Schmidtsdrift, but the rebels had already retreated to Daniels's Kuil.[36]

Rev. Edwards informed the Griqualand West Administration in June 1878 that the rebels were concentrated at Koning and Khosis and that Kuruman was by no means safe from attack.[37] Mankuruane meanwhile accepted that the Government forces could enter his country to apprehend thieves or murderers and he promised to send a body of men to protect Kuruman.[38]

Commandant Ford had been ordered to proceed to the northern border of Griqualand West with a force of men and to restore order there and also

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35. C.2220: Enclosure 4 in No. 110; Warren to Lanyon, 2 July 1878. Warren reported that the Langeberg were clear on 7 July.

36. C.2220: Enclosure 1 in No. 110; Lanyon to Frere, 6 July 1878.

37. Morwe spent two days outside Kuruman at the head of a rebel force. He even had empty wagons (supposedly for plunder), but opened communications with Lanyon shortly thereafter. ZL 1/3/32: Wookey to L.M.S., 1 August 1878.

38. Diamond News, 4 July 1878; GLW 128: Ford to de Wet, 30 July 1878.

to relieve Kuruman should he hear that it was in danger.[39] He had been instructed to leave fifty pounds of powder and fifty bars of lead with sufficient percussion caps with Mankuruane if he needed it for protection. Mankuruane had to be assured that Ford's mission was pacific and Jantjie that peace not war was the object and that he should aid Ford in finding the Burness murderers.[40]

At Ko, about ten miles from the border, Ford's force was led into an ambush by Luka on 2 July; out of ninety men Ford lost five killed[41] and five wounded.[42] The rebels in their turn lost about thirty men killed. Ford's force rested until 7 July to allow the wounded to recover sufficiently to travel and then proceeded to Kuruman. On 8 July, while trying to avoid the rebels in a fortified position at Manyeding, Ford was attacked by about 240 rebels. After a stiff battle the rebels were repulsed having lost twenty men, while Ford's force remained unscathed.[43]

Ford relieved Kuruman[44] on 9 July and he was joined there on 14 July by Warren who had marched via Daniel's Kuil and on 16 July by Lanyon who

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39. On hearing of the instructions given to Ford, Lanyon tried too late to countermand them as he did not want to "invade" Black territory by going to relieve Kuruman, which was beyond the border of Griqualand West. C.2220: No. 1; Lanyon to Frere, 7 July 1878.

40. C.2144: Enclosure in No. 128: Ford's Instructions, 21 June 1878.

41. Lieutenant Paterson, Sergeant Rawstone, Corporal Davis and Troopers Campbell and Williams lost their lives.

42. Ford was one of those who was wounded, so Captain Darcy took over the leadership of the force.

43. Colesberg Advertiser, 13 July 1878; Cape Argus, 24 August 1878; C.2220: No. 1; Lanyon to Frere, 7 July 1878; Williams, pp.111-2; Mackenzie, pp.87-94.

44. The defenders of Kuruman did not feel it necessary to break off communcations with the Blacks, whether friend or foe. Cape Argus, 8 August 1878.

had travelled via Boetsap. News was received of a large body of Sotho and Tlharo who were massing at Gamopedi. The rebels, taking cover behind stone breastwork, were attacked by a force of 300 men on 17 July and after a battle lasting about an hour they retreated. Lanyon, who had been aided by Morwe,[45] lost three Zulu and Arnold of the Diamond Fields Horse killed and six men wounded. The rebels were routed and they lost over fifty men killed. Lanyon's force also captured 600 head of cattle, 2000 small stock and some property stolen from the Burnesses.[46]

The rebels sacked and wrecked the mission station at Motito[47] and then retreated to Likatlong.[48] On 24 July Lanyon and Warren shelled Likatlong for three to four hours and then charged it. This Tlhaping stronghold[49] was thought by the rebels to be impregnable, so they fought most courageously and many died where they had stood for the whole battle. This battle was the most decisive of the war[50] for Lanyon but he paid the

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45. Morwe, having "made his peace with the English" had to commit himself to helping Lanyon in the battle at Gamopedi. He remained an ally of the Government until 1879 when his repeated disobedience of orders to return stolen cattle and his sacking of a White-owned bottle store near Batlharos saw him being removed to Kimberley as a political prisoner, where he was detained until the end of the rebellion. Mackenzie, p.101; Evidence of all witnesses at Batlharos, see Appendix E.

46. C.2220: Enclosure in No. 61; Lanyon to Frere, 24 August 1878; Curzon, p.122.

47. ZL 1/1/13: Minutes of L.M.S. Board Meeting, 30 September 1878; Williams, p.112.

48. Also known as Litako or Takoon.

49. The stronghold consisted of a range of hills two miles in length and covered by walls. The town itself was situated in a neck about half a mile from the west end of the ridge and near a river. The three "koppies" on the ridge contained 508 individual compartments. C.2220: Enclosure in No. 32: Lanyon to Frere, 30 July 1878; Williams, p.112.

50. C.2220: Enclosure in No. 32; Lanyon to Frere, 30 July 1878; Williams, pp.112-3.

price of victory as five men were killed and many were wounded. A great number of rebels were killed or wounded and many were taken prisoner, while about 3000 cattle and sheep and 67 wagons were taken as booty after the battle. Some 200 women and children went to Lanyon's camp after the action and expressed a wish to go to Taung. They were supplied with a wagon, a span of oxen, provisions and 100 milch goats, and two prisoners were liberated to drive their wagon.[51]

On the northern border of the Cape Colony Captain Nesbitt had marched from Koegas to Wilgenhout's Drift on 11 July 1878. On the next day he surprised and captured 103 rebels without a shot being fired. At the same place over 2600 head of cattle, 942 sheep and goats and twelve wagons were captured. A force was sent to blockade the Kora chief, Klaas Lukas, at Olyvenhout's Drift on 14 July and the prisoners were sent under escort to Kenhardt.[52]

Nesbitt and Captain J. Sissison both observed that Klaas Lukas was not a chief to be trusted by the Government, as he had refused to co-operate with their forces. Nesbitt then requested a field piece to dislodge Lukas and his 250 Kora followers who were ensconced at Olyvenhout's Drift.[53]

Francis Thompson's farm, "Cornforth Hill",[54] near Mount Rupert, was attacked on 19 July 1878 by a marauding party of some fifty Tlhaping and Colonial Blacks. His store was sacked,Thompson himself killed and his son, Francis junior, shot just above the left hip. Thompson's neighbour,

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51. Diamond News, 30 July 1878; C.2220: Enclosure in No. 61; Lanyon to Frere, 24 August 1878; Mackenzie, pp.102-3; Wilmot, pp.250-1; Williams, pp.112-3.

52. GLW 121: Nesbitt to F. Herold, Civil Commissioner at Victoria West, 16 July 1878.

53. GLW 121: Nesbitt to Herold, 24 July 1878.

54. It has also been referred to as "Cornforth Hall" and "Comfort Hill".

Spalding, was informed that he was next on the list, so a number of soldiers were sent to his farm to ensure that the rebels would receive a warm reception should they attempt to carry out their threat.[55]

F. Thompson junior said that he could positively identify many of his attackers, especially Morweosile, a brother of Botlhasitse's, who was one of the leaders. A few days later Mankuruane's people brought in Modibonoka, Botlhasitse's second brother, who they said had led the attack on Thompson's farm. The Kora chief, Dawid Massouw, also sent in four Colonial Blacks who were said to be connected with the murder and pillage at Thompson's farm.[56]

Lanyon and Warren met Mankuruane[57] at Monte[58] on 10 August. Mankuruane stated that his force had killed fifteen Colonial Ngqika who had taken part in the attack on Thompson's farm but that the Tlhaping had escaped. Lanyon held that there was no doubt that the escape of the guilty Tlhaping was connived at and that the Ngqika were chosen as scapegoats. As Mankuruane had let the murderers and their booty pass through his country,Lanyon fined him 1000 head of cattle.[59]

In early August 1878 J. Chapman, his two sons, his brother and some servants left Kuruman in search of stolen cattle when they were attacked near Kge. William Chapman was shot dead by the rebels and a party of Barkly Rangers under Captain Bradshaw went to the Chapmans' aid. In the ensuing battle fifteen San were killed and several women and children taken prisoner.[60]

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55. Cape Argus, 1 November 1879; GLW 112: Captain of Diamond Fields Horse to Lanyon, 21 July 1878; Wilmot, p.250.

56. C.2220: Enclosure in No. 61; Lanyon to Frere, 24 August 1878; GLW 112: Affidavit of F. Thompson, 25 August 1878.

57. See Appendix A for a biographical sketch of Mankuruane.

58. Monte (now called Manthestad) is situated about six miles from Taung and Modinong.

59. C.2220: Enclosure in No. 61; Lanyon to Frere, 24 August 1878; Wilmot, p.257.

60. Diamond News, 15 August 1878; Prior, pp.55-6; Wilmot, p.251. These San were Tlhaping slaves.

An attack was made by the rebels on Blinkfontein on 25 August, where all the cattle were stolen and the inhabitants fired upon. Captain Engelbrecht and N. Smit heard the report and proceeded to Blinkfontein. They tracked the rebels until a fight took place on 26 August at Koekakloof where four of the rebels were killed. At about the same time 160 head of cattle were lost to the rebels at Koegrabie and N. Smit reported that more men were needed in the Koegas area to contain the rebels and curtail the theft of large numbers of stock.[61]

Captain Nesbitt kept up constant patrols along the Orange River and Groente, a rebel leader, was shot by a patrol at Kheis while attempting to cross the river.[62] The rebels had by late August established themselves on the Orange River Islands and about 200 of them attacked a provision wagon en route from Kabus to Blaawskop under the escort of 22 Orange River Rangers. The provisions were carried to Blaawskop by the Rangers after the attack as the wagon axle had been broken in the foray. Later these Rangers came across sixty Kora rebels, a fight ensued and about ten of the Kora were killed.[63]

The rebels were by the end of September split into two groups: one centred on the Orange River Islands and the other near the Langeberg range of mountains in the western section of Griqualand West. At about 4 a.m. on 27 September Gamga,[64] Windwaai and about 400 rebels attacked Captain Back at Moosfontein. They were driven off and followed with about ten

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61. GLW 126: N. Smit to F. Herold, 28 August 1878. M. Stewart reported from Prieska that there was a shortage of men as many burghers were disgruntled and were deserting their posts.
GLW 122: Orpen to Villiers, 19 September 1878.

62. GLW 122: Nesbitt to F. Herold, 22 August 1878.

63. GLW 126: Nesbitt to Herold, 29 August 1878.

64. Gamga obtained most of his powder form Morwe who bought it illegally from a trader called Jarvis at Lower Kuruman. ZL 1/3/32: Ashton to L.M.S. 5 July 1878.

of them being shot. They were then pursued to Droogefontein where they erected schanses. Back, with only 55 men, charged the rebels and overran their defenses killing and wounding about fifty; his force had one man killed and four wounded.[65]

The action then moved to the Langeberg range of mountains which, like the Orange River Islands, were perfectly suited to guerilla tactics employed by small, well-armed bands of rebels. However, after the drought water was scarce and the rebels were short of powder, so Warren managed, with superior military strategy,to defeat them.[66]

Colonel Warren left Moosfontein on 4 October and marched via Suurmaning in the Langeberg to the south side of Mokgolokwe's Mountain, which he reached on 9 October. He reconnoitred the enemy on 11 October and found them to be about 1400 strong. He sent one troop to the left of the mouth of the Gamagiana waters, one to the right to the mouth of the Gobatsie Kloof, and he led the third over the mountain. The rebels attacked the force at Gamagiana and received several casualties. On 12 October the rebels were completely routed at Mokgolokwe's Kloof: 42 were killed and seven wagons and 100 head of cattle captured. Warren's force lost Trooper Jubber, while Troopers Niekerk and Wood were wounded. Warren then moved his force to Gobatsie Heights where the rebels suffered a further reverse: 36 were killed while many prisoners, 21 wagons and 600 head of cattle were captured. No casualties occurred on Warren's side.[67]

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65. C.2222: Enclosure in No. 7: Back to Rolleston, 28 September 1878.

66. Prior, p.100.

67. C.2222: Enclosures in No. 29; Warren to Lanyon, 16 October, 21 October and 28 October 1878. Mackenzie, p.104; Williams, pp.116-8.

Masters and a small force surrounded a village near Mypaai on 24 October and, without a shot being fired, captured thirteen rebels, three wagons, 100 head of cattle, 200 sheep and about forty women and children. Four days later Masters captured another rebel force without resistance at Ceining near Heuning Vley.[68] Also taken were 120 women and children, sixteen wagons and 170 head of cattle.[69]

Warren was interested in allowing the Blacks living in and around the Langeberg to try and recover before the rebels gained too much control of the people in general. Accordingly, he left B Company of the Diamond Fields Horse at Gobatsie to act as the first detachment of the Border Police.[70] He also endeavoured to make arrangements that would allow the people who did not fight in the battle to go on with their ploughing so as to prevent famine in the land. He allowed the Tlharo chief Mokgolokwe, his son Toto, and about 100 men to settle at Gamagiana; Tupan with 100 men was allowed to reside at Blinkklip and other headmen with about fifty followers at Debing.[71] Warren also chose six of the Sotho who had fought against him at Gamopedi to join his forces. The Sotho were British subjects and Warren hoped that this action would serve to close the gap between the rebels and the Government.[72]

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68. Included among the captured rebels were Klein Lukas Kok and his three sons, Piet Visser, Samuel Moos, Jan and Piet Rooy, Saul Lukas Kok, Piet and Jacob Kruger, Andries Fortuin, Esau and Samuel Jantjie, Molithi and his two sons and Seti with his two sons.

69. Independent, 9 November 1878; C.2222: Enclosure in No. 29; Warren to Lanyon, 29 October 1878.

70. C.2222: Enclosure in No. 29; Warren to Lanyon, 29 October 1878; Mackenzie, p.106; Williams, p.118.

71. C.2222: Enclosure in No. 29; Warren to Lanyon, 21 October 1878.

72. C.2222: Enclosure in No. 29; Warren to Lanyon, 29 October 1878.

An Amnesty Proclamation was circulated throughout Griqualand West in the English, Dutch and Tswana languages in November 1878. It stated that all those who submitted to a magistrate or officer in charge of Provincial forces would be disarmed and registered. They would be settled on locations, or placed under contract and would receive fair remuneration for their labour under contracts.[73] Warren also issued a notice to all Griqua, Kora, Sotho, San, Tlharo, Tlhaping and Rolong, which stated that all rebels who had opposed the Government had been defeated. It also reported that prisoners were well-treated; that their minds had been "poisoned" by their leaders who had deceived them; that the ringleaders and murderers should be brought to justice and that those in hiding should surrender and return to their lands, otherwise the season would be lost and famine would result.[74]

The Amnesty Proclamation was issued on the advice of the Griqualand West Executive Council who felt that "the time for clemency had arrived." Black tribesmen were slowly settling down and resuming their former pastoral and agricultural pursuits. In some cases the Government gave ploughs, oxen and grain to these tribesmen so that they would not lose the season for sowing.[75]

Colonel Warren toured among the Kora and Tswana chiefs in November 1878 and secured requests for annexation from Mankuruane, Motlhabane, Dawid Massouw, Jacob Taaibosch and Hermanus Lynx amongst others. These

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73. C.2222: Sub-Enclosure in No. 37; Proclamation No. 11 of 1878, 13 November 1878. This Proclamation did not cover Donker Malgas, Gamga or Windwaai - all that was guaranteed them was a fair trial.

74. C.2222: Sub-Enclosure in No. 37; Government Notice No. 173 of 1878, 4 November 1878; Wilmot, p.252; Williams, pp.118-9.

75. C.2222: Enclosure in No. 36; Lanyon to Frere, 19 October 1878.

chiefs tended to play a waiting game and helped whichever side they saw fit whenever they felt the need for protection.[76]

Some rebel chiefs were still stirring up trouble and the Griqualand West Administration was determined to capture them in order to effectively stop the rebellion. Botlhasitse managed to elude capture in October 1878 when a Boer commando tracked him to Umquame, but after his hasty retreat the Boers took all his horses, cattle, sheep and wagons into custody.[77] After Warren had informed Mankuruane of the consequences of not handing Botlhasitse over to the authorities, a commando escorted the rebel chief, his sons Galeshiwe and Gasbaki and his brother Teleko, to Warren on 25 November.[78]

By December 1878 the Kora and Tswana tribes had quarrelled and separated; Klaas Lukas fled to Namaqualand, while Donker Malgas and Gamga moved up the Orange River to Rylyf. On 24 and 25 December marauding parties of rebels were sent out and about 600 horses and cattle stolen from the neighbouring farmers. A patrol under Field Cornet Coetzee fell in with five of the rebels on 3 January 1879 and killed four of them.[79] Another patrol tracked two of Donker Malgas's sons, Klein and Frans, to Blaauwboschfontein and they were killed in the ensuing action.[80] In March 1879 Prieska burghers under Andries Dippenaar followed the spoor of

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76. C.2454: No. 5; Warren to Lanyon, 17 to 30 November 1878; Agar-Hamilton: Road to the North, p.141; Williams, p.120.

77. GLW 123: Scholtz to Secretary for Native Affairs, Transvaal, 22 October 1878.

78. These men were found hiding in a cave some miles to the west of Taung. C.2308: No. 1; Warren to Lanyon, 28 November 1878; Williams, p.120.

79. Colesberg Advertiser, 18 January 1879.

80. GLW 134: Lieutenant Bruce to Officer Commanding District of Hay, 5 March 1879.

84 head of stolen cattle and came across fifty rebels about two hours ride from Koegas. Nine of the rebels were killed and 81 of the cattle recovered.[81]

A proclamation signed by the Kora chief Hermanus Lynx, and his councillors[82] laid claim to "certain large tracts of land in the Bloemhof district." Colonel Warren immediately summoned Lynx who repudiated the proclamation in a solemn declaration. The problem did not end there, however, as complaints were soon raised against two men, Kallenberg and Brune, of the Berlin Missionary Society. In January 1879 Warren directed Landdrost Best of Christiana to request both Kallenberg and Brune to leave the Saltpan. Kallenberg had already done so, but Brune flatly refused and began to stir up trouble.[83]

Warren received a message on 23 January that Brune had refused to leave the territory, so he proceeded to Christiana where he met Brune and Hermanus Lynx. There Brune stated that he was living under a Kora chief and not the British Government. He was then arrested and was allowed to go on parole, but he broke his parole and returned to the Saltpan. Warren had to leave for Kimberley and he left the duty of disarming the Kora in the hands of Major Rolleston. Rolleston carried out his instructions but during the action a skirmish took place in which O'Reilly was wounded and Swart killed. Brune, Hermanus Lynx and all the other able-bodied Kora were taken prisoner and escorted to Kimberley.[84]

There were still a number of rebels on the Orange River Islands and they were joined by the Kora chief Klaas Lukas in January 1879. They

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81. Independent, 11 March 1879.

82. They resided at the Saltpan near Christiana.

83. GLW 13: Warren to Frere, 6 March 1879; Maingard, pp.130-1.

84. GLW 13: Warren to Frere, 6 March 1879; Maingard, pp.131-2.

made inroads towards Prieska and a flying column was sent out under Captain MacPherson which drove the marauders back. During the middle of January messengers passed through the tribes on the western and northern borders of the Province with plans for a simultaneous rising, but it did not materialise.[85]

The news of the Isandhlwana disaster was received in Kimberley on 26 January 1879 and the town was immediately garrisoned and defended.[86] A circular relating to the battle was printed in Tswana and distributed among the Blacks in order to stop exaggerated rumours. In early February troops again began to patrol beyond Griquatown and on 11 February Colonel Warren assumed the duties of Administrator as Colonel Lanyon had departed for the Transvaal.[87]

During February all the Blacks in Griqualand West were disarmed, so that the patrols knew that any Black carrying a gun was a rebel. Large bodies of Blacks attempted to enter the Province from Gamagara on 4 March but were forced back. Further skirmishes with rebels resulted in three additional troops of Mounted Volunteers and two Companies of Zulu being sent to the area on 12 March.[88]

The Attorney-General of the Cape Colony, T. Upington, proceeded to the Orange River Islands on 24 March and he requested assistance from the

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85. C.2584: No. 80; Warren to Frere, 22 July 1879.

86. Warren's forces captured Zulu messengers en route to the Rolong and the Kora of Mamusa after Isandlhwana, with requests for these tribes to rise. C.3635: No. 1; Warren to Frere, 3 April 1879.

87. C.2584: No. 80; Warren to Frere, 22 July 1879. Justice J.P. de Wet, the Recorder of Griqualand West, followed Warren as Acting Administrator in October 1879. J. Rose Innes became Acting Administrator in January 1880 and continued in this position until October 1880 when the Cape took over the government of the territory.

88. GLW 128: Minute, February 1879.

Griqualand West Administration in routing out the rebels. Reinforcements were sent from Batlharos to Gamagara but, before a junction between the Colonial and Griqualand West forces could be effected, the Kora made two night attacks, on 3 and 4 April.[89]

Major Rolleston then sent eighty men to Olyvenhout's Drift where a junction was made with the Colonial forces on 27 April. This combined force attacked the rebel pockets of resistance on the Orange River Islands on 28 April and defeated them at Dedensdrift where 46 were killed, including Rooi Thys and Klaas Lukas's secretary. An Irishman named McCarthy, who claimed that he was unable to escape from the rebels, but whom the Government suspected of fighting for his alleged captors, was also taken prisoner. Some of the rebels were tracked to Olyvenhout's Drift where 36 of them, all well-armed, surrendered.[90] The rest of the rebel leaders were captured in various parts of Griqualand West and beyond its borders between early May and the end of July. With their capture the rebellion petered out.[91]

The rebels throve on cattle-stealing, ambushes and guerilla tactics, which complemented the terrain in which they faced the Government forces.

89. Independent, 1 May 1879; C.2484: No. 80; Warren to Frere, 22 July 1879.

90. Independent, 10 May 1879.

91. Gamga and Windwaai were captured on 24 June and Sampie, the son of Mokgolokwe, on the next day. C.2454: No. 44; Warren to Frere, (received on 23 July 1879). Donker Malgas was shot in the desert together with his brother in July, thus allowing Klaas Lukas to make his escape. C.2482: No. 41; Scott to Upington, 28 July 1879. Solomon the Rolong was quoted by official sources as having been captured at Kanje on 17 June, but C.E. Stewart in a letter to F. Hodgson dated 29 September 1937 reported that Solomon fought running battles with Captain Back's and Colonel Warren's forces at Tsen and Konke Pan. He took refuge at Morokwen and urged Chief Bonokwane to join the rebellion, but Bonokwane, on the advice of C.B. Smith, a trader, handed Solomon to Colonel Warren at Genesa.

The Langeberg range of mountains and the semi-arid wasteland to the north of the Province proved perfect for the rebels' type of warfare, as their fastnesses "were a mystery to those who were dislodging them."[92] Throughout the rebellion the rebels fought courageously and with great determination. It was only Warren's superior strategy[93] and the co-ordination between the Government forces[94] which gave the Griqualand West Administration victory in the long run. The rebels were well-armed and many of them were first class shots, but too often the rebel command structure lacked the co-ordination necessary to achieve victory. This may be put down to the varied nature of the rebel forces[95] and the indifferent leadership exhibited by several of the minor chiefs.

The rebels among the Tswana nations were proud of their traditions and their way of life. When they saw these institutions being threatened by land-hungry Whites they felt the need to fight against it through armed insurrection. The rebellion was then mostly an action carried out by a desperate people fighting to preserve their lands and their way of life.

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92. Mackenzie, p.103.

93. Warren's battle tactics were superior to those of the rebel leaders, as were his firepower, mobility and communcations structure, but it was his economic warfare which was an effective counter to the rebels' aggressive tendencies. By capturing as many of the rebels' cattle, sheep, goats and wagons as possible he made the uncommitted Blacks sue for peace and by allowing the peaceful Blacks to continue their agricultural pursuits with Frontier Police to protect them he left the rebels with little support by the end of 1878.

94. See Appendix F for the songs of the Volunteers which display their attitude towards the rebels.

95. Griqua, San, Kora, Tlhaping, Tlharo, Rolong, Ngqika, Gcaleka, Thembu, Sotho and others fought for the rebels.

CHAPTER VI

THE AFTERMATH

Two questionable activities which took place during the rebellion were the atrocities said to have been committed on a few occasions by the Griqualand West Volunteer Forces and the indentured labour contracts[1] which some refugees and rebel prisoners of war agreed to. Both of these activities were brought to the attention of the British Government by the Aborigines Protection Society,and they received adverse publicity throughout Southern Africa. Of the atrocities those committed at Koegas received the most notoriety,and they were widely regarded as the most brutal of the Volunteers' activities during the rebellion.

During the latter half of 1878 a question was asked in the House of Commons on the cruelty of the Volunteers in Griqualand West based on a letter of a boy to his parents in which he claimed to have shot a Black rebel who was begging for mercy. Sir Bartle Frere[2] demanded an explanation of the boy's allegation and received a report from Colonel Lanyon in September 1878. Lanyon stated that the matter in question took place when a cattle-kraal was stormed on the farm "Driefontein" in May 1878, where seven rebels were killed, two were wounded and one escaped and the wounded were cared for. The boy was alleged to have saved the life of a wounded comrade and Lanyon said that "brave men are not cruel."[3] Colonel Warren reported that it was not usual for the Blacks in these wars to sue for mercy as the Blacks themselves "were of a

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1. This was an old practice which was greatly influenced by the events of the rebellion.

2. See Appendix A for a biographical sketch.

3. C.2220: Enclosure in No. 127: Lanyon to Frere, 24 September 1878.

very treacherous nature." He said:

> I can bear testimony to the existence of a most chivalrous spirit among the white population of Griqualand West as regards the treatment of natives... when they have been engaged with them in active warfare.[4]

The conclusion reached by both Lanyon and Warren was that the letter in question was written in a spirit of bravado rather than in a realistic frame of mind, as the boy was trying to impress his parents.

With regard to Dr Cameron's question in the House of Commons and article in The Times of London on 19 February 1879, Lanyon held that no Blacks had been massacred by Boers near Koegas,[5] but he was to be proved wrong. A party of hostile rebels was attacked on 1 November 1878 at Stofkraal by burghers from Victoria West and Fraserburg under Commandant Van Niekerk. During the battle 46 of the rebels were killed including ten women and children. The burghers then took five men and 27 women prisoner. Van Niekerk "regretted to say" that women and children had been killed in the battle but that the rebels had been concealed in thick bush where men, women and children were intermixed.[6] At the conclusion of the engagement the survivors were conveyed as prisoners of war to Rietfontein Camp. On the line of march certain prisoners were shot by

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4. C.2220: Sub-Enclosure in No. 127; Warren to Villiers, 19 September 1878.

5. C.2367: Enclosure in No. 41; Lanyon to Frere, 16 April 1879.

6. C.2367: Enclosure 4 in No. 30; J.N.P. de Villiers, Civil Commissioner of Victoria West, to J.G. Sprigg, Colonial Secretary, Cape Town, 7 November 1878; D.P. Faure: My Life and Times, pp.68-9. Van Niekerk failed to mention that most of these rebels were fighting with bows and arrows and not guns.

some of their escort because "they were so badly wounded that they were unable to proceed," and no transport was available for them. Special Commissioner M. Jackson, who had been sent to investigate stated that

> nothing whatever can justify the shooting of the wounded at Luiskraal, and subsequently on the line of march to Koegas, among whom were helpless women and little children.[7]

The result of Jackson's investigations was that Lieutenant F. Smith, L. Duraan, a burgher, and J. Zoutaar, a Bastard but also a burgher, were remanded for the murder of several prisoners. Their case was to be heard by the Circuit Judge at Victoria West in September 1879.[8]

Another case which was also heard in September 1879 concerned five prisoners who were shot by their escort on 28 November 1878 en route from De Tuin to Kenhardt. The escort, B. Bergman and O. Hennik, travelled about three miles and then shot down the prisoners,[9] who were tied together by the wrists, on the pretext that they had attempted to escape. Piet Blaauw's evidence that his companions were wilfully murdered was corroborated by Special Commissioner M. Jackson and C. Harris. They reported that the position of the bullet holes in the heads of two of the victims ruled out the possibility of attempted escape.[10.]

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7. Faure, p.70 quoting the Jackson Report of 10 March 1879.

8. C.2505: Enclosure 2 in No. 4; Upington to Sprigg, 21 October 1879.

9. Leonard Blaauw, Oude Rooy, Tisiep and Hans Twakiep were killed and Piet Blaauw was wounded.

10. C.2367: Enclosure 9 in No. 30; Jackson to Sprigg, 12 February 1879; C.2505: Enclosure 2 in No. 4; Attorney-General's Report, 21 October 1879; Faure, pp.71-2.

Bergman and Hennik's trial took place before Judge Dwyer on 15 September, where Shepstone Giddy appeared for the defence. The whole district of Victoria West sympathised with the accused and the jury was selected from the inhabitants of that district. An impartial trial in Victoria West was an impossibility and Bergman and Hennik were found "not guilty" and acquitted "amidst the cheers of a crowded court."[11] In the second case, heard on the 16 September, with Saul Solomon and James Rose Innes appearing for the defence, the two White men, Smith and Duraan, were acquitted and the Bastard, Zoutaar, was sentenced to five years imprisonment with hard labour.[12]

The practice of indentured labour contracts was a fairly common one before 1878, but it was intensified by the rebellion and in turn aggravated the already unsettled relations between Blacks and Whites. It was reported to the authorities that during the rebellion Black women and children were contracted for one year each at ten shillings per month, with board, lodging and clothing found by the employers. Children were not separated from their parents, except where their mothers wished them to go to other masters.[13]

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11. J. Rose-Innes: Autobiography, p.41.

12. C.2505: Enclosure 2 in No. 4: Attorney-General's Report 21 October 1878; Rose-Innes, pp.41-2; Faure, p.72. Rev. D.P. Faure, the court interpreter, on perceiving that the newspapers merely reported the facts in the trials without comment, wrote a letter to the Argus entitled "Deeds of Shame" and he signed it 'Fiat Justitia.' As a result he lost his job as the court interpreter, even though he contended that he was not a civil servant, but an outsider, paid for a special work, which left him free to express his views on public matters. Faure, pp.91-2; Rose-Innes, pp.43-4.

13. C.2258: Enclosure in No. 1; Truter and Coleman to Lanyon, 2 September 1879.

When this information reached Great Britain there was an outcry and Hicks-Beach demanded explanations from Frere. He wanted to know for how long boys and children were indentured, how many rebels, women and children had been indentured and stressed that the British Government strongly disagreed with the practice. He also inquired how many people had been convicted before the civil courts for participating in the rebellion, what punishment they received if found guilty, how they were treated and if they were sentenced to hard labour.[14] Hicks-Beach informed Frere that he had received information that some Black women had been indentured for three and a half years, when the longest period of indenture allowed by Britain was twelve months.[15]

Sir Bartle Frere immediately contacted the Griqualand West Administration and demanded explanations on the treatment of prisoners of war. Warren reported that prisoners of war and refugees had not been subjected to any form of hard labour in prison. He said that the prisons resembled poor houses and the rebels were kept separate from the other prisoners whenever possible. By June 1879 only those charged with the murders of Francis Thompson[16] and the Burnesses[17] and five

14. C.2367: No. 32; Hicks-Beach to Frere, 22 May 1879.

15. C.2374: No. 41; Hicks-Beach to Frere, 3 July 1879. Labourers from India and China could be indentured for up to five years.

16. Gohtleka, Gasselbaatjie, Galeshiwe, Dellequel, Andries Gasebone, Gert Jagers, Andries Wagenpad, Molema, Intwabede, Jacob Metloar, Mogato, Morobodi, Gobesani, Mooikish, Sepamoti, Hendrik Bebee, Mosaming, Galseque, Jan Voorslag, Klaas Booy, Piet Louw, Jack Major, Jan Kennedy, Black Jack and Belong were arrested in September 1878. After several adjournments they were tried and acquitted in August 1879. The public prosecutor then had them re-arrested on charges of riot and theft. They were tried in September 1879 and twenty were acquitted. The other five were released in February 1880 after the Governor exercised his prerogative of clemency. High Court of Griqualand West, 1879, 620, 20 November 1879; Cape Argus, 1 November 1879.

17. Perishaan, Hans Jood, Frans Nero, Jan Jood, Ruyter, Adam Haai and Lianne were charged with the Burness murders. Lianne was found guilty and sentenced to death and the rest were acquitted. The second indictment for public riot and assault was dropped and Frere commuted Lianne's sentence to life imprisonment. Diamond News, 5 February and 7 February 1880; GLW 14: Frere to Rose-Innes, 22 March 1880.

ringleaders[18] in the rebellion were in gaol. Only those refugees and prisoners of war who wanted to be indentured were sent out to labour;[19] the rest of them were released.[20]

The Aborigines Protection Society informed the Colonial Office that Kora prisoners of war had been indentured to Colonial farmers. It reported that during the war Kora were "killed, driven away or reduced to servitude" to the "virtual extinction of the Korannas as a people." Frontier farmers were supposedly anxious to obtain the lands formerly inhabited by the Kora, and the Aborigines Protection Society asked the Colonial Office for the liberation of all the Kora in the service of settlers and the return of their land.[21]

The reply given to the Aborigines Protection Society was that a very small number of Kora had been contracted to farmers, as most of them had dispersed to other parts of the country. It was admitted that some Kora were killed but that was stated as being the penalty they had to pay for being involved in the rebellion. The Government said that they

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18. Jan Pienaar (Gamga), Klaas Windwaai, Manuel Isaac, Lukas Kok junior and Willem Moos were all charged with high treason and sedition. The jury returned a verdict of guilty against all the prisoners except Manuel Isaac and they were sentenced to death. The prisoners all stated that they were not implicated in the war at its outset and appealed to the Governor. Frere decided that the capital sentence would not be inflicted and approved of the immediate liberation of Lukas Kok junior as long as the prisoners gave good security of future conduct. In June 1880 Frere approved of the discharge of all State prisoners. Diamond News, 7 February and 10 February 1880; High Court of Griqualand West, February Session; GLW 14: Frere to Rose Innes, 22 March and 26 June 1880.

19. Most men prisoners of war deserted within a month of their being contracted. C.2482: Enclosure in No. 50: Warren to Frere, 26 June 1879.

20. C.2482: Enclosure in No. 50; Warren to Frere, 26 June 1879.

21. C.2676: No. 1; Aborigines Protection Society to Colonial Office, 6 March 1880.

could not break contracts of service and that Willem Christian's Bondelswarts as well as police under Captain Maclean moved onto Kora lands after the rebellion.[22]

The missionaries were astonished at the generous treatment received by the rebel prisoners of war and refugees as they continually persevered to teach the Blacks how to adapt to Western civilization. In early 1879 Rev. John Mackenzie,[23] who believed that the solution to the land problem was a system which relied on tenant farmers rather than locations, outlined a plan for the benefit of the Tswana which was endorsed by the Bechuanaland District Committee of the London Missionary Society. That plan, as submitted to Sir Bartle Frere, provided for a ten year lease of land being granted to Tswana farmers with the conditional promise of renewal on expiry thereby encouraging improvements.[24] Frere, in turn, wrote to the Board of the London Missionary Society seeking the assistance of Mackenzie in

> giving effect to the measures he had authorized for protecting and pacifying the tribes around Kuruman, and between the Vaal and the Hart rivers.[25]

Frere, as Governor of the Cape Colony, took remedial action over the rebellion in Griqualand West by establishing a Select Committee and a

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22. C.2676: Enclosure 2 in No. 23: W. Ayliff to Sprigg, 17 April 1880.

23. See Appendix A for biographical sketch.

24. ZL 1/3/13: Mackenzie to L.M.S., 3 June 1879. Mackenzie and Warren had different plans for attaining the same end - namely, the avoidance of expropriation. See Chapter III, p.70.

25. ZL 1/1/13: Frere to L.M.S., 13 June 1879.

Commission to investigate various aspects of the disturbances, but he did not appoint a commission of inquiry into the origins of the rebellion.[26] The Select Committee under the chairmanship of Colonel Warren was appointed on 21 March 1879

> to enquire into and recommend the pensions to be awarded to the Widows and Orphans of the Volunteers killed, and the Grants made to those wounded during the late war [27]

in Griqualand West and beyond its borders. This Committee was thorough and came to terms with its problem in an extremely short period of time.[28] It was not asked to investigate the causes of the rebellion, as Frere felt that the reports submitted by Warren, Lanyon and others were sufficient to enable one to form opinions of one's own. In the light of the varied number of opinions formed and judgments passed on the origins of the rebellion, it is clear that the terms of reference of Warren's Select Committee were very limited and should have been extended to cover the causes of the disturbances.

The report of the Commission appointed to investigate the losses sustained by farmers and others during the Kora war on the Northern Border of the Cape Colony was forwarded to Frere on 26 May 1880. The Commission, comprising Rev. W.P. de Villiers of Beaufort West and H.J. Scott, the Special Magistrate on the Northern Border, was appointed by Frere on 15 October 1879 after a Resolution adopted by the House of Assembly concerning losses on the Northern Border. The Commission sat at

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26. See Chapter IV, pp.76-7.

27. GLW 14: Select Committee Report, 29 August 1879.

28. This Committee investigated for nine months before reporting.

Prieska from 12 to 14 January 1880 and at Kenhardt from 23 to 26 February. With a few exceptions the claims brought before the Commission were bona fide.[29]

The Commission reported that losses sustained by those residing on the eastern part of the Northern Border were attributable to the war situation existing in Griqualand West during 1878 and 1879. Pursuit of thieves and the recovery of stolen stock were impossible under war conditions. It held that thefts committed by the Kora upon the Bastards and others on the westerley part of the Border were, to a considerable extent, attributable to the bitter feelings entertained by the Kora against the Bastards. The Commission contended that the circumstances of the country were such that it was relatively easy to commit stock thefts.[30] It reported that losses sustained by farmers and others should not be compensated in full out of public funds as "war is to all concerned a losing game."[31]

The land problem was at the centre of the rebellion and it remained a burning issue for some time afterwards. Colonel Warren realised that land was important to the survival of the Griqua and Black political systems, so he issued a notice in November 1878 which prevented land jobbers from buying all the land at low prices. His notice stated that

> while there is military occupation of these parts, and pending the just and lawful settlement of the land question, no sales of land or houses are to take place without the sanction

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29. G.68-'80: Northern Border Commission Report, 25 May 1880, pp.2-6.

30. These thefts were usually committed by parties of two or three of the rebels. In some few cases homesteads were attacked at night and stock carried off in force.

31. G.68-'80: Northern Border Commission Report, 25 May 1880, pp.2-6.

> of the officer commanding the field force.[32]

The Blacks were quick to realise that land was all-important to the maintenance of their traditions and institutions, but the Griqua lost most of their land in the years after the rebellion and virtually disappeared as a land-owning people.[33]

Many people in Griqualand West realised that the land problem had not been completely settled either in the Province itself or on its northern and eastern borders. F. Orpen complained in 1880 that since the close of the rebellion numbers of Griqua and Kora had been erecting their "unsightly and unwholesome fever-breeding huts" in Barkly. He stated that the people should be forced to live in the location, where they would have to erect decent dwellings and pay hut tax,[34] as "to live and drink seems to be their only object, they do nothing else."[35]

The Protector of Natives, and other Whites in Griqualand West, complained that Blacks passing through the Keate Award Territory near Christiana to seek employment in the Province had to pay a fee of five shillings per head. Alternatively they had to work for some person for two or three days so as to earn the money to obtain a stamped permit,

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32. C.2252: No. 1; Warren to Lanyon, November 1878.

33. See below, pp.134-5.

34. Act No. 6 of 1876 and Act No. 8 of 1878 passed by the Cape Parliament for the better and more effectual supervision and management of Black Locations became law in Griqualand West as Ordinance No. 11 of 1879. The definition of "Native Location" in Section II of the Native Locations Act of 1878 was extended in Griqualand West to include huts or dwellings occupied by Kora, Griqua, Tswana, Zulu and others. GLW 174: Ordinance No. 11, 13 June 1879.

35. GLW 149: Orpen to Lanyon, 15 January 1880.

which acted as a pass.[36] In October 1879 the Transvaal Government officially notified the Griqualand West Administration that the tax of five shillings on Blacks passing through the Transvaal and Keate Award area to seek work in Griqualand West was not to be enforced.[37]

After the rebellion the Griqua and Blacks returned to the land allotted to them in Griqualand West by Stockenström or Warren, but not many of them retained their land for very long. Warren's generous land grants to Griqua and Blacks, did not, as he had foreseen, remain in their hands for very long and many of them moved into the locations he had set up for that purpose.[38] Warren had realised that giving these impoverished Griqua farms would not change them into a hard-working land-owning people, but he could not have foreseen the wholesale loss of farms which occurred and which resulted in the destruction of the Griqua as a people.

Most of the Griqua rapidly sold their farms to Whites, and squandered the proceeds, often on drink.[39] The Civil Commissioner at Griquatown reported in 1891 that there were only three or four Griqua still owning farms in the division of Hay,[40] and not many of those who had lost their farms moved to the reserves marked out for them; they usually gravitated to the towns. By 1903 the population in the Hay locations consisted mostly of Tswana.[41] The Civil Commissioner at Griquatown wrote in

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36. GLW 142: Statement of F. Smith, 1 September 1879; GLW 142: W. Coleman, Protector of Natives, to Villiers, 2 September 1879. The White population of the Transvaal were understandably hostile to travelling Blacks who usually lived off the land to and from the mines at Kimberley. Siebörger, pp.39-43.

37. GLW 114: Government Notice No. 205, 29 October 1879. In March 1872 the Transvaal Volksraad had imposed a tax of five shillings on Blacks leaving or passing through the territory, in the form of a "Buitelandsche pas." Siebörger, pp.44-5.

38. See Chapter III, p.70.

39. In 1897 there were 35 canteens in the district of Barkly West alone. Marais, p.50.

40. G.7-'92, p.13 quoted in Marais, p.50.

41. Marais, p.50.

1904 that

> The Griquas as a tribe are practically extinct, and the few that are met with no longer possess any land: the old people who are alive are paupers, and their children are common labourers. All this has been due to drink.[42]

This just goes to prove that the Griqua did not need the White man to destroy their nation, they did it on their own. In the absence of the White man they would probably have survived. They did not have a strong political system before the rebellion [43] and from 1879 all the weak links in their system,[44] which led to their ultimate destruction, were exposed.

The Tswana on the other hand managed to safeguard their political system and much of their land, although this was mostly outside Griqualand West. A few locations had been set aside for the Tswana in Griqualand West but most of their land was centred around Kuruman and Taung where large reserves were established in 1885. As these areas lay in British Bechuanaland they did not come under the jurisdiction of the Cape Colony until 1895, and the Blacks retained their vast reserves.[45]

Since the ever-present land-hungry Whites became interested in acquiring farms in Bechuanaland, the Administration felt that land titles

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42. G.12-'04, p.11 quoted in Marais, p.50.

43. See Chapter II, pp.31-3.

44. The Griqua had no chief or Raad to help them in times of need and so they were at the mercy of the Whites whose laws and institutions many of them did not understand.

45. The Blacks were still administered by Bechuanaland laws after 1895.

should be investigated to protect Black land by law. The High Commissioner for Bechuanaland, Sir Hercules Robinson, then appointed a Committee to investigate the land titles of all Blacks and Whites in October 1885. Consequently a Land Report was presented to both Houses of Parliament in 1886. The Taung Reserve,[46] was then fixed at 690 square miles and the Kuruman Reserve[47] at 1517 square miles.[48]

After the rebellion the Black tribes proved to be the most successful at returning to their former way of life without either losing vast tracts of land or being overwhelmed by the laws of the Whites. They retained their chiefs and institutions and as such found it easier to adapt to external pressures than the Griqua who had no solid foundation to their political system. The Black tribes were still organized politically into several different groups. Each tribe occupied its own territory and managed its own affairs under the direction of their chief who was independent of the rest. The British Government recognised each of the principal chiefs as sovereign of the territory occupied by his people in Bechuanaland and so helped to safeguard the Tswana political system.[49]

The Kora lost most of their lands on the Northern Border of the Cape Colony, but retained the Kora reserve which Warren had set aside for them under the Berlin Missionary Society at Pniel,[50] and the lands around

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46. This reserve contained the tribes headed by Chiefs Mankuruane, Motlhabane and Botlhasitse amongst others.

47. This reserve contained the tribes headed by Chiefs Mokgolokwe, Morwe, Jantjie and others.

48. Breutz: Tribes of the Districts of Taung and Herbert, pp.18-20; Breutz: Tribes of the Districts of Kuruman and Postmasburg, pp.7-9.

49. Schapera: Native Land Tenure in the Bechuanaland Protectorate, pp.8-9.

50. See Chapter III, pp.72-3.

Mamusa.[51] Like the Griqua, their unstable political structure and way of life[52] could not adapt to the external pressures exerted by a rapidly-changing society and unlike the San, they could not disappear into the vast desert regions to the north and west of Griqualand West and learn to exist on limited resources. The San were the only group who were not harassed by Whites, as the regions to which they migrated were not conducive to agricultural or pastoral pursuits.[53] Thus, they also managed to ensure that their traditional lifestyle did not become engulfed by the land-hungry Whites.

The rebellion in Griqualand West was fought by most groups because they were concerned about the encroachment of Whites on their land, but in the long run it was only the San and the Tswana who managed to retain their lands. It might seem then that the rebellion was a futile effort by these groups to rectify a lost cause, but it was in fact a means to an end which had no hope of success, taking into account the disorganization of the rebel groups and the solidarity of the Whites. Only the Griqua and the Kora actually lost land after the rebellion, and in the case of the former group this can in many instances be accounted for by their preference for strong alcoholic drink.[54] The rebels felt the need to show the Whites of Griqualand West that they were not prepared to be mere puppets whose actions were controlled by Whites. They resented the loss of their tribal lands and they were prepared to fight to have them restored to their rightful owners. The fact that they were defeated reflects more on their own weaknesses than on the strength of the Whites,

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51. Today it is called Schweitzer-Reneke.

52. See Chapter II, pp. 24-6.

53. See Chapter II, pp. 22-4.

54. Marais, p.50.

but the fact that they found the need to rebel puts the Griqualand West Administration in particular, and the Whites in general, in a bad light.

The policies of the Griqualand West Administration were not repressive, but, like its two neighbouring Boer Republics, it did not reduce the infringement by Whites on the rights of Blacks, especially with regard to land. The Blacks had limited or no channels of communication open to them if they were dissatisfied with any actions of the White authorities, so they adopted the only other course which seemed likely to relieve their position - armed rebellion.

CHAPTER VII

CONCLUSION

The non-White population of Griqualand West in the early nineteenth century was made up of many diverse groups, most of whom were nomadic or semi-nomadic. Many of these groups had been involved in some sort of contact with White missionaries or traders. These early White frontiersmen generally respected the rights of their Black neighbours and vice versa, but this sense of mutual compatibility was shattered by the arrival of the trekboers in the mid-1830s. Most South African frontiers had become areas of conflict between Whites and Blacks and that of Griqualand West proved no exception.

The trekboers migrated into the interior and away from the Government of the Cape Colony for two reasons. The first was that they strongly held that the possession of plenty of land for their herds and flocks was the natural right of all free men. This led them to become antagonistic towards the Black pastoralists and in some instances they tried to establish their ascendancy over these tribes by force of arms. The second major objective was to establish a society "in which 'proper relations' between master and servant could be maintained."[1] The goal throughout their trek was cheap land and cheap labour, and these two principles were carried through into the establishment of the two Boer Republics.[2]

If the advent of the trekboers was the first crisis point in the eventual demise of the Black tribes as independent and traditional

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1. C.W. De Kiewiet: The Anatomy of South African Misery, p.21.
2. L. Marquard: The Peoples and Policies of South Africa, p.7.

societies, then the establishment of the Boer Republics was the second. These Republics had democratic institutions for their political discussions and their law-making but

> they contained no patrician element or privileged income group which might have made the cause of the native population its special interest.[3]

This creation of a society with master and servant classes was upheld by their version of Calvinism which held the belief that Black inferiority was inborn.

With these ideals as their bases the two Republics expanded their boundaries at the expense of the Black tribes. This desire for expansion came from White frontiersmen within the Republics who put pressure on their rulers. They began to encroach upon the lands of the tribes on and around Griqualand West's northern and eastern boundaries. The situation between these Blacks and the Republics during the 1850s and early 1860s was basically one of stalemate where neither side would admit defeat at the hands of the other. The situation became worse when the Black chiefs began to employ missionaries and other Whites to act as their representatives or agents in their dealings with White men.

The third and final crisis point reached by the non-Whites of Griqualand West was the opening of the diamond mines which brought a large diverse population of White diggers to the country. The diggers simply overran any piece of ground which seemed promising and paid only very moderate rents for their claims.[4] By the 1870s Blacks and Griqua in and around Griqualand West were involved in a struggle against the

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3. C.W. De Kiewiet: The Anatomy of South African Misery, p.22.

4. MacMillan, p.201.

Whites not only to maintain their traditional way of life, but for survival. The disputed ownership of the diamond fields and the threat of further encroachment by the Republics upon the territory of the Black tribes resulted in the Diamond Fields Commission which sat at Bloemhof in April 1871. The result of the Keate Award at the conclusion of the Bloemhof Arbitration was all that Britain needed to annex Griqualand West before the Republics, and especially the O.F.S. took over the diamond fields.

Neither Britain's annexation nor the Keate Award prevented Whites from encroaching on Black land on the borders of Griqualand West or from obtaining farms from Griqua and Blacks in the Province for a nominal fee. This led to a clash of cultural values between Blacks and Whites which was centred around their common need of land and water for their stock. By ignoring the customs inherent in each others' systems these groups between them brought about the rebellion of 1878 in Griqualand West.

Britain attempted to resolve the land problem in Griqualand West in 1875 by means of the Land Court, in which Stockenström passed judgment on all the claims to land which had been submitted to the Government. There was a public outcry on the publication of the judgment and many rebels stated that their disaffection came about as a result of their subsequent loss of land. Captain Warren was sent to the Province in 1877 in order to try and resolve all the land claims on appeal. Although the Report was deemed by most Blacks and Whites to be fair to all concerned, matters had gone too far to be rectified overnight.

As no official inquiry was held into the origins of the rebellion, its causes are not easy to determine with precision. The growing pressure on the land is the explanation which appears to carry most weight, but it was more than a rebellion over land. Antagonism was also evoked

over the secrecy surrounding N. Waterboer's cession of his territory to the British Government. The outbreak of hostilities among the Pedi of the Transvaal, the Cape Nguni, the Kora and the Zulu affected the outlook of the rebel leaders in Griqualand West and armed insurrection seemed to them to be the answer to their problems. After the rebellion had been suppressed the Blacks were in no position to bargain for land and many of them were put into locations, for which provision had been made in Warren's recommendations.

The disturbances in Griqualand West have been cited as only a part of the larger movement, which was a combined effort on the part of many South African Blacks to overthrow the Whites. When this did not happen, the Whites were able to capitalise on the rebellious attitude of the Blacks by subjugating them completely. The Blacks were then regarded and treated as secondary citizens.

The end-result of the Blacks' defeat during the rebellion in Griqualand West was that they were brought as a subordinate community within the economy of the Whites. Cheap tractable Black labour was then available for those who needed it. The diamond mines benefited greatly from the surplus of Blacks who had been forced into the labour market. The Blacks were forced to find work on the mines, even though the living conditions and sanitary arrangements were reported to be poor and the death-rate high,[5] because they no longer had the lands available for their customary agricultural and pastoral pursuits.

The defeat of the Blacks led to a system of detribalisation and the emergence of a landless Black proletariat. This group was later to fulfil the wishes of businessmen who needed a lot of cheap labour to make their concerns economically viable. In the 1880s therefore, the second class position of the Blacks seems to have been accepted by the Whites, and it had been brought about by the outbreak of diverse groups of disenchanted Blacks.

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5. Van der Horst, p.75.

APPENDIX A

BIOGRAPHICAL SKETCHES OF MAIN CHARACTERS

1. David Arnot (26 June 1821 - 6 June 1894).

He was of mixed descent and was admitted to the South African College at Cape Town as a free student in 1836 on the instruction of Sir Benjamin D'Urban. After completing his studies he settled at Colesberg as a general agent.

Arnot became N. Waterboer's agent in 1860 and devoted himself to the Griqua cause by relentlessly opposing the Boer Republics. An exceptionally intelligent and shrewd man, he was emotional and ostentatious, but hospitable.

In 1874 he was elected as a member of the Legislative Council for Griqualand West. In 1875 together with his close friend F.H.S. Orpen, Arnot published a book entitled The Land Question of Griqualand West, which was very informative although biased in the favour of Nicholas Waterboer.

When Griqualand West was incorporated in the Cape Colony in October 1880, Arnot went to live in Cape Town and withdrew from public life. He was a keen botanist and ornithologist and a plant, the "Stapelia arnoti", as well as a bird, the "Thamnolaea arnoti" or Arnot's chat, were named after him.

Sources: D.S.A.B. I, pp.22-4; A.F. Lindley: Adamantia; J.J. Oberholster: Die Annexasie van Griekwaland-Wes; E. Rosenthal: Encyclopaedia of Southern Africa; E.A. Walker: A History of Southern Africa.

2. Sir Henry Barkly (24 February 1815 - 20 October 1898).

In 1870 Barkly succeeded Sir Philip Wodehouse as Governor of the Cape. After the Keate Award he annexed N. Waterboer's territory, but contrary to his expectations the Molteno government at the Cape Colony refused to take over the newly-annexed territory.

Barkly was confronted by J.A. Froude's tour of South Africa, when Froude, on Carnarvon's assistance, was pressing for the federation of all South African States. Barkly was then confronted by the diggers' revolt and had to dispatch Sir Arthur Cunynghame and some British troops to quell the uprising in June 1875.

He was opposed to the idea of Shepstone annexing the Transvaal, but was replaced by Frere before it actually took place. He retired on pension in March 1877.

Sources: D.N.B. Supplement I, pp.124-6; D.S.A.B. II, pp.27-30; M. MacMillan: Sir Henry Barkly; A. Wilmot: The Life and Times of Sir Richard Southey; E.A. Walker: A History of Southern Africa.

3. Botlhasitse (c.1825 - 1887/1895).

He was chief of the most senior branch of the Tlhaping- ba-Phuduhutswana. His father, Gasebone, and uncle, Phehuetsile, were killed in a battle with the Boers at Rooidam in 1858 and he then became regent on behalf of the heir to the chieftainship, Phelokgosi.

Botlhasitse was an enemy of most of the neighbouring chiefs, especially Mankuruane, because he was senior by birth and therefore opposed the other chiefs' claims to supremacy.

Throughout the Bloemhof Arbitration and Land Court proceedings Botlhasitse maintained that he had not surrendered his land to either the British or the Transvaal, as he was totally opposed to Whites taking

over Black land.

In the war of 1881-2 against the Tlhaping chief Mankuruane, Botlhasitse sided with the Kora chief Dawid Massouw, although he had no land claims to make during the war. He then lived in peace with his neighbours. His place and date of death have not been accurately ascertained, but he was alive in 1887 and before 1895.

Sources: P. Breutz: The Tribes of the Districts of Taung and Herbert; D.S.A.B. II, pp.72-3; J. Agar-Hamilton: Road to the North; C. Warren: On the Veldt in the Seventies; Interviews conducted in Bophuthatswana.

4. Donker Malgas (? - July 1879).

He was a chief of the "Pramberg Kaffirs", a clan of Xhosa and Thembu whose headquarters were at Schietfontein. He spent twelve years in the Cape Colony acquiring money and stock and on his return found that there was no land available for him.

Donker Malgas was one of the main instigators of the 1878 Rebellion in Griqualand West. He was a shrewd leader who fought just as well in mountainous country such as the Langeberg as he did on the Orange River Islands.

Donker Malgas was killed in the desert by the Lillyfontein Rangers in July 1879 and in the process allowed Klaas Lukas and his men to make good their escape.

Sources: Cape Argus, 13 May 1879; W. Williams: Life of Sir Charles Warren; T. Strauss: The Korana and the Northern Border Wars of 1868-9 and 1878-9; Interviews conducted in Bophuthatswana and Griqualand West.

5. Sir Henry Bartle Frere (29 March 1815 - 29 May 1884).

He was offered the Governorship of the Cape Colony on 13 October 1876 because he had the reputation of being a capable statesman. He reached Cape Town on 31 March 1877 and was given increased authority - as High Commissioner his sphere of influence was extended to encompass all of South Africa.

The rebellions in Griqualand East and Griqualand West did not present Frere with any major military problems, but they did increase his political difficulties as they kept alive the Cape's resistance to the incorporation of the diamond fields.

Frere was recalled on 1 August 1880,and on 29 October 1880 he was unanimously elected Chancellor of the University of the Cape of Good Hope.

Sources: D.N.B. XX, pp.257-66; D.S.A.B. II, pp.243-6; C.W. De Kiewiet: The Imperial Factor in South Africa; E.A. Walker: A History of Southern Africa; W.B. Worsfold: Sir Bartle Frere: a footnote in the history of the British Empire.

6. Jan Pienaar (Gamga) (? - ?).

He was one of Nicholas Waterboer's ex-Councillors who had signed the petition requesting that Griqualand West be taken over by Britain. After a few years he became disenchanted, especially at the manner in which the land question had been resolved. His name was on Waterboer's List but he was not granted land by Stockenström.

Gamga was one of the principal Griqua leaders during the Rebellion of 1878 and he was captured on 24 June 1879.

He was charged with high treason and sedition, found guilty and sentenced to death in February 1880. Frere reduced the sentence to life imprisonment and in June 1880 approved of the release of all State prisoners.

Sources: W. Williams: Life of Sir Charles Warren; T. Strauss: The Korana and the Northern Border Wars of 1868-9 and 1878-9. Diamond News, 7 February and 10 February 1880; Interviews conducted in Bophuthatswana and Griqualand West.

7. Jantjie (c.1795-1884).

He was the eldest son of Mothibi and his favourite Griqua wife, Kebogile. He was a devout Christian and a very kind person who was held in great esteem by his tribe.

During Warren's period of administration in Griqualand West (February to October 1879), Jantjie migrated to the Ngwaketse in Bechuanaland with some of his followers but he returned in 1883.

Like his father and grandfather before him, Jantjie married a Griqua wife and his eldest son Mpolokeng Luka succeeded him on his death.

Sources: Breutz: The Tribes of the Districts of Kuruman and Postmasburg; D.S.A.B. III, pp.444-5; G.M. Theal: History of South Africa, 7 and 9; Rev. J. Mackenzie: Austral Africa I; Interviews conducted in Bophuthatswana.

8. Sir William Owen Lanyon (21 July 1842 - 6 April 1887).

Major Lanyon became Administrator of Griqualand West in September 1875 and soon converted the long-standing financial deficit into a surplus.

During the Griqualand West Rebellion he earned the C.B. and a full colonelcy. He had approved of and supported the British annexation of the Transvaal and was appointed Acting Administrator there in March 1879. In April 1880 Lanyon became permanent Administrator with wider powers, and a knighthood and the K.C.M.G. were bestowed on him. He achieved success in increasing tax collections in the Transvaal, but for the

country and the Boers he had a thinly-veiled dislike and contempt. Lanyon was instructed to relinquish his office on 9 April 1881.

Lanyon's forte was painstaking administrative work rather than diplomacy, as he was melancholy, cold and reserved in appearance. He had a dark complexion and this, together with his earlier association with Jamaica, led to the widespread belief in the Transvaal that he was of mixed descent, which did not endear him to the Boers.

Sources: D.N.B. XXXII, p.141; D.S.A.B. I, pp.465-6; Agar Hamilton: Road to the North; Walker: A History of Southern Africa; Warren: On the Veldt in the Seventies.

9. Rev. John Mackenzie (30 August 1835 - 23 March 1899).

He was sent to South Africa by the L.M.S. in 1858 and he was stationed at Kuruman. In 1860 he trekked through Bechuanaland via Shoshong to the Zambezi and in 1863 visited Mzilikazi over whom he gained considerable influence. From 1869 to 1871 he wrote Ten Years North of the Orange River.

Mackenzie was offered the post of Commissioner for Southern Bechuanaland by Frere in 1879 but he was debarred from accepting the post by the Board of the L.M.S. He was finally appointed Deputy Commissioner in British Bechuanaland in February 1884. He persuaded the Boers of Stellaland to submit to the British Crown, but after three months he lost his post through intrigue, and C.J. Rhodes was appointed in his place.

In 1885 Mackenzie returned to England and in 1887 published Austral Africa, losing it or ruling it. He then returned to missionary life and in 1891 was posted to Hankey in the eastern part of the Cape Colony.

Mackenzie was a staunch advocate of British rule in South Africa, but he wanted firm control of White encroachment on Black lands. His administrative and political thinking was highly prescient and most of

his ideas were adopted by the Colonial authorities.

Sources: J. Mackenzie: Ten Years North of the Orange River, Austral Africa, I; D.S.A.B. I, pp.487-9; A.J. Dachs: The Papers of John Mackenzie; W.B. Campbell: The South African Frontier, 1865 to 1885; W.D. Mackenzie: John Mackenzie: South African Missionary and Statesman; Agar-Hamilton: Road to the North.

10. Mankuruane (c.1825 - 1891).

He was the son of Molale (the brother of Mothibi) by his Great Wife. Like Jantjie, he was traditionally on good terms with the Griqua. Animosity arose between him and Botlhasitse after 1871 because he tried to set himself up as paramount chief with the help of the British Government. He made the mistake of offering a portion of the tribal lands to the Transvaal in 1881 and 1882 in return for an acknowledgement of his position as paramount chief, which resulted in the loss of British support in 1885.

Mankuruane began to prepare for war against the Kora from Mamusa in October 1881, because of cattle raids allegedly committed by the Kora. Each side enlisted White volunteers and a peace treaty was signed on 26 July 1882, but the war had given rise to the establishment of the two republics of Stellaland and Goshen.

Mankuruane lived in hostility towards the people of Stellaland, the White volunteers of the Kora, who settled on the farms they received in payment. He met Rev. John Mackenzie, the Deputy British Commissioner for Bechuanaland, on 3 May 1884 and signed a document giving the British Government full authority over his country and his tribe.

The continued theft of horses in 1884 caused war to break out between Mankuruane and Motlhabane. This war lasted for three years before Mankuruane sued for peace.

In the long run Mankuruane lost the support of the British and the Transvaal because of his practice of pandering to one then the other, and of his neighbouring tribes because he was a fence-sitter who had attempted to set himself up as paramount chief.

Sources: Agar-Hamilton: Road to the North; Breutz: Tribes of the Districts of Taung and Herbert; D.S.A.B. III, pp.578-9; G. Theal: History of South Africa, 9; Interviews in Bophuthatswana.

11. Dawid Massouw (1800/10 - 3 December 1885).

He was the son of Riet Taaibosch Massouw and the last chief of the Taaibosch Kora. He lived at Mamusa and had about 5000 followers.

Massouw's political life revolved around his enmity with Mankuruane and the struggle to prevent Whites from encroaching on his lands. He became involved in a war with Mankuruane from January to July 1882.

Massouw felt that a large portion of his land had been taken from him by means of the London Convention of 27 February 1884, so he proceeded to steal cattle from White farmers and Tlhaping. He would not stop these cattle-thefts so Commandant-General P.J. Joubert of the Transvaal was sent to settle matters with him. Joubert's force of 800 men was resisted by Massouw on 2 December 1885. By the next day the Kora had been defeated. Massouw, his two sons and about 60 of his followers were killed during the battle.

Sources: D.S.A.B. II, pp.451-2; Breutz: The Tribes of the Vryburg District; J.A. Engelbrecht: The Korana; Interviews conducted in Bophuthatswana.

12. Morwe (? - ?).

He was the younger brother of the second hut of Chief Bareki, and headman at Batlharos. During the Rebellion he fought for (at Gamopedi) and against the Government forces. He was imprisoned in early 1879 for continually stealing cattle and burning down a White-owned bottlestore near Batlharos, and was released at the end of the Rebellion.

After the annexation of Bechuanaland to the Cape of Good Hope in 1886 hut tax was introduced and paid in stock. Morwe was dissatisfied about it and left for Mokala in South West Africa.

Sources: Breutz: The Tribes of the Districts of Kuruman and Postmasburg; Interviews conducted in Bophuthatswana.

13. Motlhabane (1790/1800 - 1891).

He led his tribe the Baga-Maidi to Manthe during the reign of the Tlhaping chief Mothibi, and his tribe was granted independence in about 1840.

In 1884 a war broke out between Motlhabane and Mankuruane over the alleged theft of seven horses. A guerilla war was waged for three years and Mankuruane was compelled to sue for peace in 1887.

Motlhabane was on friendly terms with both the Boers and the British and, when he died in 1890, he was a very old man.

Sources: Breutz: The Tribes of the Districts of Taung and Herbert; Interviews conducted in Bophuthatswana.

14. Solomon the Rolong (? - ?).

He was an ex-policeman from Victoria West who had taken the oath of allegiance. He was captured at the end of the Rebellion, either at

Kanje on 17 June 1879 or at Morokwen in June 1879.

Sources: Diamond News, 7 February 1880; Letter from C.E. Stewart to F. Hodgson, 29 September 1937.

15. Judge Andries Stockenström (1844 - 1880).

He was the son of Sir Andries Stockenström, Lieutenant-Governor of the Eastern Province of the Cape Colony. Born in Graaff-Reinet, he studied law in London. He was admitted as a barrister in the Eastern Districts Court in the Cape Colony in 1856. Controversy surrounded his appointment as Judge of the Land Court in Griqualand West on 10 September 1875, because of his well-known sympathy for the Boer cause.

Stockenström became Attorney-General of the Cape Colony in 1877 and a member of the Legislative Council in 1878. He was reappointed as a Judge in 1879 and strongly condemned the outcome of the Koegas murder trials.

Sources: D.P. Faure: My Life and Times; Warren: On the Veldt in the Seventies; E. Rosenthal: Encyclopaedia of Southern Africa; Agar-Hamilton: Road to the North; Walker: A History of Southern Africa.

16. Sir Charles Warren (7 February 1840 - 21 January 1927)

Warren was promoted to Captain in the Royal Engineers in 1869, and from 1871 to 1876 served in England. He was seconded to represent Britain in the demarcation of the boundary between the O.F.S. and Griqualand West in October 1876. He and J.E. de Villiers, the O.F.S. representative, began their work on 18 April 1877 and after six days had completed their work. After travelling to Lourenco Marques en route to Zanzibar he was recalled and appointed special commissioner to investigate

all land claims on appeal with the High Court of Griqualand West.

Warren was given command of the Diamond Fields Horse in January 1878 and served for six months in the Ninth Frontier War. In April he was promoted to major and in May returned to quell the rebellion in Griqualand West.

On Lanyon's departure for the Transvaal in March 1879, Warren became Acting Administrator, but he was allowed to return to England in October 1879. From 1880 to 1882 he taught surveying at the School of Military Engineering at Chatam. He was sent to Egypt and Arabia in August 1882 to ascertain the fate of the Palmer Expedition and was awarded the K.C.M.G. in 1883.

Warren was ordered to lead an expeditionary force to Bechuanaland in 1884. He marched to Vryburg and Mafeking at the head of 4000 men and put an end to the two Boer Republics of Stellaland and Goshen, after a bloodless campaign. Bechuanaland was then proclaimed a British Crown Colony. Warren was awarded the G.C.M.G. in 1885 and appointed commander of the garrison at Suakin on the Red Sea, but shortly thereafter was recalled to Britain as chief commissioner of the Metropolitan police. In 1887 he received a K.C.B. and in November 1888 resigned from the police force. He was posted to Singapore as a Major-General from 1889 to 1891 and retired in 1898.

On the recommendation of Lord Landsdowne, the Secretary for War, and Viscount Wolseley, the Commander-in-Chief, Warren was appointed deputy commander-in-chief of British forces in South Africa under General Sir Redvers Buller. Buller and Warren disagreed on most things, the most crucial of which were military tactics. In April 1900 Warren was appointed military governor of Griqualand West in order to put down the Cape rebels. He returned to England in July 1900, was promoted to General in 1904 and retired in 1905.

To those who served under him Warren was a "character" and, although a stern disciplinarian he was deeply respected by all of them. He was a versatile and gifted man, but by nature he was so impulsive and self-willed that his contemporaries found it hard to co-operate with him and were often antagonised.

Sources: Agar-Hamilton: Road to the North; D.N.B. 1922-30, pp.889-91; D.S.A.B. I, pp.864-6; Warren: On the Veldt in the Seventies; Williams: Life of Sir Charles Warren.

17. Nicholas Waterboer (1819-1896).

He had a Christian education at Griquatown under the auspices of the L.M.S. He succeeded his father, Andries Waterboer, as chief at Griquatown in 1852 and requested Britain to annex his territory in 1871. On annexation he was supposed to have received a regular allowance, but only received an insufficient sum irregularly.

Waterboer was accused of complicity in the Griqualand West Rebellion and sent to Hopetown until the uprising had been quelled. He moved to Griqualand East (no date), where he worked as a carpenter in Kokstad, although he still received an annual allowance of £1000.

Sources: Agar-Hamilton: Road to the North; Rosenthal: Encyclopaedia of South Africa, 4, 5 and 9; Walker: A History of Southern Africa.

18. Klaas Windwaai (? - ?).

He was an old Colonial Black who had migrated to Griqualand West. He was one of the principal leaders in the Rebellion of 1878 and was captured on 24 June 1879.

Windwaai was charged with high treason and sedition, found guilty and sentenced to death in February 1880. Frere reduced the sentence to life imprisonment and in June 1880 approved of the release of all State prisoners.

Sources: T. Strauss: The Korana and the Northern Border Wars of 1868-9 and 1878-9; Diamond News, 7 February and 10 February 1880; Interviews conducted in Bophuthatswana and Griqualand West.

19. Mpolokeng Luka (1820/30-1897)

He was the eldest son of Jantjie and was regarded by his people as a good leader as well as a kind man.

Luka worked for a while on the diamond fields, but left because of an incident in which he whipped a White man for theft. He was actively involved in transporting wood to the diamond fields and body-grease from Blinkklip to the tribes north of Daniel's Kuil.

Luka took part in the Rebellion of 1878 as well as the Langeberg Rebellion of 1897. He was killed in the latter outbreak.

Sources: Breutz: Tribes of the Districts of Kimberley and Postmasburg; Mackenzie: Austral Africa, I; Interviews conducted in Bophuthatswana.

APPENDIX B

NOTES ON GENEALOGICAL TABLES

1. Where possible, the houses have been ranked in order of seniority from left to right. However, since this has not always been the case, it is suggested that readers consult the relevant sections of the text.

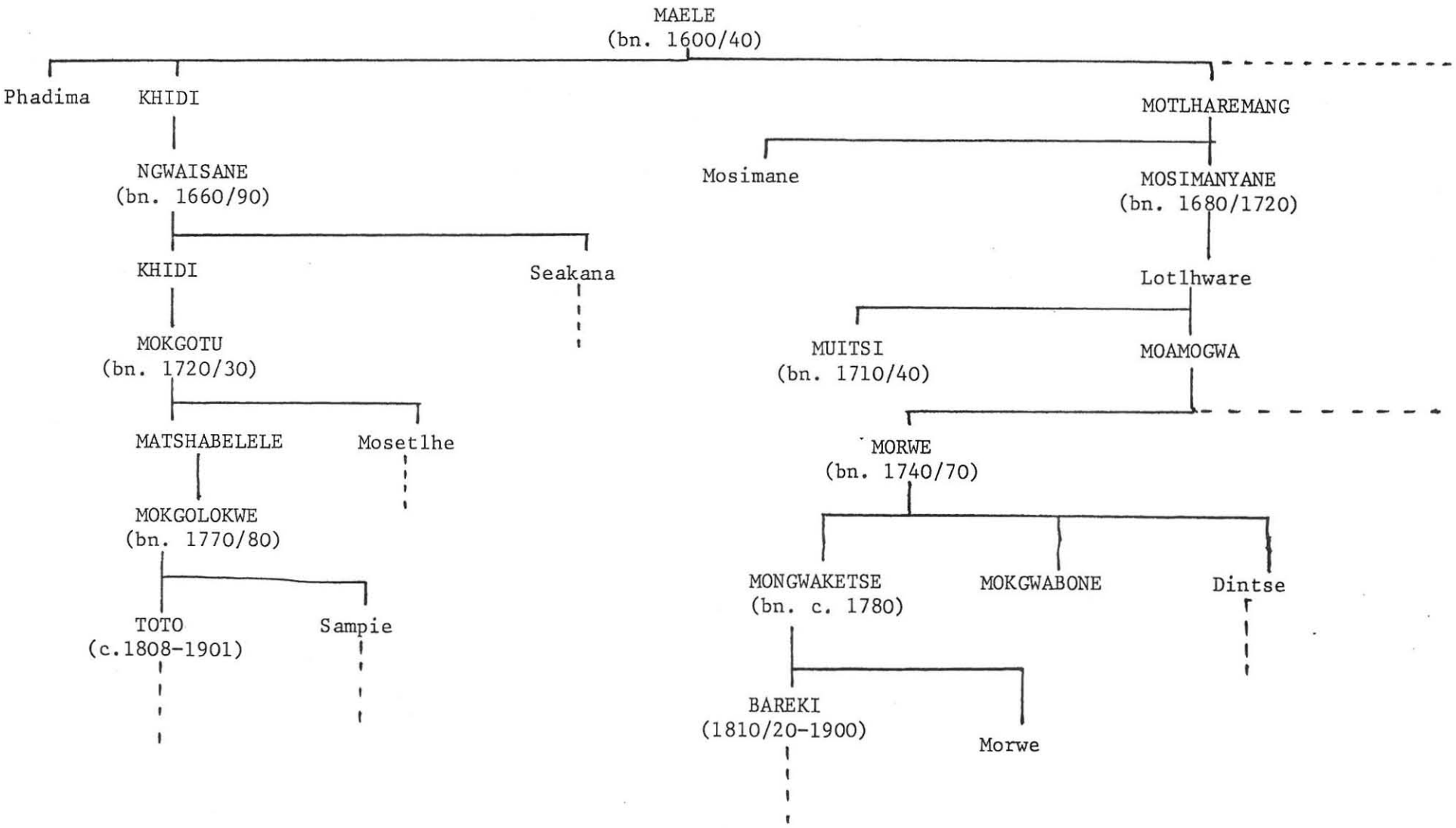
2. Sources for dates are given in the text or in Breutz: Tribes of the Districts of Taung and Herbert, Tribes of the Districts of Kuruman and Postmasburg and Tribes of Vryburg District.

3. The dotted lines on the genealogical tables indicate that the line extends but that the persons concerned had no connection with those involved in the rebellion.

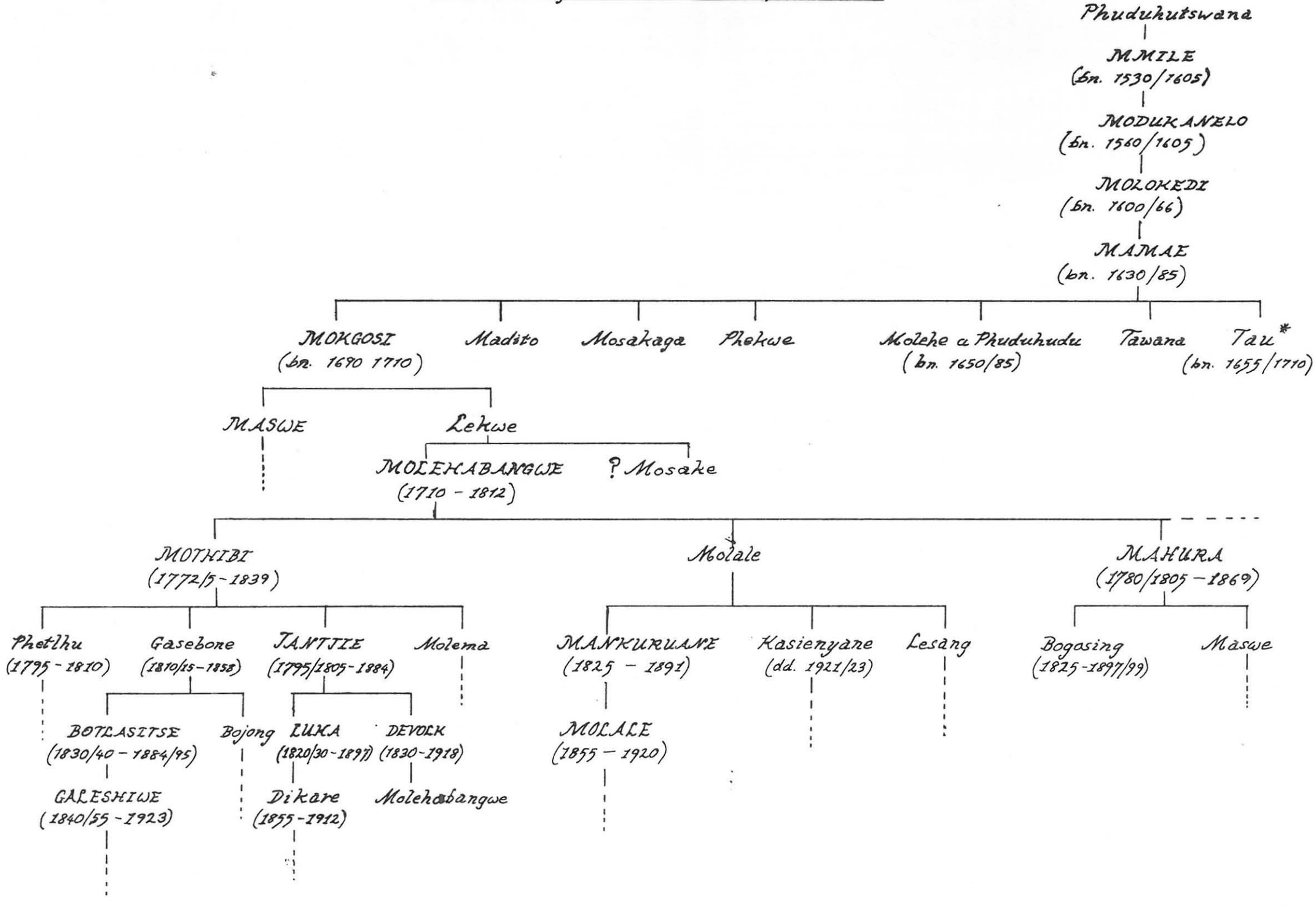
4. Ruling chiefs are denoted by the use of capital letters.

APPENDIX B(i)

GENEALOGY OF THE TLHARO CHIEFS AND HEADMEN



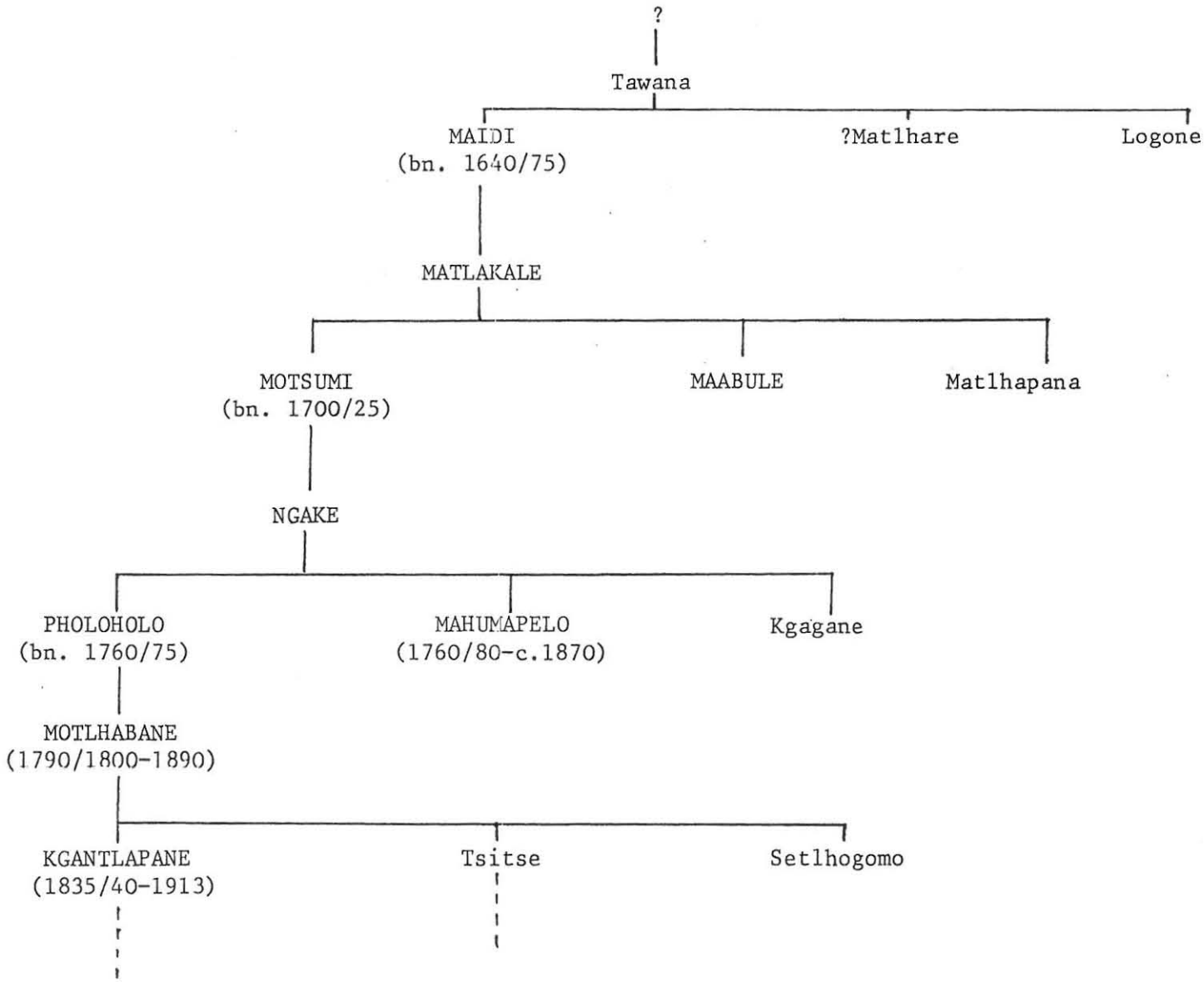
APPENDIX B (II)
GENEALOGY of THLAPING CHIEFS & HEADMEN



* This was not the man after whom Taung was named.

APPENDIX B(iii)

GENEALOGY OF THE BAGA-MAIDI CHIEFS AND HEADMEN



APPENDIX C

CAMPBELL'S LAWS

At public meetings in Griquatown it was agreed that their two Chiefs should continue to act as commanders in things requiring the public safety against foreign attacks. The people resolved that they should be called Griquas, instead of Bastard Hottentots, and their capital Griquatown, instead of Klaarwater.

During the interval between the meetings, Campbell drew up some general laws, and the following were agreed to by all the people present:

I. That wilful murder be in every case punished by the death of the murderer. The execution to be always public, either by hanging or shooting.

II. That housebreaking be punished by public whipping - for the second offence, whipping and hard labour, during a term which the judges may consider proper, or which may be afterwards agreed to.

III. For stealing a bull, ox, cow, horse, sheep, or goat, to be punished by restoring double, or more, as shall be decided by the court - for a second similar offence, whipping and restoring double - for a third similar offence, a term of labour to be added to the former punishment.

IV. For stealing from a garden, either whipping or a term of labour for the person in whose garden the robbery was committed.

V. For robbing from a field in autumn, double restoration.

VI. For allowing cattle to feed near growing corn, if they go into that field, and eat or destroy the grain, the proprietor of the cattle to pay double the loss that may have been sustained.

VII. If a Bushman, Coranna, or any stranger be murdered, the murderer shall receive the same punishment as for murdering a Griqua.

VIII. Going upon a commando for plunder, to be punished by a term of labour, and the property taken to be restored to its owners.

IX. If a Bushman, Coranna, or other stranger, commit murder, theft, or any other crime within the limits of the Griqua country, the punishment to be the same as if he had been a Griqua.

X. That no person shall take it upon him to punish another, whatever injury he may have received from him, but must bring his charge against that person, and prove it by witnesses before the court, which shall determine what is fit to be done.

XI. That no person, who is to be a judge in any cause, is to receive a present, directly or indirectly, from any of the parties whose cause is to be tried before him.

XII. In order to evade rule eleventh, should a person promise to give at a future time a present to any of the judges who are to try his cause, that person shall be fined, and if unable to pay the fine, shall be adjudged to give a term of labour in proportion to the value of the fine.

XIII. That all persons flying from justice in the colony, in consequence of some crime they have committed and coming among them, shall be delivered up to such persons as may be sent in pursuit of them.

XIV. That every person who shall endeavour to prevent the execution of the laws, shall be punished as the court shall judge proper.

The people also resolved that nine magistrates should be chosen to act as judges at Griquatown and one at each of the two principal outposts, who would judge minor cases only. The court of appeal was to be the two chiefs Bern and Kok and the Revs Anderson and Jantz.

Source: Taken verbatim from Rev. John Campbell: Travels in South Africa (London, 1815), pp.351-4.

APPENDIX D

SCHEDULES OF THE CLAIMS ALLOWED AND DISALLOWED BY JUDGE STOCKENSTRÖM ON 16 MARCH 1876 AND 18 MAY 1876

1. Claims Allowed on 16 March 1876

   a) 6 to land based on British certificates.

   b) 162 to land under Free State titles.

   c) 27 to erven at Boetsap.

   d) 28 to land based on grants made by Cornelius Kok.

   e) 6 to land based on grants of Adam Kok.

   f) 2 to land based on grants alleged to have been made by Andries Waterboer.

   g) 34 to land under alleged grants, or leases from or promises alleged to have been made by Nicholas Waterboer.

   h) 7 to land based on occupation with the consent of Black chiefs.

   i) 1 on purchases from individual Blacks.

   j) 24 miscellaneous.

2. Claims Disallowed on 16 March 1876

   a) 2 to land based on Free State titles.

   b) 17 under titles to land issued by the Z.A.R.

   c) 5 to land based upon titles emanating from Jan Bloem.

   d) 33 to land based on titles emanating from Barend Bloem.

   e) 55 to land based on titles alleged to have been obtained from Barend Barendse or his alleged heirs.

   f) 157 to land under titles issued by Theodore Doms as Agent of the Rolong and Tlhaping tribes.

   g) 37 to land based on grants made by Cornelius Kok on the ground of non-occupation.

h) 14 to land based on grants made by Cornelius Kok on grounds other than non-occupation.

i) 6 to land based on grants made by Adam Kok.

j) 5 to land under alleged grants from Andries Waterboer.

k) 67 to land under alleged grants, or leases from, or promises alleged to have been made by Nicholas Waterboer.

l) 152 as alleged engagements of the Griqua Government and claims stated by David Arnot to be invalid.

m) 32 to land based on occupation solely.

n) 10 to land based on purchases from individual Blacks.

o) 7 to land based on certificates signed by J.B. Currey, Secretary to the Griqualand West Government, and bearing the public seal.

p) 25 miscellaneous.

q) 74 Applications not based on any alleged grants.

3. Grants Recommended on 16 March 1876

a) 2 under Jan Bloem.

b) A location for the Kora and grant to C. Holloway under Barend Bloem.

c) 18 erven at Boetsap.

d) 2 purchased from Theodore Doms.

e) 15 purchased from Theodore Doms.

f) J.G. Poole under Nicholas Waterboer.

g) 16 on improvements on farms occupied in the Albanian "Reserve".

h) 2 (100 morgen adjoining house) based only on occupation.

i) Those who purchased certificates, or advanced money on them to be indemnified by the Government.

4. Claims Allowed on 18 May 1876

a) 14 to land based on written "requests" or certificates of the Griqua Chiefs of Griquatown.

b) 48 to land based on occupation with the consent of, or under allotments made by, the Griqua Chiefs before cession of the country to the British Government.

5. Claims Disallowed on 18 May 1876

a) 8 to land verbally allotted by Chiefs of Griquatown, but not occupied.

b) 13 to land based on pretended allotments or grants made by Nicholas Waterboer after cession of the country to the British Government.

c) 118 alleged claims to land in support of which the alleged claimants did not appear, and no evidence was tendered.

Sources: Summary of Schedules No. 1-31 accompanying Stockenström's judgment of 16 March 1876, pp.33-76 and Schedules No. 32-36 accompanying Stockenström's judgment of 18 May 1876, pp.9-16.

APPENDIX E (1)

FIELDWORK METHODS

Fieldwork lasted approximately five weeks in August and September 1977. The greater part of this time was spent in Bophuthatswana but some interviews were also conducted in the Postmasburg, Matsap and Witsand areas of Griqualand West. All the surviving Tswana chiefdoms in the Kuruman and Taung districts which took part in the Griqualand West Rebellion of 1878 were visited and information concerning the rebellion, as well as the social and economic history of the Tswana was obtained from certain chiefs and the persons they thought best qualified to give it. This was the only practical method of covering such a large area within the limited time available. Not only was it the only way in which many informants could have been located, but the presence of a chief or headman diminished their fears and suspicions. If time had allowed, it would have been most useful to have visited privately the informants who demonstrated considerable knowledge at the official meetings. The muddled time depth of the oral traditions and the paucity of good and reliable informants limited the amount of information obtainable at any one place.

The Bophuthatswana officials at Mothibistad, which is about eight kilometers northwest of Kuruman, proved most helpful and supplied me with my interpreter, Reginald Sebape, without whom I would not have gathered a sufficient amount of information. Reginald and the authorities at Mothibistad introduced me to the local customs and spread the word that I was conducting interviews in the area. This proved invaluable and saved long explanations every time there was an official meeting with informants. As Reginald had been educated at Batlharos and had travelled

to all the places I intended visiting, our journeys were carefully planned beforehand.

The assistance I received from Chiefs Toto, Motlhabane and Jantjie was invaluable. The most informative interviews were conducted either with them or in their presence, and they either interpreted themselves, during the official meetings or assigned one of their Councillors to do the job for them. These chiefs knew who the best informants in their respective areas were, but names of informants were also obtained from government officials, teachers and traders.

Everyone I spoke to in Bophuthatswana agreed that informants would be wary of a tape recorder and this proved to be the case. In the only interview in which a tape recorder was used the informants were very unforthcoming (even after I played back a part of the conversation) and only agreed to answer my questions when the tape recorder had been taken away. I could find no explicit reason for this behaviour, but there is a reasonable chance that fear of the tape recorder may have been rooted in suspicion that it might be used in evidence against them. In all the interviews I took short notes, which I wrote up in full later together with any other information which might have been gleaned in casual conversation. Many informants spoke far more freely when I was absent, so my interpreter told me any interesting information which might have been discussed either during my absence or when I was talking to someone else. He managed to obtain some extremely useful information, which I usually followed up, sometimes with excellent results. Most of this information concerned the actions of the personalities in whom I was interested, for example, Morwe's imprisonment for burning down a White-owned bottle-store (See p.151).

I am unable to speak Tswana, but do have a basic knowledge of Xhosa which stood me in good stead on numerous occasions.

Most of my good informants had little formal schooling and could not read or write, but the greater part of their evidence was borne out by that of the official records of the period. I found also that the general information given by the informants at one place was usually corroborated by those at another; it was the specific dates of events which were difficult to substantiate.

In all the interviews I had a list of questions which I had drawn up beforehand, but in none of the interviews did I go beyond the third or fourth question on my list without obtaining the following questions from the information which I had just received. I found it most rewarding to start off these sessions with questions of a general nature before moving to the specific topics about which I was particularly interested. The questions asked during all of the interviews fell into the following categories:

1) Social structure and economic activities.
2) Land ownership and the availability of land (this was given as the main reason for the rebellion by all informants).
3) The number and purposes of the wagons used.
4) The ease of access to arms and ammunition.
5) The influence of missionaries and traders.
6) Specific events such as battles (most of this information was fairly muddled as the informants tended to confuse the rebellions of 1878 and 1897).
7) Specific personalities (not unexpectedly the informants stressed only the good side of their ex-chiefs' characters, but did not hesitate to criticise the policies pursued by other chiefs).

Interspersed between these topics were certain local histories, such as inter-tribal warfare, which helped me to understand why chiefs adopted different stances during the rebellion.

Gift-giving was an important part of the interviewing procedure and in this respect I was assisted by the Bophuthatswana authorities. It was suggested that brandy and tobacco would be the most appreciated gifts. I then resorted to giving a bottle of brandy to the group which I had interviewed and tobacco to all the individuals involved. Those persons who did not drink were given an extra portion of tobacco.

The only field worker who appears to have visited the districts visited by me was the ethnologist Dr P.L. Breutz. I was informed that he had refused to accept certain correspondence between chiefs and missionaries and that he had stressed the claims of certain chiefs who did not deserve their elevated position in accordance with tribal tradition. I had expected to receive in toto the information collected by Dr Breutz in some of my interviews, but, as some of his evidence was not accepted by most of my educated informants, I had no problems on that score.

All told the information I collected during my sojourn in Bophuthatswana and Griqualand West was most useful, but five weeks was too short a time to be able to cover extensively the oral tradition of the rebellion of 1878. However, it did give me a glimpse of what the Blacks felt about the rebellion and it put into perspective the actions of various chiefs before, during and after the rebellion. In the limited time available I was not able to trace the descendants of certain important leaders in the rebellion such as Botlhasitse, Donker Malgas, Gamga and Nicholas Waterboer and this is where new information is most likely to turn up. In this respect also, not enough Griqua, San or Whites were interviewed, although I found that the Griqua and Whites did not have the same sense of oral tradition as the Blacks. It was unfortunate that

the Whites who could have helped me most in my research were away when I wanted to interview them.

APPENDIX E (II)

LIST OF PRINCIPAL INFORMANTS

Most of the men listed below had received at least two years of formal education and had spent a certain amount of time working in urban areas, mostly on the mines, at Kimberley and elsewhere in Griqualand West.

1. Chief J.B. Toto

Descendant of Toto, son of Mokgolokwe. Speaks very good English. He could give no information on the rebellion itself but was a great source of information on the social and economic history of the Tswana. He had an eighty year old uncle who lived at Tsineng and was quoted as being an authority on the local history of the Tlharo, but the old man was on holiday when I visited him. Residence: Batlharos.

2. Mr F.M. Kgokong

Holds no official position and speaks no English. He remembered certain aspects of the rebellion in great detail, but was muddled on the rebellion as a whole. Residence: Batlharos.

3. Mr S. Senatle

One of the oldest informants. He was an authority on the history of his people and clearly remembered the events of the 1897 rebellion, but was not too clear on the facts of the rebellion of 1878. He was a widely respected oral historian with little formal education and no knowledge of English or written sources. Residence: Gasehubane (a small village near Batlharos).

4. Chief Tudeutso Emmanuel Jantjie

Descendant of Luka, son of Jantjie. He speaks English. He was only 28 years old and did not know much of the oral tradition of his people, but he had some useful information on Jantjie and Luka. The man he stated as being the best authority on his people was an ex-teacher who had lived with an old man. This man now runs a bottle-store in Mothibistad, but he was away on business when I called on him. Residence: Manyeding.

5. Mr Molehabangwe

Son of Devolk, son of Jantjie. Speaks no English. He was an authority on the local history of the Tlhaping as well as on the rebellions of 1878 and 1897, most of which he had learnt from his father. He was one of the best informed men on the rebellion and its consequences. Residence: Manyeding.

6. Mr Olebile

Son of Dikare, son of Luka, speaks no English. He was not as mentally alert as Molehabangwe and did not have the same grasp of the oral tradition of his people, but he gave good character sketches of Jantjie and Luka. Residence: Manyeding.

7. Mr Cwelelang Prince Setungwane

Councillor of Chief T.E. Jantjie. He speaks good English. He was a greater authority on the social and economic history of the Tlhaping than on the rebellion of 1878. Residence: Manyeding.

8. Mr Mokae Moehi

He had a good grasp of the history of the Tlhaping, the relationships between the various tribes and the encroachment of Whites on Black land.

He speaks little English and good Afrikaans. Claimed that he heard the traditions from old men in the vicinity. Residence: Randroos.

9. Mr Hendrik Nero

He was the only San who was interviewed and he gave the San point of view on the land problem and the relationship between the San, Tlhaping and Whites. He speaks no English and a little Tswana but is fairly fluent in Afrikaans. Residence: Randroos.

10. Chief Walter Letsie Motlhabane

Descendant of Motlhabane. Speaks good English. He had a general knowledge of the history of the Baga-Maidi section of the Tlhaping tribe, but said that his most knowledgeable informant had died in 1976. He was in the process of collecting information in order to be able to write up some aspects of the history of his people when I visited him, but his knowledge of the rebellion was scanty. Residence: Manthestad.

11. Mr Matolo

A retired teacher who spoke very good English. He was regarded by those at Taung as one of the most knowledgeable men with regard to the history of the Tlhaping. Much of his knowledge had been obtained from various written sources but he introduced me to an old man, whose name was unfortunately not obtained, who was the best informed historian that I met. This old man recited many Tlhaping traditions and although bed-ridden was still mentally very alert. Of all the informants he had the most knowledge on the history of the Tlhaping and the rebellion of 1878. Residence of both men: Taung.

12. Interviews were conducted at Tsineng and Sese without any success, as the informants could only relate some general aspects of Tlharo history which were common knowledge and had little or no knowledge of the rebellion of 1878.

13. Mr Willem Neels

He was a Griqua and spoke only Afrikaans. He was considered as the local authority on Griqua history but he had very little to reveal about the rebellion of 1878. The topics on which he was most knowledgeable were the social and economic history of the Griqua and the trade in arms and ammunition. Residence: The farm "Morgenswag" in the Witsand area.

14. Mr J.G. Bester

He was the only White man interviewed in Griqualand West who had an unbiased view of the land problem. Other Whites held a distinct racial bias and felt that the Whites had obtained all the land to which they were entitled. Although Mr Bester had no knowledge of the rebellion, he did have considerable knowledge of the Matsap area and gave perceptive answers to questions. Residence: Matsap (one of the farms awarded to N. Waterboer by Captain Warren).

APPENDIX F

SONGS OF THE VOLUNTEERS

1) The Kimberley Volunteers

(Air: "British Grenadiers.")

The war upon our border
Has called men from their wives,
To leave their little children
And go and risk their lives,
But, to a man, when called upon,
They responded with loud cheers
To fight for their adopted home,
Did the Kimberley Volunteers.

CHORUS: Then shout hurrah for Africa's pride
The men who calm our fears,
To bugle call in line they fall,
Do our gallant volunteers.

The Kafir mode of warfare
Is certainly most base;
Britons like to meet their foes
In open, face to face,
But in the bush, or on the plain,
A path our corps soon clears,
To honour or to triumph,
Do our gallant volunteers.

CHORUS: Then shout hurrah etc. etc.

Victories crown'd their efforts
First in King William's Town,
For bravery in action
They've gained no small renown.
The first to lend assistance
When need for it appears
And last to leave the battlefield
Are the Kimberley Volunteers.

CHORUS: Then shout hurrah etc. etc.

The name of "Englishmen" is
Foremost in history placed;
The synonyme for daring,
May it ne're be effaced.
They fight for death or glory, and
Have held their own for years:
The pride of dear old England
Is her gallant Volunteers.

CHORUS: Then shout hurrah etc. etc.

2) Griqualand Volunteer Song for 1878

The bugle calls! come out ye boys, ye boys of Griqualand;
Of British blood, of British faith of British heart and hand!
The savage foe his war-cry shouts, defies Britannia's rule;
We'll teach a lesson him, and one not taught in church nor school.
The rifle loaded, spur your steed, and join ye in the shock!
Hurrah for England! Are we not a chip off the old block?
The old block that at Agincourt, Cressy, and Waterloo,
And one thousand glorius battlefields bore the "Red, White and Blue."
Our Volunteers have gone to north, have gone to south, east and west,
Where they met Britannia's foe, they've done their level best.
Farewell my friends, my sweetheart dear but do not weep nor sigh,
Duty and honour both command, to conquer or to die.

Source: C.E. Prior: Diary of the "Griqua Campaign" from June 1 to October 31 1878.

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24° 25° 26°

wengR

t Plains

U A N A L A N D
(Mahura's Country)

Level and open

with low bush in places

Waterhole Flaring Makeppa Chene Fontein Bede Banana Fontein

teletse Bodibatala Korannan Matsoapolou Kgvutsang

ring

N Klou 27.7.78

Groot Fm

Logogane

Bleak Fm

Sekalagane Depotsane

Mareybeng

Boetsap

Klein Boetsap 17.7.78

Pewsey's Fm

L I P D L A N D S
OR B A R K L I P

Doorn Fm Bellows Fm

Wolf Fm

Riet Fm

Koopman

Steinkop River

Groot Fm K Riet Fm Honda Fm

Yogle Fm Lakatlong Londown

Welfords Helports Hope Setlers

Xosa

Gt Riet Fm

Kaffir Valley

Esterhuizen Sandy Plain Forlorn Hope Blue Jacket

Hongs Reignap River Dwars Vley

Monasee

Steinkop River

Keiskama

Union Kopje Gona Gong

New Rush

Beacon

Chigos

Cawoods Hop Bad Hope Websters Pniel

Garieb River

Schmidts Fm

Shepherds Hotel

Pniel MS

Farm Farm Farm Halfway Ho

Bredikamps Fm

Bismarks Retreat

Scoltz Dam

Radloff

Tonders

Colesberg Kop

KIMBERLEY

Du Toits Pan

Bult Fm

Alexanders Fm Farm

Benaauwdheids Fm

Olifants Kop Farm

Olifants Fm

Marite Fm

Magers Fm

Combrink

SCHOLTZ BERG

KOODOOS BERG

Modder River

Nicholson Avoca

Douglas Koks Kop

Webb

LOSBERG

Smouse Wert

Roode Pan Dover

VET BERG

Kruid Fm

Salt Pan

Thornhill

Kahal's Pan

KOLBERG

Honingnest Kloof

Klip Pan

Burgers Grass Pan

Rooi Laagte

Swartputs

DIX BERG

Witputs

Saltpan

Witkop Laagte Kalk Fm

Barnard Bothas

Jacobsdaal

Davids Graf Kalk Fm

Berry

VOETPADS DRIFT

Du Plooy

Nqude

Vuren Fm

Floatgat

Modderpoort Rodderpoort

Aprons Kraal Modder River

Effords Farm

Vorster

Haal Spruit

Botha

Poortjesdam

BLAAUWBANK DRIFT

Lendlings Fm

Coffee Fm

Riet River

Van Zyl

Plat Kop

Stippers Kop

Koffir Kop

Liauw Pan

Vits Poort Farm

Courage Pan

Belmont 4050

VANER

Driekops Pan

Gt Karree Laagte

Lt Karree Laagte

Zwink Pan

Waterfall

Eskdale

Brand Fm

Los Kop

Dissel Fm

Quagga Pan

3830

Tuin Gat

ROSKOLL'S PONT

KRYMAN'S DRIFT

Langford

MATHEWS PONT

BRIDGE PONTOON

HOPETOWN 3720

Ramah

Fredricks Fontein

FREDRICKSBERG

Elands Draai

SALTPANS DRIFT

Tistees Pan

Schietmakar

Brak Fm

Krom Elloog River

Bethany

Pouris Spruit

Edenburg

Riet Spruit

FAURESMITH

Boomplaats

Kraai Bosch

VISSERS DRIF

Thurebasch Poort

Cattle Farm

Bonaray's Kop

Gous Pan

Limoens Kop

Groot Pan

Zout Pan

Doons

Withuis 10.6.78

Waldeaks Leegte

Draai Hoek

Links Fm

Middle C

Lower C

Upr Campbell

Moruani

Ilhunel SAND DRIFT

Combrink

Nqude

Du Plooy

Majemarchu Hills

Hebron

Spivenhauwer

Erasmus

Leeuw Fm

Gamarlatte

Charlottsdal

Boesmans Kop

Schuinpan

Uys

Riverton

Rootkraal Fm

Du Toits Fm

Riet Valley

Van Wyk Fm

Boshof

To Natal via Winburg

Roseberry Plain

Tarantal Kop

Paterson

Voor Riet Zigh

Riet Pan

Old de Beers

Middelveld

Plain

Immense

Plains

Tufted Vaal Bush 4200

CHRISTIANA

Luhbes Fm

Farm

Kokes Fm

Bastards

Thompsons 3909

Mokhata R

Tygerkloof

Decoral

Mamusa

Johannis

Garden

Bushmans Fm

Sterk Fm

Open Country with small patches of bush

Rietfontein Pan

Shelters

Molimong

Monte

TAUNGS

Kameel Pan

H Weber

Saltpan

Van Zyl's

Potgieter

Plessis Farm

Verreno

Nickerks

BLOEMHOF

Makassi Drift

Many Islands

Vet R

Caledon R

Kaffir Spruit

Bankhaqo

Matlabane's Old Town

Grassy Plain

Blessbok Fm

Pnokwane

Burnpolong

Springbok Fm

Mokalamong

Bastards

Thompsons

Boorn Fm

Bellows Fm

Mauthvie

Spaldings

MT RUPERT

Gert Leow

Platberg

BLIGNAUTS PUNT

Brallys

De Beers

Gunning

Schoolplaats

Plan Fm

Majemarchu

Riet Manzene

Honda Fm 4650

Lakatlong 4700

Londown

Welfords

Helports Hope Setlers

Sandy Plain

Forlorn Hope

Greefs Pits

Esterhuizen

Blue Jacket

Keiskama

Union Kopje

Gona Gong

New Rush

Cawoods Hop

Bad Hope

Webster

Pniel

BARKLY

KLIP DRIFT

UPPER KLIP DRIFT

Chigos

Beacon

Schmidts Fm

Shepherds Hotel

Pniel MS

Farm Farm Farm Halfway Ho

Bredikamps Fm

Bismarks Retreat

Scoltz Dam

Radloff

Tonders

Colesberg Kop

KIMBERLEY

Du Toits Pan

Bult Fm

Alexanders Fm Farm

Benaauwdheids Fm

Olifants Kop Farm

Olifants Fm

Marite Fm

Magers Fm

Combrink

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Zout Pan

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Withuis 10.6.78

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Draai Hoek

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Lower C

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BLOEMHOF

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Burnpolong

Springbok Fm

Mokalamong

Bastards

Thompsons

Boorn Fm

Bellows Fm

Mauthvie

Spaldings

MT RUPERT

Gert Leow

Platberg

BLIGNAUTS PUNT

Brallys

De Beers

Gunning

Schoolplaats

Plan Fm

Majemarchu

Riet Manzene

Honda Fm 4650

Lakatlong 4700

Londown

Welfords

Helports Hope Setlers

Sandy Plain

Forlorn Hope

Greefs Pits

Esterhuizen

Blue Jacket

Keiskama

Union Kopje

Gona Gong

New Rush

Cawoods Hop

Bad Hope

Webster

Pniel

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Gous Pan

Limoens Kop

Groot Pan

Zout Pan

Doons

Withuis 10.6.78

Waldeaks Leegte

Draai Hoek

Links Fm

Middle C

Lower C

Upr Campbell

Moruani

Ilhunel SAND DRIFT

MAP
OF
GRIQUALAND WEST
AND ADJOINING DISTRICTS.

compiled from
the Survey of Eastern Boundary by
Lieut: Colonel C. Warren C.M.G.
Royal Engineers,
the itineraries of Capt: H.M.E. Brunker 26th Regt.
and other sources.
AUGUST 1879

Scale 1/633,600 or 10 miles to 1 Inch
10 5 0 10 20 30 40 MILES

22° 23° 24°
27 28 29

Mottio
Moshewenq R
Takoon 24.7.78
Poku Plains
BALLALAS
Gamoperi 17.7.78
Matlarene R.
Pellat Plains
Kuruman River
Matlarene
(Mahura's Count
Level and op
Batlaros
Phokane
Magaphieri
Waterpan
Waterhole
Flarving 5000
Fontein
Gantl
Chapman's Post
Botiteletse
Bodibatala 4900
Mazeppa Thene
Koranum 4800
KURUMAN
Linchee Lengwe
Mancring
97.78
Mazeppa
Klou 27.7.78
with low bush
KAMANI BATLAPIN
Kulais
Konung
Groot Fn
Logogane
Bleak Fn
Sekalagane
Debing
Tonks
4750 Khosis
Kameel R
KALAHARI
Nelson's Fn
5100 Marebaneng
Ramajes Kop
Jangiana 14.10.78
4300
Gobatsi
4700
Gamogara
Makolokwe's St.n
Maremane
Kramers Fn
Klip Vley
Khaskantie Puts 11.14.78
4400
Looking
MOUNT HUXLEY
Riet Fn
5650 Skit Fn
DESERT
4720
Leclouw
Klip Fn
Daniels Kuil 5300
Kheis 5200
Riet Fn
Koopman 4800
Steinkop River
Groot Fn
Groenwater
Oude Plaals (Chapman)
Peling
Blinklip Farm
Blinklip
Andries Fn
Kloof
Kloof
Soemoneng
4800
F.a C.e Schermer
Deserted House
Xosa
Mimosa
Papkuil
Monasee
Kongs
Dwyka Riv
Reginap River
Steinkop R
Kaffir Valley
Vogel Water
Hoppies
Gasip
Kogelbeen
Beacon
Chugos
Xoungs W
Xoungs E 24.6.78
Bosjies Puts
Puts Fn 4300
Schmans Fn 4900
Schmidts Drift
Paarde Kloof 18.6.78
Matsap
Dam
Boren Ongeluk 5050
Witte Sand
Rhodemans Kloof
Lenurds Kloof
Ongeluk
Droog Kloof
Potgieter
Doons
Sitlogomi
Doorn Vley
Moos Fn 4850
Twee Fn
Up.t Campbell
Middle C.e 4700
Lower C.
Moruani
Ithunel
SAND DRIFT
Lang Kloof
Göras
GRIQUATOWN 4670
Links Fn 4900
Taaiboosch
Drie Fn 22.5.79
Jackals Vley
Groot Doorn
Koekamma
Waldeaks Leegte
Withuis 10.6.78
Draai Hoek
Modder
Kheis
Spitzeon Kop
Binval or Melk Stort
Sand Downs
Witwater
Spuigland
Nicholson
Avoca
Elands Fn
Floris Fn
Douglas
Koks Kop
Riet Fn
Mazel Fn
Smouse Wert
Roode Pan
Dover
Zeekoegaart
Desert Plains
Kameel Puts
Eyrian
Witberg
Roode Kop
Blauw Kop
Pan
Kruid Fn
Salt Pan
Koegas
Haaks Kain
Blint Fn
Brakies
Hardcastle or Kloof
Blaauwbosch Fn
Bul Fn
Riet Fn
Nougal R.
Pampean Pan
Pan
Snyders Fn
Swan Kuil
Brakjes Pan
Middle Water
Nauga
Kalk Put
Kalk Fn
Dix Pan
Kaffir Pan
Vrouw Pan
Wildebeest Pan
Prieska
Vit Draai
Wit Vlei
Karabee
Zout Pan
Bushmans Pan
Brakpoort Pan
Wit Fn
Kuil Pan
Boschjes Pan
Eskdale
Brand Fn
Los Kop
Dissel Fn
Luir Gat
Groot Pan
HOPETOWN 3720
Zout Pan
Banany's Kop
Gous Pan
Limoes Kop
CAPE WEST COLONY