

1. Inheritance of the land from their forefathers, who had owned and inhabited it from time immemorial;
2. Treaty with Hendrik Potgieter in 1837 whereby the Barolong right to the country of their forefathers was recognised;
3. Treaty with Andries Pretorius in 1851 recognising and confirming the Treaty of 1837 between the Barolong and Potgieter;
4. Treaty with Jan Viljoen in 1853, recognising and confirming the Treaty of 1851 between the Barolong and Andries Pretorius in 1851, and the previous Treaty with Potgieter in 1837.

Montshiwa's claim was honest and quite legitimate <sup>as long</sup> ~~inasmuch~~ as it represented what he considered truly to be his right, but he went on and alleged that after the defeat of Mzilikazi by the Emigrant Dutch and the Barolong in 1837, Hendrik Potgieter had by document acknowledged the right of the Barolong to their country. Matlaba stood up to say that Potgieter had handed him the document in question in the presence of Paul Kruger's father - Casper Kruger, and also Ludowik Kruger, and that he had in turn given it to Moroka for safe-keeping. Moroka followed next to confirm Matlaba's statement, and to ~~add~~ that the document had been destroyed by fire together with his other papers and furniture. The story might have some elements of truth as regards Potgieter's recognition of the right of the Barolong to their fatherland, but it sounds like naive romance when that recognition is reduced to a document, and the document has such an unfortunate destiny. The Reverend J. Ludorf, Chief Montshiwa's missionary and adviser was probably responsible for this artifice which Theal justly calls fabrication. The Delegates of the South African Republic based their counter claims on the grounds of:

1. The Sand River Convention (1852) which gave them untrammelled rights north and west of the Vaal River;
2. Right of Conquest of Mzilikazi who had over-run all the lands in question;
3. Negotiation with African chiefs, who had admitted and recognised ~~of~~ the above (No. 2) claim;
4. Occupation of the country in question by the Emigrant Dutch for over twenty years 1850 to 1870;
5. Treaty with the Portuguese Government whereby the lands of the Barolong were ceded to the South African Republic. It was claimed in this last connection that the Portuguese Government had bought the lands some 280 years previously from the half-fabulous empire of Monomatapa, and then ceded them to the South African Republic. Here was counter-artifice which may <sup>equally</sup> justly be termed fabrication.

The African chiefs were staggered at this stupendous and alarming information. There was indeed a treaty under consideration between the South African Republic and the Portuguese East African Government, but it was primarily of a commercial nature, and only defined the boundary between the Eastern Transvaal and the western limits of the Portuguese possessions, and it was not ratified until eight months later (July 1871).

The conference which had been conducted in a friendly manner came to a deadlock on this last claim of the South African Republic. The African chiefs <sup>said</sup> that no more discussion was possible until they had got into communication with the Governor of the Portuguese possessions in East Africa. They were unanimous in emphatically repudiating any authority of the Portuguese over their country. As a last resort, the delegates of the South African Republic spoke tenderly. They advised the Barolong chiefs to save their lands from the English by joining the Transvaal, dwelling peacefully in the Republic and paying taxes. To this invitation Montshiwa replied that "No one ever inspanned an ass with an ox under the same yoke."

As the commission of the South African Republic and the African chiefs could not come to any settlement, both parties agreed to refer their dispute to a court of arbitration. Accordingly the chiefs addressed a letter to Lt. General Hay, Her Majesty High Commissioner, requesting him to appoint two gentlemen as judges. At the same time, on the 17th November they addressed a letter of protest to His Excellency Carlos Pedro Barahona e Costa, Governor of Quillimane: "At a meeting held on the 15th and 16th November on the Molopo River with a commission of the Transvaal Republic over which His Honour the State President of the said Republic presided, a copy was produced of a treaty entered into between His Majesty the King of Portugal and the South African Republic whereby a new boundary line is laid down between the alleged Portuguese possessions in the interior of South Africa and the Transvaal Republic, which treaty has been made the ground on which His Honour President Pretorius claims a certain portion of our rightful territories, stating and asserting that thereby we had become responsible subject of his state. Therefore we the united paramount chiefs of the several Barolong tribes write to your Excellency as the president of the Portuguese Diplomatic Commission in order to record, with all due respect for your high position, for the government of the South African Republic - to record we say our protest and remonstrance against any transactions which would involve our liberty and property. Neither we nor our ancestors ever were subjects to the Crown of Portugal nor to the somewhat fabulous "Empire of Monamotapa" from which it was said that His Majesty the King of Portugal had acquired by purchase a right to the interior of South Africa. We cannot acknowledge any such rights over our persons and lands, and shall lay a

formal...../

complaint on this matter with Her Britannic Majesty's High Commissioner for South Africa. We remain, Sir, most respectfully, Your Excellency's obedient servants:

1. Montshiwa : Paramount chief of the Tshidi Branch of the Barolong;
2. Bakgobi : Chief of the Baebu Branch of the Barolong,
3. Moroka : Paramount chief of the Seleka Branch of the Barolong,
4. Izaak Motlhabane: Chief of the Ratlou Branch of the Barolong,
5. Gaseitsiwe: Chief of the Bangwaketse

To This protest Barchona e Costa replied, on the 30th November. He took exception to the phrase "fabulous empire of Monomatapa", referred to the essentially secret nature of treaties and the impropriety of giving publicity to them before their ratification, the necessity of defining boundary lines between the possessions of His Majesty the King of Portugal in South Africa and the Transvaal, and finally repudiated any cession of foreign lands by his government, and took his stand on the inviolability of the rights of nations.

A territorial dispute of the same nature had been going on since 1867 between Nicholas Waterboer of the Griquas at Griquatown on the one side, and the Orange Free State on the other in respect of the wedge of territory between the confluence of the Orange River and the Vaal. In the meantime, (1870) great diamond finds had been made at Phiel, Bultfontein, Dutoitspan and Dorstfontein within that wedge, on the south bank of the Vaal and thousands of diggers had rushed there, to try their luck and unwittingly lay the foundations of Kimberly. The Free State maintained that the ground was theirs because it was included within the boundaries of the Orange River Sovereignty as defined by Governor Sir Harry Smith in 1848, and was in undisputed occupation of the Free State burghers since the transfer of the country to them by Sir G. Clerk in 1854. Nicholas Waterboer who was represented by an exceptionally clever and versatile Eur-African attorney by the name of David Arnot, claimed the land on the ground of inheritance from his father Andries Waterboer as well as previous recognition of sovereign and proprietary rights in part of that area by the Orange Free State government.

Under these circumstances the claim of the Free State and the Griquas to the diamond lands, and that of the Transvaal, the Barolong, Bathaping, and the Koranas to the adjoining lands were so interwoven as to form one large insoluble question.

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The ownership of the territory in dispute between the Orange Free State and the Griquas was still hanging fire when suddenly on the 25th of August 1870 Nicholas Waterboer ceded his claims to Her Majesty the Queen, and requested that he and his people might be received as British subjects. In the following year, this rich territory was annexed to the British dominions as Griqualand West.

At the beginning of 1871 Sir Henry Barkly the new High Commissioner visited the diamond fields and there at Klipdrift now Barkly West met all the parties claiming the fields - President Pretorius, the chiefs Montshiwa, Moroka, Phoi, of the Barolong, Botlhasitse, Jantje, Motlhabane and Mankurwane of the Batlhaping and Nicholas Waterboer of the Griquas, together with their agents. All of them having made their statements before His Excellency, he got them to agree to submit their claims to a court of arbitration. Deeds of submission were accordingly drawn up, and duly signed by the claimants. The judges of the court were to be Anthony O'Reilly, Landdrost of Wakkerstroom, on behalf of the South African Republic, and John Campbell magistrate of Klipdrift on behalf of all the other claimants, while Lieutenant Governor Robert Keate of Natal was to be final umpire in case of disagreement of the judges.

The arbitration court opened at Bloemhof on the 4th April 1871 before a large crowd drawn by interest or curiosity. They had come by wagons, cape carts, on horseback and on foot. Pretorius and State-Attorney <sup>of Klein appeared for the S.A. Republic</sup> David Arnot for Nicholas Waterboer and his Griquas; Attorney D.C. Grant for the Batlhaping of Mankurwane, Attorney Carl Mathey for Chief Gaseitsiwe of the Bangwaketse and Matlhabane of the Ba-Maidi tribe. Montshiwa was also there, accompanied by his brothers Molema and Rabodietso, also by his missionary Joseph Ludorf and his counsellors Leshomo and Bogatsu, also Moroka of Thaba Ncho, Matlaba of Polfontein and his brother Mongala, Isaac Motlhabane of the Ratlou at Madibogo with Phoi and Mmui.

For two months and two weeks the court heard and faithfully recorded the voluminous evidence, oral and documentary, given by an army of witnesses. As was anticipated, the judges disagreed, and the decision had to rest with the final referee - Governor Keate, which he gave on the 17th October 1871. Sir Henry Barkly sent a copy of the decision to Ludorf at Klipdrift, who at once translated its text into Tswana and sent copies to all his clients - the Barolong and Batlhaping chiefs and the Bangwaketse chief Gaseitsiwe. It gave Waterboer the southern parts he claimed in the Orange Free State and Transvaal comprising the diamondiferous land on both sides of the Vaal at Dutoispan, De Beers, Bulfontein and Kimberley in the geographical Orange Free State. The northern lines went to the Batlhaping and the Barolong, the latter being awarded a line from the source of the Molopo River to the source.../

source of the <sup>H</sup>Marts River, thence to the source of the Makwasssi spruit and down Makwasssi spruit to the Vaal River. It was but a few days after this award was published that Sir Henry Barkly annexed Waterboer's country as Griqualand West, and his own name was perpetuated in the town formerly known as Klipdrift.

The Batlhaping living on the northern banks of the Vaal River and at the junction of the Vaal and Harts Rivers were aggrieved at Keate's decision and soon rose in rebellion. The Griquas of Griquatown away to the west were also resentful and rose up in arms. The South African Republic was unhappy, completely repudiated the award, blamed and cashiered its president Pretorius, and settled down to defeat the award by deliberately ignoring it and making it of no avail during subsequent years. President Brand of the Orange Free State protested vehemently against the annexation by Britain of territory he claimed against Waterboer. He finally received £90,000 to soothe bitter memories of the loss of this 3,500 square miles of fabulously rich district.

With the copy of Keate's judgment Ludorf sent to each chief a covering letter urging them in words reminiscent of the prophet Isaiah to unite. "And now chiefs: rulers of the land, I appeal to you. Awake: arise and unite soon before your trophy is torn asunder by wolves; come ye together, make protective laws; stop all breaches and gaps and close your ranks. Safeguard the heritage of Tau your ancestor. Hear ye all chiefs: Come together and unite."

Governor Keate's decision was welcomed by the Barolong chiefs. Ludorf and Montshiwa in particular <sup>e</sup>were delirious with joy. The former immediately drew up a manifesto and constitution for "The United Barolong, Batlhaping and Bangwaketse Nation", issued an ambitious and unrealistic proclamation in their name, established a consulate at Klipdrift, constituted himself the commissioner, representative and diplomatic agent of the chiefs and convened a meeting of all the chiefs concerned at Taung.

In a letter to D. Arnot, Esquire, Agent for the chiefs N. Waterboer and Mankurwane dated November 8th from Klipdrift he states: "No one can wish more than myself, that the various sections of the Batswana tribes included in the new line may not only live in unity and peace, but also combine in a general confederation against the common enemy, should they think it fit and proper to break through the newly fixed boundary line as I am sorry the Transvaalers make it no secret that such is their intention. We have on our side Sechele, and ere long also Mapela behind Makapansoort, besides others whom you know."

On the 16th of November 1871, Ludorf wrote to Sir Henry Barkly, outlining <sup>what he had done and</sup> continued "...Awaiting

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the general meeting of all the native chiefs whose territorial rights fall within the newly defined boundary line, I beg most humbly and gratefully to acknowledge in the name of the Barolong united, Bangwaketse and Batlhaping tribes whom I represent, the material service which Her Majesty's government in South Africa, and more particularly Your Excellency in sanctioning and constituting the Court of Arbitration have rendered to these numerous tribes so long oppressed by their white neighbours - the Dutch Emigrants - and I sincerely hope and pray that Her most gracious Majesty will continue to befriend these orphans in keeping her sovereign and protecting hand over them for the future".

This was among the very last letters that the Reverend Joseph Ludorf ever wrote. He was soon after taken seriously ill and died at Dikgatlong on the 13th of January 1872, lamented by the chiefs and people of the Barolong and the Batlhaping tribes. Montshiwa in particular was grieved and said he had lost a friend who loved the Barolong, and whom he loved as a brother, a man who was a scholar and counsellor and who could be preacher, doctor, machanic, wagon maker, political strategist and writer by turns. "An indefatigable worker of indomitable spirit, a talented linguist and many-sided man, the Reverend Joseph Ludorf was a lover of the Batswana in general and of the Barolong in particular. He had laboured among them at Thaba Ncho, at Lotlhakane and in Bechuanaland for more than a quarter of a century, and had identified himself with them and their interests in a manner with which, even in those days of burning missionary zeal, liberal thought, philanthropy and self-sacrifice it is difficult to find a comparison. He threw himself into their struggles with a courage and impetuously, a disregard for criticism and personal safety which are surprising to contemplate. But his zeal sometimes outran his discretion, often clouded and deflected his judgment, or swayed him from the straight path of absolute impartiality, justice and truth. Apart from Montshiwa, chief of the Tshidi Barolong, Ludorf was perhaps the man best hated by the citizens of the South African Republic." (S.M. Molema: Chief Moroka p.137).

By the death of Ludorf, Montshiwa was left without an adviser who could read, explain and answer the letters now coming frequently from one or another official of the South African Republic or British government. He invited John Cameron, the son of the Reverend James Cameron of Thaba Ncho to come and be his agent, but although that person accepted the offer, he failed to turn up, and the chief had in the meantime to rely on the good services of the Reverend Jonathan Webb, of the Wesleyan church, who had just been appointed in 1873 to labour among the Tshidi Barolong at Mafikeng and Moshaneng.

About this time (1870) Montshiwa contracted another marriage

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strange to European ideas of marital unions. He annexed to his seraglio one Gaeshele Motshegare - his own niece and a niece of his wife Majang who was his half sister. Majang was still alive but had borne only one child - Buku - a female. Tswana intricate tradition was that the young wife Gaeshele would raise seed to her aunt Majang, and would thus cover the latter's shame in giving birth to just one child. It is more than probable that Majang herself would take the initiative in arranging this extraordinary union.

*in due course* To anticipate the story, Gaeshele bore two sons and a daughter. *who were therefore counted to Majang*  
The two male children - Badirile and Bakolopang became chiefs of the Tshidi Barolong respectively in subsequent years.

## CHAPTER VIII

### MONTSHIWA'S BLACK NEIGHBOURS.

This is perhaps the proper time and place to introduce to the reader some chiefs and their clans who became Montshiwa's neighbours at about this period, and with some of whom he lived on terms of amity and cooperation, while with others, the relations were characterised by ill-will and frequent disputes.

1. The Batlharo of Masibi: In 1864 or a little before that date, a Batlharo clan of the same origin as the Bahurutshe of Marico came from the district of Makgolokwe or Langberg near Kuruman under their chief Masibi, to settle on the Molopo River. Montshiwa had previously met Masibi at Morokweng and Coe (Heuningvlei) in 1853, at the time of his brief sojourn there as a refugee from the Transvaal commandos. Montshiwa had either invited Masibi or acquiesced to his request to come and live on the Molopo. Whichever way on his arrival with his clan, Masibi had notified Montshiwa, then living at Moshaneng in the Bangwaketse country, and he had directed his brother Molema and his uncle Mokgwetsi to assign Masibi land at a place called Disaneng, adjacent to Ga-Tshebethwane, a former site of the Tshidi Barolong capital in their nomadic career under Leshomo who was then regent for Montshiwa's father - Tawana in 1810 to 1815.

Masibi died soon after his arrival (1865) leaving his small clan living in peace and amity with their Barolong hosts, and goodwill continued during the chieftainship of his son and successor - Jan, commonly called Jan Masibi. The friendly relationship was further shown and strengthened by frequent intermarriages between the two tribes. Thus in 1868 Molema's son, Palo (Matthew) married Rali of the Batlharo royal family, and in 1878 Molema's daughter - Mafikeng by name, was married to Motlagodise, grandson of the old chief Masibi. In subsequent years, Senobane, daughter of Saane, another of Montshiwa's brothers, was married to Methuselah, heir and successor of Jan Masibi, and then Mhitlhiemang, widow of Kebalepile, ~~Mutshiwat~~ Montshiwa's eldest son was married to the same Methuselah whose.../

whose wife had died.

In the Barolong-Boer war of 1881-1884, the Batlhware of Jan Masibi identified themselves whole-heartedly with their Barolong hosts, defended Montshiwa's country equally with them, made and endured sacrifices in property, substance and life, their town of Disaneng being twice committed to the flames by the Transvaal Boers, hundred of their cattle captured, and their men taken prisoner and brutally assassinated. The Batlhware had complete home rule. The independence of Masibi and his clan was only circumscribed by the common sense and goodwill existing between the two tribes. The suzerainty of Montshiwa over them was implied rather than expressed, inasmuch as they were living in the centre of the territory which unquestionably belonged to Montshiwa. The two chiefs - Montshiwa and Jan Masibi so thoroughly recognised the common usages and courtesies of landlord and vassal, host and guest that there was never friction or stiffness in their relationship, nor need to resort to definitions or demarcation of boundaries between them. In peace and friendship they lived, and in peace and friendship they both died at the latter end of the year 1896.

It was left for their sons, heirs and successors to try and define the relations and boundaries between the two tribes, a course which entailed many pitsos, delegations and commissions; much disputation, litigation and irritation, with uncertainty and vacillation on the part of successive governments of the Union, and no clearcut or satisfactory solution or position of their status.

2. The Ratlou Clan of Makgobi: In 1872 a section of the Ratlou clan came to the lower Molopo from <sup>Ganyesa</sup> Morokweng and Tshidilamolomo under Gaetsalwe, younger son of the great warrior Motshware who had formerly lived at Ganyesa, Kwidi or Tshidilamolomo and Setlagole. Gaetsalwe was soon followed by his brother Makgobi (originally Ba-kgobi) the ruling chief of that clan, who with a large following had seceded from his senior chief Maiketso (and his successor Bonokwane) at Ganyesa and Morokweng to settle at Phitshane. In former days (c.1824) this Phitshane had been a common city of the Ratlou and the Tshidi Barolong clans, but was now claimed by Montshiwa to be within his personal domain. At the time of Makgobi's arrival, Montshiwa was living at Moshaneng among the Bangwaketse. It is said Makgobi asked and received Montshiwa's permission to make his home at Phitshane, on condition of being subject to Montshiwa.

Now, Makgobi and his clan were very different from the Batlharo of Masibi. They were a Barolong clan. They were like Montshiwa and his people descendants of Tau, and they were within the limits of the land of Tau, and if Makgobi spoke to Montshiwa about his

coming...../



coming to live at Phitshiane, it was probably just a courteous formality. It is most unlikely that Montshiwa could have refused such permission even though about this time or shortly afterwards, he claimed all the country up to and beyond Phitshane as far west as the confluence of the Setlagole stream with the Molopo River. Montshiwa afterwards asserted that Makgobi and his tribe were his vassals because they were living in his territory, and this legend became so well established that the Reverend John Mackenzie could confidently write, in 1886, that "Makgobi and Masibi are chiefs who are also living in the country of Montshiwa (Austral Africa Vol. I p.251). This claim Makgobi and his successors, of course, steadfastly resited, with the result that there was chronic dispute between the two chiefs and their tribes, and afterwards between their successors, after the principal actors had gone off the stage.

During the Barolong-Boer conflict of 1881-1884, with Montshiwa on the one side and the Ratlou Barolong of Moshete on the other side, Makgobi proclaimed himself to be neutral, although his sympathies were clearly with Moshete. He died in 1884 while on a visit to Moshete at Khunwana, and his successor, Motseakhumo was more outspoken and even vociferous in rejecting Montshiwa's supremacy.

3. The Ratlou Clan of Mosheve at Khunwana: In 1872 Montshiwa took steps to place Khunwana within his sphere of influence by placing Tsupaneng (Nathaniel) Marumo there as his representative. At this time the Ratlou clan of Moshete was still at Modimong near Taung under Masisi, Moshete being still in the service of Dutch farmers as a shepherd lad. President Burgers released him from his indenture and proclaimed him chief. When the Ratlou people left Taung, they made straight for Khunwana, which had been their capital in former days under Kgosi, Mokoto, Matlhaku and Gontse respectively. Tsupaneng was therefore forced to retire to Mahukubu (Kraaipan), but was soon after pushed off there also, when Kgosiethata Letsapa, Moshete's headman came to build a Ratlou sub-station there. Tsupaneng now retreated to Mareetsane and was there as Montshiwa's headman until Bathobatho took over.

4. Mosite: This is a tiny 'state' of about 5,00 morgen, 75 miles west of Mafeking, 30 miles south of Phitshane, 60 miles north of Ganyesa, and 100 miles north-west of Morokweng. It is the burial place of the old Barolong kings Ratlou, and his successor Seitshiro. It was here also that a skirmish took place between the Barolong of Montshiwa and the Dutch-Boers under Andries Pretorius and Paul Kruger in 1853.

Mosite has a mixed population of the Ratlou, Tshidi, Seleka and Rapulana Barolong, Bahurutsh<sup>ver</sup>, Batlhaping, Bangwaketse and Batlharo. Montshiwa annexed it verbally as early as 1869 and...../

and appointed a Mhurutshe from Kuruman by the name of Motshawe as his representative. Motshawe died in 1898 - 2 years after Montshiwa, and was succeeded by his son <sup>Boas</sup> Oas, whose position as elder was strengthened when Phetlhu Motshegare, Montshiwa's nephew, married his (Boas's) sister - Popinyana and made Mosita his residence. In 1893 an influential family originally of the Ratlou people of Maiketso came from Dikgatlong to Mosite to settle. This was the Mooka family represented by Baokodi, Diutlule, Moruaesi Tsikwe and Gaboutlwelwe. They were related to Boas, and added strength to his arm. Nevertheless, he became unpopular afterwards and was deposed by the Government in 1901, the headmanship being conferred by election on Thakadu Molefe.

Though after Montshiwa's death the Ratlou chief Phoi claimed Mosita as within his sphere, and though Montshiwa's successors have never seriously pressed their claim of jurisdiction, Mosite has been regarded administratively as falling under Montshiwa.

5. The Rapulana Clan of Matlaba: It has been noticed that the three Barolong clans - Ratlou, Tshidi and Rapulana - which had lived as refugees under Moroka at Thaba Ncho for eight years left that place under their respective chiefs Gontse, Tawana and Matlaba. The Tshidi clan moved in its entirety, the Ratlou clan left one family of Sebetso, the youngest brother of Matlaku and Mongala behind, while the Rapulana clan divided in two, the larger and senior section going with its chief Matlaba, while the smaller and junior section by agreement, stayed behind with Moroka under its elders Seatlholo and Motuba, younger brothers of Matlaba.

Gontse, Tawana and Matlaba proceeded to Matlwang on the Mooi River, and lived there for a number of years, sheltered by the friendship of Hendrik Potgieter. In 1845, Gontse and his clan moved further off to the west, and in 1848 Tawana also left, and went to Lotlhakane, his homeland where he died soon after. Matlaba stayed behind at Matlwang. In 1846, Potgieter received useful help from him when he proceeded against the Bapedi of Sekwati, and at the successful conclusion of the campaign, he not only gave Matlaba a large portion of the booty, but also allotted him land at Matlwang for his tribe.

After Potgieter's removal to Orligstad, however, <sup>There arose a new King over Egypt which knew not Joseph</sup> Matlaba's people were accused of cattle stealing, and in 1849 the turbulent Commandant General Stephanus Schoeman took 41 cattle from Matlaba by way of indemnification, told him that "a kafir may not own land", and expelled him from the Mooi River district. (Bloemhof Evidence p.263). Matlaba and his people then went to Chief Mahura at Taung, and were placed by him at Shudintlhe where Matlaba's son of that name was soon after born, and where he lived seven years. When Schoeman was superseded in authority

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