

SUID _ AFRIKA

NATURELLE
EKONOMIESE KOMMISSIE

GESKREWE GETUIENIS: ORANJE VRYSTAAT

voor die

NATURELLE EKONOMIESE KOMMISSIE

Written evidence presented to
the Native Economic
Commission

Renumbered Volume 11: Free
State (1884-1931)

[original volume no 12]

Senator the Hon. E. W. Le Roux van Niekerk,
Member.

[1]

STATISTICS IN RESPECT OF HARRISMITH DISTRICT.

General Particulars:-

1. Situate ... Eastern Free State
2. Area of District 2,855 Square Miles 892,522 Morgen.
3. Population - European (1926) 8,817... Native (1921) 42,378.. Other (1921) 249..
4. Average Yearly Rainfall ranging from ..25..... Inches to40.... Inches.
5. Type of Veld
6. Principal Branches of Farming - Europeans Maize, Cattle, Sheep and General ..
7. Principal Branches of Farming - Non-Europeans Maize, Cattle
8. Taxable Income of Individuals - 1928-29 ... £331,556
9. Revenue Collected - 1928-29 £52,425
10. Number of Natives Registered under Native Taxation and Development Act of 1925 (1929) .. 10,845

TRANSFERS OF RURAL IMMOVABLE PROPERTY, 1928-29.

<u>No. of Properties.</u>	<u>Area.</u>	<u>Value.</u>	<u>Percentage of Rural Area.</u>
.....	55,204...	£382,965...	6.30.....
<u>Average Value per Morgen.</u>		<u>Average Area per Property.</u>	
<u>1928-29.</u>	<u>1927-28.</u>	<u>1928-29.</u>	<u>1927-28.</u>
£5,126.	£5,828.	.....	.....

E U R O P E A N S.^x

1. Number of Farms 1,019
2. Total Area of Farms 815,555 Morgen.
3. Total Area under Cultivation (1926) 91,039 Morgen.

Live Stock.

Principal Agricultural Crops.

<u>Number.</u>		<u>Morgen Reaped.</u>		<u>Yield.</u>
Cattle	... <u>112,578</u>	Barley (grain)	..... <u>432</u> ..	... <u>783</u> Bags (150 lb.)
Horses (1926)	... <u>11,864</u>	Barley (green)	.....	..... Tons
Mules (1926)	..... <u>720</u>	Oats (grain)	.. <u>16,772</u> ..	<u>81,335</u> Bags (150 lb.)
Donkeys (1926)	..... <u>404</u>	Oathay	.....	<u>2,082</u> Tons
Pigs	..... <u>4,389</u>	Rye	..... <u>107</u> ..	... <u>318</u> Bags (200 lb.)
Woolled Sheep	... <u>668,361</u>	Wheat	... <u>1,900</u> ..	<u>11,222</u> Bags (200 lb.)
Other Sheep	..... <u>1,319</u>	Maize	.. <u>66,587</u> ..	<u>342,564</u> Bags "
Angora Goats	..... <u>722</u>	Kaffir Corn	..... <u>268</u> ..	<u>1,295</u> Bags "
Other Goats	..... <u>271</u>	Potatoes	... <u>1,171</u> ..	<u>50,241</u> Bags (150 lb.)
Striches	.....	Ground Nuts	..... <u>2</u> ..	..... <u>8</u> Bags (90 lb.)
		Tobacco (Turkish)	.....	..... lb.
		Tobacco (Other)	.....	..... lb.
		Cotton (Raw)	.....	..... lb.
		Lucerne	..... <u>62</u> ..	..... Tons
		Teff Grass	... <u>6,426</u> ..	..... Tons
		Sugar Cane	.....	..... Tons

Live Stock Losses.

Cattle	..... <u>4,879</u>
Sheep & Goats	..... <u>47,242</u>
Horses & Mules (1926)	..... <u>424</u>
Pigs (1926)	..... <u>167</u>

x Agricultural Census 1928-29 unless otherwise stated.

Fruit/

Fruit Trees.		Dried Fruit.		Pastoral Products.	
(1926)		Number.	lb.		
Almond	.....	370	Apples	.....	200
Apple	....	31,830	Pears	.....	200
Pear	.....	5,240	Peaches	.....	400
Peach	.....	-	Apricots	.....	200
Apricot	.....	9,870	Plums & Prunes	.....	200
Plum & Prune	.....	9,060	Figs	.....	200
Nectarine	.....	-	Raisins -	.....	-
Fig	.....	1,260	Loose	.....	-
Lemon	.....	10	Stalk	.....	-
Orange	.....	-	Sultana	.....	-
Naartjie	.....	-	Currents	.....	-
Grape Fruit	.....	60	Dried Wine	.....	-
Mango	.....	40	Grapes	.....	-
Pawpaw	.....	-		
Avocado Pear	.....	-		
			Butter	.....	148,413 lb.
			Cheese	.....	823 lb.
			Bacon and Ham	(1926) 42,228	lb.
			Soap	.....	59,010 lb.
			Fat and Tallow	.....	29,685 lb.
			Butter-fat Sold	.....	lb.
			Milk Sold	.....	gall.
			Wool	.....	5,401,893 lb.
			Mohair	.....	2,298 lb.
			Ostrich Feathers	.....	lb.
			Hides Sold	(1926) 2,449	No.
			Skins Sold	(1926) 33,940	No.
			Wattle Bark	.....	Tons.

CLASSIFICATION OF FARMS ACCORDING TO SIZE AND AREA.

	Number of Farms.	Area.
Under 5 Morgen	..... 6	..... 24
5-20 Morgen	..... 17	..... 218
21-100 Morgen	..... 89	..... 5,761
101-500 Morgen	..... 360	..... 126,061
501-1000 Morgen	..... 304	..... 228,194
1001-2000 Morgen	..... 179	..... 243,673
2001-3000 Morgen	..... 42	..... 104,277
3001-5000 Morgen	..... 14	..... 50,106
5001-10,000 Morgen	..... 8	..... 49,259
10,001 and Over	..... 1	..... 14,032
Undivided Farms	..... 3	..... 1
TOTAL.	1,019	815,555

N A T I V E S.

		On European Occupied Farms.	In Locations, Reserves, etc.
Cattle	No.	..... 43,556	..... 8,405
Horses (1926)	No.	..... 13,646	..... 1,767
Mules (1926)	No.	..... 164	..... 12
Donkeys (1926)	No.	..... 67	..... 20
Pigs (1926)	No.	..... 4,612	..... 207
Sheep	No.	..... 9,547	..... 8,460
Goats	No.	..... 23,766	..... 10,303
Maize	Bags (200 lb.)	..... 45,719	..... 1,300
Kaffir Corn	Bags (200 lb.)	..... 13,653	..... 500
Wool	lb.	..... 29,943	..... 21,400
Mohair	lb.	..... 48,767	..... 27,500
Hides Sold (1926)	No.	..... 1,087	..... 603
Skins Sold (1926)	No.	..... 1,221	..... 906

Live Stock Losses.

Cattle	.....	2,326	.....	1,288
Sheep and Goats	.....	1,716	.....	2,344
Horses and Mules (1926)	.....	855	.....	291

Dr. A.W. Roberts,
Member.

[3]

STATISTICS IN RESPECT OFTHABA 'NCHU... DISTRICT.

General Particulars:-

1. SituateEASTERN FREE STATE.....
2. Area of District ...1,185..... Square Miles358,320..... Morgen.
3. Population - European (1926) ..2,728... Native (1921) 21,543... Other (1921) ..955..
4. Average Yearly Rainfall ranging from ...20..... Inches to ...30..... Inches.
5. Type of Veld
6. Principal Branches of Farming - EuropeansCattle... Sheep... General.....
7. Principal Branches of Farming - Non-EuropeansCattle... Sheep... Maize.....
8. Taxable Income of Individuals - 1928-292143,863.....
9. Revenue Collected - 1928-29223,099.....
10. Number of Natives Registered under Native Taxation and Development Act of 1925 (1929)6,002.....

TRANSFERS OF RURAL IMMOVABLE PROPERTY, 1928-29.

<u>No. of Properties.</u>	<u>Area.</u>	<u>Value.</u>	<u>Percentage of Rural Area.</u>
.....	....18,319..	...2107,306..	.....5.13.....
<u>Average Value per Morgen.</u>		<u>Average Area per Property.</u>	
1928-29.	1927-28.	1928-29.	1927-28.
.25.857	.27.454	.....	.....

E U R O P E A N S.^x

1. Number of Farms477.....
2. Total Area of Farms ...281,366...Morgen.
3. Total Area under Cultivation ..(1925)...35,046..... Morgen.

Live Stock.

Principal Agricultural Crops.

<u>Number.</u>		<u>Morgen Reaped.</u>	<u>Yield.</u>
Cattle	....30,203.	Barley (grain)	.....3. ....22.Bags (150 lb.)
Horses (1926)	....2,259.	Barley (green)	.....Tons
Mules (1926)	....157.	Oats (grain)	.....982.) ..3,376.Bags (150 lb.)
Donkeys (1926)	....152.	Oathay	.....94.Tons
Pigs	....2,137.	Rye	.....789 ..1,522.Bags (200 lb.)
Woolled Sheep	...382,889.	Wheat	.....5,519. .14,930.Bags (200 lb.)
Other Sheep	....361.	Maize	....18,072. .78,634.Bags "
Angora Goats	.....	Kaffir Corn	.....43. ....134.Bags "
Other Goats	....150.	Potatoes	.....4,005. 218,211.Bags (150 lb.)
Ostriches	.....	Ground Nuts	.....Bags (90 lb.)
<u>Live Stock Losses.</u>		Tobacco (Turkish)	.....lb.
Cattle	....1,519	Tobacco (Other)	.....lb.
Sheep & Goats	....20,394	Cotton (Raw)	.....lb.
Horses & Mules (1926)	....37.	Lucerne	.....328. ....Tons
Pigs (1926)	....88	Teff Grass	.....3,191. ....Tons
		Sugar Cane	.....Tons

x Agricultural Census 1928-29 unless otherwise stated.

Fruit/

<u>Fruit Trees.</u>		<u>Dried Fruit.</u>		<u>Pastoral Products.</u>	
	<u>Number.</u>		<u>lb.</u>		
Almond	Apples	.....	Butter	....21,521....lb.
Apple	Pears	.....	Cheese	....1,197....lb.
Pear	Peaches	.....	Bacon and Ham (1926)	..21,064....lb.
Peach	Apricots	.....	Soap (1926)	....12,288....lb.
Apricot	Plums & Prunes	.....	Fat and Tallow (1926)	..8,187....lb.
Plum & Prune	Figs	.....	Butter-fat Sold	.....lb.
Nectarine	Raisins -		Milk Sold	.....gall.
Fig	Loose	.....	Wool	..1,261,242....lb.
Lemon	Stalk	.....	Mohair	.....lb.
Orange	Sultana	.....	Ostrich Feathers	.....lb.
Naartjie	Currants	.....	Hides Sold (1926)	....475....No.
Grape Fruit	Dried Wine	.....	Skins Sold (1926)	..16,296....No.
Mango	Grapes	.....	Wattle Bark	.....Tons.
Pawpaw				
Avocado Pear				

CLASSIFICATION OF FARMS ACCORDING TO SIZE AND AREA.

	<u>Number of Farms.</u>	<u>Area.</u>
Under 5 Morgen	.....2.....	.....4.....
5-20 Morgen	.....1.....	.....13.....
21-100 Morgen	.....16.....	.....1,223.....
101-500 Morgen	.....244.....	.....79,951.....
501-1000 Morgen	.....160.....	.....111,753.....
1001-2000 Morgen	.....44.....	.....60,222.....
2001-3000 Morgen	.....8.....	.....20,225.....
3001-5000 Morgen	.....2.....	.....7,975.....
5001-10,000 Morgen-.....-.....
10,001 and Over-.....-.....
Undivided Farms-.....-.....
TOTAL.	477	281,366

N A T I V E S.

		<u>On European Occupied Farms.</u>	<u>In Locations, Reserves, etc.</u>
Cattle	No.	...5,013.....	....13,970....
Horses	(1926) No.	...1,909.....	....2,145....
Mules	(1926) No.	....11.....	....71....
Donkeys	(1926) No.	....45.....	....291....
Pigs	(1926) No.	....681.....	....1,208....
Sheep	No.	...3,287.....	....47,201....
Goats	No.	....38.....	....437....
Maize	Bags (200 lb.)	...1,968.....	....9,000....
Kaffir Corn	Bags (200 lb.)	....192.....	....1,900....
Wool	lb.	...14,959.....	....162,000....
Mohair	lb.	.....-.....	....700....
Hides Sold	(1926) No.	....116.....	....787....
Skins Sold	(1926) No.	....436.....	....2,399....

Live Stock Losses.

Cattle	.....280.....	....1,382....
Sheep and Goats	....161.....	....4,776....
Horses and Mules (1926)	....21.....	....85....

Dr. Roberts.

[5]

The Chairman,
Native Economic Commission,
THABA 'NCHU.

Dear Sir,

We should like to know the capital of the financial responsibilities of Chief Tshipinare, for which he delivered in exchange both the farms and the City itself. Did Chief Tshipinare publish it to the Baralong people that he sold the land out? Respecting the so enormous sum of money he owed: We ~~xxxx~~ preeminently feel our inferiority under the severe pressure of slavery. We shall be much obliged to have a good sound and bright explanation of what we are ignorant from the heralds. Just maintain what has debarred or precluded us from our privileges or rights. When was the whole of Thabanchu inclusive of Seliba declared a Reserve or Crown land? Did such declaration permit the admission of Settlers in Thabanchu District?

Our Fathers: The Baralong tribe were never at any time gave trouble to the Europeans, but on the contrary, they made them homely, and assisted them in their sore plight, without money and without price. It is heartbreaking and most grievous to us that our good Government should encourage the breaking up of the sacred family ties among the Baralong tribe by shutting some of the children of the residents from their only home. We as fathers and mothers feel the pain ever more than did the fathers and mothers of Israel during the slavery atrocities, because our children are not killed, yet they are not allowed to reside in their only home. We trust, Sir, that the laws will be conspicuously and unreservedly promulgated to all the Baralong nation. We are prepared to tax ourselves to build a land Settlement Fund. Such tax to be collected and preserved by the Government.

(Signed) J. Soldaat. (?)

Secretary, Baralong Progressive Assn.

THABANCHU.

NATIVE ECONOMIC COMMISSIONN.E.C.

COPY OF PORTIONS OF BOOK KEPT IN OFFICE OF MAGISTRATE,
THABANCHU, ORANGE FREE STATE, MARKED ON COVER:

"PROCLAMATION & GOVMT. NOTICES re THABA 'NCHU FARMS."

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DISTRICT OF MOROKA (NOW THABA 'NCHU).

In 1884 this district was a native settlement, owned and inhabited by an independent tribe of natives, under the Baralong chief Sepinare Moroka. In July of that year Samuel Moroka, a claimant to the Chieftainship, rebelled, and, with the support of a number of Baralongs and a few burghers of the late Orange Free State, murdered the chief Sepinare. President Brand at once called out the burghers of the late Orange Free State, proceeded to Thaba 'Nchu, quashed the rebellion, and annexed the territory to the Orange Free State by his Proclamation of the 12th July, 1884. (Annexure E.)

Samuel Moroka and his principal adherents were arrested, and were subsequently -- by a Proclamation of the 18th November, 1884 (Annexure F) -- banished for life from the State.

On the 29th July, 1884, a Proclamation (Annexure G) was issued securing the land rights of such persons as had taken no part in the murder of the chief Sepinare. In this proclamation, the State President promised to confirm all grants of land made by Sepinare and his father Moroka, and to set apart sufficient ground for locations for the other subjects of the Baralong chief resident in the country.

On the 4th August, 1884, a Proclamation (Annexure H) was issued, notifying that no transactions in land, subsequent to the date of Annexation and prior to a final settlement, would be recognised; and by a Government Notice of the same date (Annexure I) a commission, consisting of Commandant Prinsloo, Attorney C. Voigt, and Surveyor E. Bourdillon, was appointed to enquire into and report upon all claims to farms or other ground in the newly annexed territory.

The report of this Commission is dated 16th August, 1884 (Annexure J), and is to the effect that Moroka, and Sepinare Moroka after him, had granted certain farms to individual members of the tribe subject to the conditions that the grantee was liable to render military service whenever called upon, and was prohibited from alienating the ground during the lifetime of the chief.

On the 12th September, 1884, the Volksraad appointed a Commission to investigate this report and certain petitions from Richard Moroka and other leading Baralongs. The report of this Commission was discussed in the Raad (Annexure K) on the 17th September, 1884, and following days.

The Raad decided:--

- (1) That the grants made by the Baralong chiefs to Natives were alienable rights of occupation only.

/ (2)

The top of page 37 bears a
rubber stamp impression, in purple
ink, reading: MAGISTRATE'S OFFICE,
2- MAR 1917
THABA 'NCHU, O.F.S.

- (2) That the grants of land to white persons who possessed land certificates should be recognised.
- (3) That certain grounds should be given to Baralong/chiefs, captains and councillors in freehold as compensation for their loss of position and power.
- (4) That no native should be allowed to alienate land without the consent of the Government.
- (5) That all land granted should be subject to quitrent.
- (6) That natives should be allowed to sell to white persons only.
- (7) That the Executive Council should arrange for the establishment of a station or township at Thaba 'Nchu.
- (8) That besides Thaba 'Nchu such other locations as might be necessary should be set apart by the Executive Council for Natives.
- (9) That Missionary Societies should be granted the land occupied by them; viz., "Tabale" to the Church of England, and "Rietpoort" and "The Willows" to the Wesleyan Missionary Society.

the /

By Government Notice of the 27th May, 1885 (Annexure L), Judge Gregorowski was commissioned to enquire into the land claims in the newly-annexed territory, including those reported on by Commandant Prinsloo's Commission. Judge Gregorowski sent in two reports, dated the 25th May (Annexure M) and the 16th June, 1885 (Annexure N) respectively. To the former of these reports are attached lists:--

- A. Of claims proved, and
- B. Of claims not proved.

Judge Gregorowski expressed the opinion that farms granted by the Baralong chiefs to their headmen and councillors "must be considered as having been given for the people and as being subject to a servitude in their favour," and consequently inalienable by the grantees. He therefore recommended the confirmation of land grants to natives subject to such regulations as would safeguard the rights of the other occupiers. In his later report he somewhat modified his views on this point, and concluded that the grantees were intended to have alienable rights over the property granted, and that the occupiers had no actual rights on the land, but could only remain there "as long as the owner of the farm is agreeable." All vacant farms and farms belonging to the chief himself were taken to be taken over by the State subject to the obligation of setting apart sufficient locations for the occupiers of such farms. Attached to this later report is a final list of grantees whose claims had been proved to Judge Gregorowski's satisfaction.

On the 30th June, 1885, a Government Notice (Annexure O) was issued (under the authority of the Volksraad's Resolution of the 23rd June, 1885) allotting farms to the persons recommended by Judge Gregorowski subject to the payment of the usual quitrent (2s. per 100 morgen). All grants of farms to white persons were to be subject to personal occupation, and farms granted to natives were to be inalienable for a period of fifteen (15) years. At the expiration of that period the farms might be sold only to white

/ persons,

3.

persons, the Government reserving the right of pre-emption. It was further provided:

- (1) That no Native could lease his ground for a longer period than six (6) consecutive months, and then only with the sanction of the Executive Council.
- (2) That all Natives were compelled to permit Native locations in existence at the time of annexation or established subsequently to remain free and unhindered.

These regulations were to remain in force as against subsequent owners.

On the 10th May, 1887, the Volksraad decided (Annexure P) to allow Richard Moroka to sell his ground, provided that he released his title deeds, secured the consent of his followers, gave a written guarantee that all his followers would leave the State, and provided also that "after such sale the Natives resident on the ground sold shall not be permitted to live on Government ground or locations." As a matter of fact only a few of Moroka's followers consented to accompany him, and they and Richard Moroka himself are now back at Thaba 'Nchu.

On the 2nd June, 1887, a petition from Michael Moroka for permission to sell his ground was considered (Annexure Q), and the Volksraad then decided to practically repeal the previous resolution of the 23rd June, 1885, and to empower the President to permit Natives to sell their ground before the expiration of fifteen (15) years, on the same terms and conditions as had been laid down in the case of Richard Moroka, and subject to the further condition that the purchase price was to be approved by the President, and if, in his opinion, it was too low, the ground was to be purchased by the Government.

On the 1st September, 1887, a Government Notice (Annexure R) was issued, further defining the rights of owners and occupiers of farms in the Moroka district. By these regulations it was provided that coloured persons and their descendants, who were located in the district at the time of annexation, or were residing there at the date of the notice in question, should be subject to the following regulations (except in cases where they resided on farms belonging to Europeans or on farms leased from the Government):-

- (1) They were to pay yearly fees for the grazing of their stock.
- (2) Each head of a family was to have two (2) morgen of land allotted to him for agricultural purposes, in return for which he was to pay to the owner one-fifth (1-5) of the crop grown on such land, subject to a deduction of an amount representing the seed sown if such seed were not provided by the owner.

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- (3) The occupier was to pay the owner at the rate of £1 per morgen of uncultivated land if he neglected to cultivate the whole or any portion of his ground.
- (4) The owner could, if he chose, agree with the occupier to render personal service in lieu of these payments, and sue the occupier in the Landdrost's Court for any failure to carry out the conditions of the agreement. If the occupier was unable to pay the fine imposed, he might be required to vacate the farm.
- (5) Damages could only be claimed in respect of the trespass of cattle on cultivated lands if such trespass occurred between sunset and sunrise.
- (6) The occupiers were to have grazing rights over the whole farm.
- (7) The Landdrost of Moroka could allot land to any head of a family for agricultural purposes at Thaba 'Nchu and on Government locations, and could inflict a fine of £1 if such land was not thereafter cultivated.
- (8) No person was to come into the district of Moroka without the Landdrost's permission.
- (9) The owner could reserve a portion of the farm for winter grazing with the consent of the occupiers or the approval of the Landdrost.
- (10) Huts or fences erected by the occupiers were to remain their own property, and might be removed by them on leaving the farm.
- (11) All occupiers were bound to assist in the eradication of *Xanthium spinosum* and Scotch thistle, subject to a fine of 10s.
- (12) If the occupiers were spread over too large an area, or if the owner wished to expel them from the farm, they might be brought before the Landdrost, who was to act as circumstances required; provided that the owner was liable for the costs of removal and for payment to the occupier of such compensation as might be decided by the Landdrost, who was also to see that the new site offered to the occupier was a suitable one.

On the 14th June, 1890, a Commission was appointed consisting of Mr. M. T. Steyn (the ex-President) and Mr. C. van der Wath to enquire into the influx of Natives into the Moroka district since the date of annexation. This Commission found (Annexure S) that five hundred and seventy-three (573) heads of families had come into the district since the date of annexation, and that a number of rebels and others, who had no right to do so, had remained in the district. They reported that it was impossible to keep any proper control over the Natives unless they were registered as they were all known by several different names, and were in the habit of wandering from farm to farm. As a fact we find that no such register exists.

After/...

5.

After discussing this report the Volksraad resolved, on the 11th May, 1891, to leave the matter in the hands of the Executive Council. We are unable to find that anything further was done in terms of this resolution, but it is clear that the Natives referred to in the report have no right in the Thaba 'Nchu district either on private or Government location land. The majority of them appear to have been at one time resident in the Moroka district, but they have forfeited any rights they might have possessed by leaving the country.

We find, as the result of these deliberations that fifteen (15) farms (Annexure^XT) were granted to white persons by the late Orange Free State Government on taking over the Moroka district, and ninety-five (95) (Annexure U) to Natives, while seven (7) farms (Annexure V), representing about seventeen thousand seven hundred (17,700) morgen, were set apart as Government locations, two (2) were sold in 1893, and twenty-nine (29) farms (vide Annexures A, B, and C) were reserved by the Government, all of which were subsequently leased. Two (2) farms were also granted to the Wesleyan Missionary Society and one (1) to the Church of England. A piece of land eight thousand and forty-three (8,043) morgen in extent was also set apart for a village (1,333 morgen and location 6,710 morgen) at Thaba 'Nchu itself. Certain erven were surveyed in the Thaba 'Nchu township, but these were handed over to the Municipality of that place on the 5th December, 1895, and do not concern this Commission.

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The Commission has found some difficulty in arriving at a conclusion as to the exact terms on which these farms were granted by the late Government, and the evidence on this point has been contradictory.

With regard to the fifteen (15) farms originally granted to white persons, it appears that no servitude was imposed on these farms, which had been granted or promised to the original grantees by the Baralong chief before the date of annexation. The grants of these farms were confirmed by the late Government on taking over the country, and the title deeds (Annexure W) issued by them contain no special conditions beyond that of personal occupation.

If it is to be understood that personal occupation necessarily implies continued residence on the farm of the grantee himself, the condition has not in all cases been carried out. The grantees however, contend that it was competent for them to place a substitute on the farm, and this contention is borne out by the evidence of Mr. J. G. Fraser, to whose opinion we attach great weight. Mr. Fraser states that the object of this condition was to ensure that any farm so granted should be occupied by an able-bodied burgher capable of bearing arms in case of need, and that the placing of substitutes on farms was a practice recognized and approved by the Volksraad. We are therefore of opinion that the grantee would fulfil the spirit of this condition if he placed an able-bodied white substitute on his farm and used the land for bona fide farming operations, pastoral or agricultural, as the case might be. If this view be adopted,

we/...

^XThis Annexure includes two Government farms sold in 1893, and the three Mission farms.

we consider that the conditions have been observed in the case of the majority of the farms in Annexure T. The notes in the "Remarks" column will show where this has not been the case. In three (3) cases only quitrents are one (1) year in arrear, and in one (1) case the quitrent is two (2) years in arrear. The same remarks apply to the three (3) farms granted to the English and Wesleyan Churches.

The farms granted to Natives, many of which have subsequently been purchased by white persons, stand on a different footing. The Baralong tribe at Moroka had proved good friends to the late Government who consequently desired - when annexing their country - to protect the rights of the Natives to the utmost of their ability.

With this object the Volksraad - as has already been pointed out - resolved that:-

- (1) All farms granted to Natives should be inalienable for a period of fifteen (15) years. (This resolution was, however, practically repealed and power given to the President to permit the sale of such farms at any time with the consent of the occupiers and subject to the President's approval of the purchase price.)
- (2) That all persons residing on the farms at the time of annexation who had taken no active part in the rebellion should continue to enjoy the right of occupying such farms.

It has been argued by the owners of these farms that this right of occupation lapsed at the expiration of the period of fifteen (15) years. We have not, however, been able to find sufficient evidence to establish this view. On the contrary, in the opinion of Mr. J. G. Fraser - for twenty years a member and for ten years the Chairman of the Volksraad and of the State Attorney - whose opinion was published for general information under Government Notice No. 414 of the 27th July, 1899, (Annexure X) - the rights of occupation were perpetual servitudes on the farms.

The Commission is therefore of opinion that all Natives living on farms granted to Natives in the Moroka district on the 12th July, 1884, who took no active part in the rebellion of that year, have the right to remain on such farms during their lifetime; that this right is a personal one and may be forfeited by misconduct (proved to the satisfaction of a competent court) or by voluntary departure from the farm; that the right of occupation is not inherited by the descendants of the original occupier, but lapses with his death.

In terms of a resolution of the Volksraad of the 18th September, 1884, Mr. J. A. Cameron was appointed by the Executive Council to take a census of all Natives then residing in the Moroka district. This census (Annexure Y) was apparently very complete as far as it went, and shows the number residing in different parts of the district at the time. The total number of such Natives was found to be:-

Three thousand and fifty-four (3,054) male Baralongs.
Three thousand six hundred and seventy-two (3,672)
female Baralongs;
Five hundred and fifty-four (554) Basutos;

and we are of opinion that any of these Natives who may still be on the same farms and who have not forfeited their rights by misconduct or by leaving the farms in the meantime cannot now be turned off by the present owners, but have the right to remain there for life or good conduct.

Many of the present owners denied that any servitude ever existed on their farms, and practically all of them contended that in any case the servitude had expired; others, who admitted that there might have been some Natives who had rights of occupation on the farm originally, stated that all such Natives had left.

It has been quite impossible for this Commission to ascertain what servitude holders are now in the Moroka district. Owing to the unrest caused by the war and to recent military operations the Native question in that part of the country is in a state of hopeless confusion. Natives have in some cases been compulsorily taken off the farms occupied by them and cannot now be traced, while in other cases they have left the farms voluntarily and gone to reside on others owing to the insecurity of their position. To add to the confusion thereby caused, about ten thousand (10,000) Natives have been established in Refugee Camps in the district, of whom only about thirteen hundred (1,300) draw rations and are subject to regular supervision. When it is further remembered that many Natives who had no rights there settled in the district prior to the outbreak of the present war, it will be seen that the whole Native question requires a thorough investigation. Such investigation however, is impracticable, and would in any case be premature, until the war is over and the district has resumed its normal condition.

It will therefore be necessary to throw the onus of proof of the right to be on any particular farm on the Native himself. The claim of such Native will require separate investigation; in cases where the farms have changed hands a list of Natives having the right to reside on the farm has been (or should have been) attached to the Deed of Transfer, and the census list of Natives compiled by Mr. Cameron in 1884 - which may be taken as a complete list of all persons entitled to rights of occupation on farms in the district - is attached to this report. This census, however, gives no names, and as a number of Natives have been moved from Government and other farms on to locations and elsewhere, Mr. Cameron's list is only of value as showing the total number of Natives entitled to servitude rights in the district.

In the case of Native farms which have Native owners other than the original grantees we have taken it for granted that the transfers - being registered in the Government books - were authorised by the late Government.

In seven (7) cases only - noted in "Remarks" column are quitrents on these farms in arrear.

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LIST of FARMS the LEASES OF WHICH
HAVE EXPIRED.

Name of Farm (Figures denote area of whole farm.)	Name of Lessee.	Date on which Lease expired.	Rent payable per annum.	Quitrent payable per annum.	Remarks.
I. District of BETHLEHEM. (No returns)					
II. District of BLOEMFONTEIN. (Nil)					
III. District of BOSHOFF.					
1. Langerug, 709 m., 420 r.	Hermanus Johs.v.Tonder	21st Feb. 1901	£5. 15s.	16s.	Rent due for one year: Quitrent for two years.
2. Overshot, 1551 m. 551 r.	William John Cermack Brebner	10th Aug., 1900	£8.0s.6d.	32s.	Rent due for one year: Quitrent for two years.
3. Freezdal, 1428 m., 401 r.	Frans Petrus Bouwer	21st Nov. 1901	£7. 5s.	30s.	Rent and Quitrent due for one year.
4. Triangle, 476 m.	Caral Johs.van Aswegen	6th Sept. 1900	£5.2s.6d.	10s.	Quitrent due for two years.
IV. District of FICKSBURG.					
Nil.					
V. District of HARRISMITH.					
(1) Oever, 789 m.	Hendrik Bertuise	1st Nov. 1900	£20.	16s.	Rent due for one year: Quitrent for two years.
VI. District of HEILBRON.					
(1) Odin, 147 m. 217 r.	Gert Jacs.v.d.Heever	30th June, 1900	£4.	4s.	Quitrent due for one year.
(2) Uitval, 835 m. 562 r.	Marthinus Johs. Steyn	21st Oct., 1900	£9. 5s.	18s.	Rent due for one year: Quitrent for two years.
VII. District of HOOPSTAD.					
(1) Alles zal recht komen 685 m. 274 r.	Marthinus Jacs.Singleton	11th July, 1900	£1. 8s.	14s.	Quitrent due for one year.
(2) Lambrechtsfontein 2415 m. 468 r.	Roelof Johs.v.d.Merwe	11th July, 1900	£5.	50s.	Quitrent due for two years.
(3) Leeuwdoorns, 1265 m. 568 r.	-do-	11th July, 1900	£2.12s.	36s.	-do- -do-
(4) Overijssel, 2535 m. 361 r.	Charles James Philip Oertel	21st Nov., 1901	£12.10s.		
(5) Tel-el-Kebir, 400 m. 308 r.	Pieter Jacobus Venter	12th July, 1900	£1.		
(6) Utrecht, 6316 m. 206 r.	Helgard Mulder Steyn	23rd Aug., 1900	£17.	128s.	Quitrent due for two years.
(7) Zandaam, 1468 m. 116 r.	Jacs.Hen.Janse v.Rensburg	1st Sept. 1900	£11.15s.	30s.	
VIII. District of KROONSTAD.					
(1) Barberspan, (Campbell's P.) (Smokkel) (Barberspan) (Wesselaarust) (Geluk) 4932 m. 593 r.	Jan Hendrik Viljoen Antties Johs.Ferreira Johs.Andries Richter jr. John Samuel Cawood Benjamin Cawood	15th Sept. 1900 -do- -do- -do- -do-	£6. £7. £6. £6. £2.	} £5.	Quitrent due for one year on the whole farm.

Name of Farm. (Figures denote area of whole farm.)	Name of Lessee	Date on which Lease expired.	Rent pay- able per annum.	Quitrent pay- able per annum.	Remarks.
IX. District of THABA 'NCHU.					
(1) Abrahams Kraal, Lot A. Philippus J. de Bruyn 1263 m. 228 r. Lot B. Hendrik Johs. de Bruyn		7th Aug. 1901 -do-	£42. £36.10s.	12s. 14s.	Rent due for 2 yrs: Quitrent due -do- for 2 years.
(2) Golimo, Lot A. Barend Jacobs. Fourie 4088 m. 425 r. Lot B. Hendrik Johs. Schutte Lot C. Zacharias Andries Jacobs. v. d. Zandt Lot D. Frederick Uys Ebersohn		1st Sept. 1900 -do- -do- -do-	£44. £32. £32. £39.	18s. 16s. 16s. 18s.	Rent due for 1 yr: Quitrent for 2 yrs -do- -do- -do- -do- -do- -do-
(3) Lesaka, Lot B. Wynand Carel Scholtz 1411 m. 50r.		1st Oct. 1900	£36.5s.	14s.	-do- -do-
(4) Likatlong, 1508 m. Johan Hendrik Krynauw		23rd Nov. 1900	£90.	32s.	-do- -do-
(5) Mafeteng, Lot A. Mathys Petrus J. Snyman 2810 m. Lot B. Louis Theodorus Wessels Lot C. Gerhardus Jacobs. Wessels		31st Aug. 1900 -do- -do-	£66. £58. £52.	18s. 14s. 12s.	-do- -do- -do- -do- Quitrent due for 1 year.
(6) Malika, Lot A. Johs. Jacobs. de Bruyn 1558 m. 400 r.		7th July, 1901	£43.	16s.	Rent due for 2 yrs: Quitrent for 2 yrs
(7) Menschvreters- berg. 2835 m. 400 r. Lot C. Frans Hendrik Massyn		1st Sept. 1900	£62.10s.	28s.	Rent due for 1 yr: -do-
(8) Mokopo, Lot H. Jan Lodewikus v. Vuuren 4737 m.		7th July, 1901	£32.	10s.	-do- Quitrent for 1 yr
(9) Patchoana, Lot D. Harry James Hartman 3071 m. 316r.		7th July, 1901	£61.10s.	10s.	Rent due for 2 yrs: Quitrent for 2 yrs
X. District of VREDE.					
(1) The Ovens, Sarel John. de Meyer 781 m. 190r.		6th March, 1901	£4.1s.	16s.	Rent due for 1 yr: Quitrent for 2 yrs
XI. District of WINBURG.					
(1) Farewell, Hans Jac. B. Geldenhuys 734 m. 532 r.		16th July, 1901	£63.	16s.	Rent due for 1 yr: Quitrent for 2 yrs
(2) Paardekraal, Jan Gerritze Bantjes 1540 m. 442 r.		18th July, 1901	£100.	32s.	Rent and Quitrent due for 1 year.
XII. District of WEPENER.					
(1) Bissiesdal, Hermanus Bernardus H. 1620 m. Groenewald		15th Dec. 1901	£74.	34s.	Rent and Quitrent due for 1 year.

LIST OF FARMS THE LEASES OF WHICH SHOULD, IN THE OPINION OF THE COMMISSION, BE CANCELLED WITHOUT COMPENSATION.

Name of Farm (Figures denote area of whole farm.)	Name of Lessee.	Date of expiration of lease.	Rent payable per annum.	Quitrent payable p.a.	Remarks.
I. <u>District of BETHLEHEM</u>					
N i l					
No returns obtainable					
III. <u>District of BLOEMFONTEIN</u> BOSHOF					
Jansepani, 1035 m. 427 r.	Andries Johs.M.Legrance	24 July, 1902	£28	22s.	Lessee is still fighting: rent in arrear.
Welgeluk, 1940 m. 220 r.	Ruddph Marthinus Britz	21 Nov. 1906	£20	40s.	-do- -do-
Winterhoek, 4367 m. 72 r.	Pieter Charl N.Jooste	3 Sep. 1902	£23	88s.	-do- -do-
Zoet-en-Zuur, 1650 m. 590 r.	Frederik W.A.Schneider	21 Nov. 1906	£10.10s.	34s.	-do- -do-
II. <u>District of BLOEMFONTEIN</u>					
Grootvlei, 1810 m. 519 r.	A. M. H. de Villiers	23 Oct. 1907	£41. 5s.	38s.	Lessee holds another farm, did not occupy, and is in arrear with his rents.
IV. <u>District of FICKSBURG</u>					
N i l					
V. <u>District of HARRISMITH</u>					
Bruwersjeugd 1275 m. 52 r.	Jan Steph.S.Ballot	5 Feb. 1908	£37.	26s.	Lessee is still fighting: rent in arrear.
Middelste 705 m.	Jacobus D.C.Marais	23 Jan. 1907	£22. 5s.	16s.	-do- -do-
Oldenburg(Groothoek)	James Louis Vorster	23 Jan. 1907	£39.10s.	26s.	-do- -do-
" (Malima)	A.A.Celliars & E.J.leRoux	-do-	£28.	10s.	-do- -do-
" (Modderkuil)	P.J.A.Raath	-do-	£12.	18s.	-do- -do-
" (Oldenburg)	Gert Hendrik Ballot	-do-	£36.	20s.	-do- -do-
" (Spitskop)	M. C. Jacobsz	-do-	£34.10s.	26s.	Lessee dead: rent in arrear.
VI. <u>District of HEILBRON</u>					
Fortuna 1517 m. 294 r.	H.J.Mentz, J.H.E.Wessels, J.J.duToit Wessels	9 Oct. 1903	£7.15s.	32s.	Rent in arrear on 10 October, 1899.
Grasplaats 1469 m. 529 r.	Hermanus Jacs. Kriel	30 July 1902	£33.		Lessee still fighting: rent in area.
Kimberley 809 m.	Jacs.Cornelis Papenfus	22 Aug. 1906	£30.		Lessee dead: rent in area.
Moscow, Lot B. 1294 m.	J.H.Myburgh and S.J.Schoeman	1 Nov. 1906	£13.	26s. on	One lessee still fighting: other cannot whole farm be found: rent in arrear.
Middenin, Lot A. Lot B. Lot C.	Jacob Johs. Roets Karel T. v.d.Heever Hendrik Oostewald Eksteen	6 Jan. 1908 -do- -do-	£21 £28 £28.10s.		Lessees still fighting: rents in arrear.
1580 m. 152 r.					
Open, Lot A. 1288 m. 334 r.	Gert Johs.J.Kruger	9 July, 1907	£39		Lessee still fighting: rent in arrear.
Oersprong, Lot B. 1248 m. 440 r.	C.J.Crause & C.A.Hattingh	11 Nov. 1907	£11.10s.	26s. on	One lessee still fighting: one cannot whole farm. be found: rent in arrear.
Preston 546 m. 316 r.	Theunis Gerhardus Botha	6 Jan. 1908	£5.		Lessee dead: rent in arrear.
Rachan 1821 m. 500 r.	Franz Engelbertus Mentz	17 Feb. 1905	£26	38s.	Lessee still fighting: rent in arrear.
Rietput Lot A. 1265 m. 300 r.	Barend Petrus Pretorius	22 Oct. 1906	£27	-do-	-do-
Springbokvlakte, Lot A. Lot B.	David Theodorus Botha Hendrik B.L.Coetzer	29 Jan. 1907 -do-	£9. £11.	-do- -do-	-do- -do-
1867 m. 169 r.					
Vryheid, Lot B. Lot C.	Solomon Everadus v.Rooyen Reynier Michief Rantenbach	21 Oct. 1906 -do-	£25. £23.	-do- -do-	-do- -do-
Zandvoeg, Lot B. Lot C.	Pieter Hendrik Moeke Edward Pitcher	28 Oct. 1906 -do-	£15. £19.		Lessee dead: rent in arrear: lessee fight- Lessee dead: rent in arrear.
1586 m. 500 r.					

Name of Farm Figures denote area of whole farm.	Name of Lessee.	Date of expira- tion of lease.	Rent pay- able per annum.	Quitrent payable per annum.	Remarks.
VII. District of HOOPSTAD.					
Gouvernementsrecht 3979 m. 489 r.	Philippus Johs. Jacobs	28 Aug. 1906	£41.5s.	60s.	Rent in arrear on 10 October, 1899
Grootboom 1428 m. 104 r.	P.H. Theunissen and A.J. Leliveld	8 Oct. 1902	£6.	30s.	-do- -do-
Kettingvlakte 555 m. 523 r.	-do- -do-	-do-	£2.10s.	12s.	-do- -do-
Quaggavlake 374 m. 280 r.	P.H. Theunissen, A.J. Leliveld, G.A. Fichardt, M.J. Singleton	-do-	£12.8s.	62s.	-do- -do-
Uitylucht (1-3 part) 848m. 283-2/3 r.	Wilhelm Johs. Matthee	23 June, 1909	£7.	17s. 4d.	No rent paid at all
Vryheid No. 1 1333 m. 86 r.	J. Devenish	15 July, 1904	£19.12s. 4d.	54s.	Rent in arrear on 10 October, 1899
VIII. District of KROONSTAD.					
Aankom 2215 m. 170 r.	Jacob Benadie	23 March, 1903	£31	46s.	Rent in arrear: Lessee wishes cancel lease.
Canada (Roodekop) " (Middenin) 1387 m. 484 r.	Rudolf Jacs. v. Niekerk Christiaan Lourens Kloppe	30 Sept. 1906 -do-	£13 £17	16s. 12s.	Rent in arrear on 10 October, 1899. Lessee still fighting: rent in arrear.
Graadock (East portion) " (West ") 1971 m. 490 r.	Hendrik C. Oosthuizen Willem Geere	30 Sept. 1906 -do-	£37 £40	20s. 20s.	Rent in arrear on 10 October, 1899 -do- -do-
Dubbelpaan, Lot A. 1755 m. 384 r.	Hendrik Cornelis Smit	-do-	£22	18s.	Rent in arrear: Lessee wishes cancel lease.
Driedoorns 830 m. 125 r.	Hugh Crawford Lindsay	31 Oct. 1907	£7.15s.	18s.	-do- -do-
Gastvryheid, Lot A. Lot B. Lot C.	Willem Abraham Botha David John Hodgman Petrus Jacs. Lategan	30 Sept. 1906 -do- -do-	£43. £37. £25.10s.	16s. 14s. 14s.	Rent in arrear on 10 October, 1899. Rent in arrear: Lessee wishes cancel lease. -do- -do-
2148 m. 210r.					
Goudvlakte (East) 1141 m. 380r.	George and Willem Geere	31 March 1908	£5.10s.	12s.	-do- -do-
Klipdraai (East) " (West) 1776 m. 23 r.	Jurie Hendrik Wynard Wessels Josie Hendrik C. Brink	30 Sept. 1906 -do-	£51 £10	33s.	Rent in arrear on 10 October, 1899 -do- -do-
Kruispan, Lot B. 2793 m. 585 r.	Lucas C.J. Kloppe	9 April, 1907	£11	28s.	Rent in arrear: Lessee wishes cancel lease.
Landdrost, Blignaut Lot 1	Jan Lodewyk Wellem Cremer	30 Sept. 1906	£19		(Rent in arrear on 10 October, 1899
" Lot 2 (Kleindam)	Barend Celliers	-do-	£16		-do- -do-
" Lot 3 (Inhoek)	Petrus J.B.v.d. Gryp	-do-	£15	60s.	-do- -do-
" Lot 4 (Brakspruit)	M.J. Smalberger	-do-	£13		-do- (Lessee dead)
" Lot 5 (Rooskop)	P.J.P. Human	-do-	£15		-do- -do-
2916 m. 112 r.					
Putfontein 1560 m. 349 r.	Johs. Willem Meyer	30 Sept. 1908	£28	32s.	-do- -do-
Rietkuil (N.W. Ptn) " (S.E. ") 1881 m. 160 r.	James Daniel Collins J. P. Coetzer	30 Sept. 1906 -do-	£50 £59.5s.	18s. 20s.	-do- -do- -do- -do-
Rooderand (Karpan) " (Middendeel) " (Rooderand Oost) 2335 m. 79r.	George Fullard John Edouard Fullard Petrus G. Joubert	30 Sept. 1906 -do- -do-	£38 £38 £24	32s. 16s. 16s.	-do- -do- -do- -do- -do- -do-
Rosepan (Morgenzon) 1201 m. 580 r.	Johannes S.v.d. Merwe	-do-	£22	14s.	-do- -do-
Taaiboschpan, Lot B. Lot C. 2245 m.	Petrus Daniel Malan Edmund Robertson Vels	1 Jan. 1907 31 Dec. 1906	£7. 5s. £7. 5s.	16s. 16s.	Lessee dead: rent in arrear. Rent in arrear: Lessee wishes cancel lease
Vlaklaagte, Lot A. 1419 m. 8r.	Percy Booth	23 June, 1903	£5	16s.	Lessee dead: rent in arrear.
Vlakpan, Lot A. Lot B. 3167 m. 400 r.	C.J. du Plessis P.J. du Plessis	9 April, 1907 -do-	£40.1s. £22.	64s.	Leases already cancelled.
Welgelegen, Lot A. " Lot B. " Lot C. 2248 m.	P.H. van Eden J.H. Lubbe S.J.C. Opperman & N.J.v.d. Linde	30 Sept. 1906 -do- -do-	£41. £52 £56.	14s. 16s. 16s.	Rent in arrear on 10 October, 1899 -do- -do- -do- -do-

Annexure B. (3)

Name of Farm (Figures denote area of whole farm.)	Name of Lessee	Date of expira- tion of lease.	Rent pay- able per annum.	Quitrent payable p.a.	Remarks.
IX. District of THABA 'NCHU.					
1. Commissiehoek, Lot A. Mrs. Elsiby J. Wolhuter Lot B. Adrian L. van Wyk Lot D. Sarel Jacs. Myburgh, sen. 2347 m.		7 July, 1906 -do- -do-	£24 £43.10s. £32.	12s. 12s. 12s.	Rent in arrear on 10 October, 1899. -do- -do- Lessee willing cancel lease.
2. England, Lot B. Roelof Marthinus Brits Lot D. Stephanus D. Weber Lot E. Daniel Benjamin Lombaard 2537 m. 345 r.		-do- -do- -do-	£27. £26. £19.	10s. 10s. 10s.	Rent in arrear on 10 October, 1899. Not occupied, and sub-leased without permission: Rent in arrear on 10.10.99 Sub-leased without permission: rent in arrear on 10 October, 1899.
3. Pelosana, Lot B. Daniel Francois v. Tender 582 m.	Frederik Hendrik Swanepoel	-do-	£30.	12s.	Rent in arrear on 10 October, 1899: not occupied, and sub-leased without permission.
4. Gladstone, Lot B. Daniel Francois v. Tender		-do-	£44	20s.	Rent in arrear on 10 October 1899: not occupied, and sub-leased without permission.
5. Khumo, Lot A. Johs. Marthinus Dipenaar Lot B. Thos. Benjamin Dry Lot C. Mrs. Matha Bezuidenhout 2822 m. 100 r.		31 Aug., 1905 -do- 1 Sept., 1905	£37.10s. £48.15s. £10.	20s. 24s. 14s.	Rent in arrear on 10 October, 1899. -do- -do- -do-
6. Leeuwraai, Lot A. Johs. Jacs. Pretorius 2266 m. 310 r.		7 July, 1906	£38.	12s.	-do- -do-
7. Mafeteng, Lot D. Anton Michiel Hartman 2810 m.		1 Sept., 1905	£41	16s.	-do- -do-
8. Malika, Lot B. Johs. Stephanus Henning 1558 m. 400 r.		7 July, 1906	£33.	16s.	-do- -do-
9. Neuschvreters- berg, Lot A. A. P. Bester Lot B. G. S. Engelbrecht 2835 m. 400 r.		31 Aug., 1905 -do-	£35 £50	14s. 16s.	-do- -do- -do-
10. Mokopo, Lot A. Nicholas G. Wessels Lot B. Hendrik Johs. Weber Lot C. Petrus Jacs. Smith Lot F. Jan Lodewyk van Vuuren, sr.		7 July, 1906 -do- -do- -do-	£35. £31. £30. 5s. £32.	14s. 12s. 12s. 10s.	Rent in arrear on 10 October, 1899. -do- -do- -do- -do-
Lot G. Johs. Jacobus and J.H. van Vuren Lot I. Wm. Jacs. Hartogh 4737 m.		-do- -do-	£35. £30.10s.	10s. 10s.	Rent in arrear: Lessee willing to cancel lease. Rent in arrear on 10 October, 1899.
11. Moltonyana, Petrus F. Rantenbach 862 m. 413 r.		7 Nov., 1905	£43.	18s.	Lessee dead: rent and quitrent due for two years.
12. Mochhoek, Jacs. Johs. Grobler, and Johs. F. Grobler 932 m. 553 r.		1 Oct., 1906	£104.	20s.	Rent in arrear on 10 October, 1899.
13. Mount Pleasant, Lot A. Johs. Jacs. Strydom, jun. Lot B. Hendrik J.J.P.C. Swanepoel Lot C. Lambertus F. Lindegue 1945 m. 334 r.		7 July, 1906 -do- -do-	£48. £69. £55.	10s. 10s. 10s.	Rent in arrear on 10 October, 1899. -do- -do- -do-
14. Patchoana, Lot A. Johs. Petrus M. Maree Lot B. Francois Eager Lot C. Christiaan P. Venter Lot E. Charles William Higgs Lot F. Elmarx Tobias J.v.d. Heever 3071 m. 316 r.		7 July, 1906 -do- 19 Sept. 1906 7 July, 1906 -do-	£50. £70. £61. £46. £41.	10s. 10s. 12s. 10s. 10s.	-do- -do- -do- Not occupied by lessee. Rent due for current year: Quitrent for 2 years. Rent in arrear on 10 October, 1899.
15. Phokoane, Lot A. Hendrik Errard van Breda Lot B. Robert Crowther Lot C. Phillippus Johs. Raubenheimer 3482 m.		31 Aug., 1905 -do- 1 Sept. 1905	£61. £93.10s. £52.10s.	22s. 28s. 20s.	-do- -do- -do- -do- -do-
16. Salisbury, Lot A. Roelof Fredrik v.d. Walt Lot B. Andries Hendrik Hartman Lot D. Cornelis Jacs. v.d. Walt 2138 m. 320 r.		7 July, 1906 -do- -do-	£28. £30. £47.	12s. 10s. 12s.	-do- -do- Sub-leased without permission. Rent in arrear on 10 October, 1899. Rent in arrear on 10 October, 1899.
17. Sechoara, Lot B. Johannes Maartens 1176 m. 250 r.		31 Aug., 1905	£30.10s.	12s.	Lessee dead. Rent in arrear on 10.10.99
18. Vaalkraal, Lot A. Hendrik Johs. v.d. Merwe Lot B. Hendrik F.J. Margraff		7 Aug., 1906 7 -do-	£37. £25.	16s. 10s.	Rent in arrear on 10 October, 1899. -do- -do-

N O T E

The following should have appeared in Annexure C
under the heading "DISTRICT OF FICKSBURG" :-

UITVAL - Lot C. Leased to Alexander Ferdinand Naude
for 10 years, from the 19th March, 1898, and by
him Sub-leased, with the consent of the Govern-
ment, to John Wilkins.

Rent at the rate of £41 p.a. is due for one year:
Quitrent on the whole farm is due for two years.

The Lease expires on the 19th March, 1908.

The present Lessee appears to have occupied his farm
up to September, 1900, when he was forced to leave:
he is at present in Basutoland.

His Sureties are M. J. Fourie and James Donaldson,
both of Ficksburg.

List of Farms the Lessees of which apparently fulfilled the conditions of Lease up to the
10th OCTOBER, 1899.

Name of Farm.	Name of Lessee.	Date of expiration of lease.	Rent payable per annum.	Quitrent payable p.a.	Remarks.
I. District of BETHLEHEM.					
1. Bolima 622 m. 598 r.	Frederick Johs. Swart	14 Oct., 1903	£8.10s.	14s.	Rent and Quitrent due for 2 years.
2. Beginzel 777 m. 357 r.	Casper Jacs. van Zyl	28 May, 1903	£112.	16s.	Rent due for current year: Quitrent for 1 year.
3. Boschklouf, Lot A. Lot B. 1958 m. 182 r.	Harold Forbes Hendrik Stefanus Theron	17 May, 1907 -do-	£19 } £17 }	40s.	Rents due for current year: Quitrent for 1 year.
4. Braamshoek, Lot A. Lot B. 929 m.	Gerhardus P. van Zyl Michiel A. de Jager	25 Nov., 1907 -do-	£29 } £12 }	20s.	Rents and Quitrents due for 2 years.
5. Rhebokkop, Lot A. Lot B. 2277 m. 567 r.	Gerrit Frederik Heyns Pieter M. van Vollenhoven	17 May, 1907 -do-	£31 } £21 }	£46.	Rents due for current year: Quitrent for 1 year.
6. Uitroep (part Inroep) " (" Uitroep) 1344 m. 251 r.	Philippus T. Engelbrecht Schalk Willem Roeland	28 Nov. 1906 -do-	£25. } £41. }		Rents due for 2 years.
7. Verkyk, 686 m. 160 r.	Hermanus S. Prinsloo	25 Nov. 1907	£31.	14s.	Rent due for 2 yrs: Quitrent for 2 yrs
Note: It has not been possible to obtain any information as to these Farms beyond the fact that the Rents were paid up to the 10th October, 1899.					
II. District of BLOEMFONTEIN.					
Nil.					
III. District of BOSHOPE.					
1. Arnoldsden, 1037 m. 350 r.	Gert Cornelis Smith	23 July, 1908	£2.	22s.	Rent due for current year: Quitrent for 1 year.
2. Onverwacht, 1608 m. 167 r.	Hendrik Alwyn Smit	2 Sept., 1903	£7.	34s.	Quitrent due for 1 year.
3. Roodepansvlakte, 824 m. 60 r.	David Cornelis Fourie	4 Jan., 1902	£3.10s.	18s.	-do- -do-
4. Vlakpan	Johs. P. Jacobs	21 Nov. 1906	£14.15s.	26s.	Rent due for 2 yrs. Quitrent for 1 yr
IV. District of FICKSBURG.					
1. Uitval Lot A. Lot B. 1756 m. 547 r.	Johs. Theo. Rautenbach Lambertus P. Rautenbach	19 March, 1908 -do-	£41. £22.	36s. 36s.	Rent due for 1 yr: Quitrent for 2 yrs. -do- -do-
V. District of HARRISMITH.					
1. Woest Arabie 458 m. 90 r.	Charles Edward Mousley	24 April, 1907	£5.	10s.	Rent due for current year: Quitrent for 3 years.
VI. District of HEILBRON.					
1. Bovenuit 1004 m. 18r.	Jurie J. P. Wessels	24 Sept. 1907	£33	22s.	Rent due for current year.
2. Jubilee, 418 m. 583 r.	Rudolf G. P. Pretorius	30 July, 1902	£2.16s.	10s.	Rent due for current year: Quitrent for 2 years.
3. Keerom, Lot A. Lot B. 2390 m. 120 r.	Johs. F. Steyn Theunis L. Steyn	1 Oct., 1906 -do-	£14. } £17. }		Rents due for current year: Quitrents for 1 year.
4. Kroonbloem Lot A. Lot B. 1402 m. 157 r.	Johs. Adolf Scholtz John Straw	8 July, 1907 -do-	£25. £23.	- -	Rents due for current year. -do- -do-
5. Molensteenpan Lot A. Lot B. Lot C. Lot D. 3018 m. 469 r.	Nicholaas Johs. Mostert Johs. Adam Horn Barend Hendrik Steyn Christiaan A. C. Swart	22 Aug. 1906 -do- -do- -do-	£32. } £15. } £29. } £28. }	- - 62s.	Rents due for current year: Quitrents for 2 years.
6. Moscow, Lot A. 1294 m.	Marthinus S. v. d. Merwe	1 Nov., 1906	£12.	26s.	Rent and Quitrent due for 2 years. on whole farm.
7. Open, Lot B. 1288 m. 334 r.	William D. Steenkamp	9 July, 1907	£20.	-	Rent due for current year.
8. Oorsprong Lot A. 1248 m. 440 r.	Frederick Korsten Smit	11 Nov., 1902	£15.10s.	26s.	Rent and Quitrent due for 2 years. on whole farm.
9. Raaffie 334 m. 394 r.	Christiaan A. Roets	22 Aug., 1906	£18.	3s.	Rent due for current year: Quitrent for 1 year.
10. Rietput, Lot B. 1265 m. 300 r.	Johs. Dorfleng	22 Oct., 1906	£23	-	Rent due for 2 years.

Name of Farm.	Name of Lessee	Date of expiration of Lease.	Rent payable per annum.	Quitrent payable p.a.	Remarks.
11. Somerset 2618 m. 516 r.	Benjamin Dicks	28 Aug. 1903	£17.5s.	-	
12. Tusschenin Lot A. Lot B. 869 m. 240 r.	Frederick J.F.R. Botha Gert P. E. Marais	8 July, 1907 -do-	£21 £12	18s.	Rents for 1 yr: Quitrents for 1 yr.
13. Uitsyk, Lot A. Lot B. 865 m. 350 r.	Willem Johs. Lourens Nicolaas Jacs. Lourens	29 Jan. 1907 -do-	£10 £5	-	Rents due for 1 year.
14. Vryheid, Lot A. 1462 m. 550 r.	Roelof P. van Rooyen	21 Oct. 1906	£21	-	Rents due for 2 years.
15. Welgelegen Lot A. Lot B. 997 m. 132 r.	Johan Daniel Rautenbach Lucas Johs. Rautenbach	9 July, 1907 -do-	£26 £35	-	Rents due for current year.
16. Zandvoos Lot A. 1536 m. 500 r.	Gerhardus C. Engelbrecht	28 Oct. 1906	£18	-	Rent due for 2 years.

VII. District of HOOPSTAD.

1. Aanvrag 720m. 278 r.	Jeremias J.J.v. Vuren	16 Oct. 1906	£14. 5s.	-	
2. Angra Pequena 605 m. 90r.	Adolf Johs. van Collier	20 April, 1905	£3.16s.	14s.	Rent due for current year. Quitrent for 2 years.
3. Grasveld Lot A. Lot B. 2743 m. 400 r.	James Rautenbach, jun. Johs. J. Oosthuizen, and Jacs. Barnard	20 April, 1909 -do-	£30. £18.	28s. 28s.	(Quitrents due for 1 year.
4. Noord Holland, Lot A. Lot B. 2349 m. 309 r.	Albert Wm. J. Atkinson Theunis de Lange	20 April, 1904 20 April, 1909	£20 £16.	24s. 24s.	Rent due for current year: Quitrent for 1 year.
5. Vriesland 2850 m. 489 r.	Adriaan M. Nel	15 July, 1904	£11.8s.	58s.	Rent due for current year: Quitrent for 1 year.
6. Vryheid (No.2) 2654 m. 85 r.	Philip H. Theunissen and Frederick Barendse	20 April, 1905	£6.2s.8d.	38s.	-do- -do-

VIII. District of KROONSTAD.

1. Dubbelpan Lot B 1755 m. 384 r.	Lucas Cornelis Steyn jr.	30 Sept. 1906	£20.	18s.	Rent due for current year: Quitrent for 2 years.
2. Diamant, [redacted]	Theodorus J.v. Niekirk	30 Sept. 1908	£5.5s.	8s.	Rent due for current year: Quitrent for 1 year.
3. Fairfield 1924 m. 168 r.	Geo. Frederik Rautenbach	23 Nov., 1905	£12.15s.	40s.	Rent and Quitrent due for 2 years.
4. Gelykvlakte Lot A Lot B. 1921 m. 287 r.	Gert Hendrik Stols Hendrik v.d. Merwe	10 June, 1908 31 March, 1908	£6. £6.	20s. 20s.	Rent due for current year: Quitrent for 1 year. Rent due for current year: Quitrent for 2 years.
5. Goudvlakte (West) 1141 m. 380 r.	Rudolf Cronje	-do-	£5.10s.	12s.	Rent due for current year.
6. Katboschpan Lot A. Lot B. 1818 m. 103 r.	Hendrik P.M. Botha (H/son) Lourens Botha (P.C/son)	-do- -do-	£7. £11.	20s. 18s.	Rent due for current year: Quitrent for 1 year. -do- -do-
7. Kruispas 2793 m. 585 r.	Hendrik Johs. Wessels	9 April, 1907	£27.	28s.	Rent for 1 yr: Quitrent for 2 years.
8. Landdrost Robertson 876 m. 196 r.	Pieter Johs. Schutte	22 Nov. 1905	£10.15s.	18s.	Rent and Quitrent for 2 years.
9. Rosepan (Noortje) 1201 m. 580 r.	Frederik P.J. Botha	30 Sept. 1906	£20.	12s.	Rent for current yr: Quitrent for 1 yr
10. Taalboschpan, Lot A. 2245 m.	Johs. Petrus v.d. Wath	30 Dec. 1906	£7.10s.	16s.	Rent for 2 yrs: Quitrent for 1 year.
11. Vlaklaagte Lot B.	Charles Payne	23 June, 1903	£5.	30s.	Quitrent due for 1 year. on whole farm.

IX. District of THABA 'NCHU.

1. Alexandria 4553 m. 117 r.	Jurgens Johs. Lubbe	31 July, 1906	£30.	92s.	Lessee is said to have since purchased the farm Greylingst. Rent due for current yr: Quitrent for 2 yrs.
2. Commissiehoek, Lot C. 2347 m.	Sarel Johs. Venter	7 July, 1906	£32.	12s.	Rent for current yr: -do-
3. England, Lot A. Lot C. 2551 m. 345 r.	John F. Labuschagne Walter Glynn	-do- -do-	£27. £44.	10s. 12s.	-do- -do- Quitrent for 1 year.
4. Gladstone Lot A. 1987 m. 300 r.	Jacs. J. Steyn and H.J.P. Steyn	-do-	£41.	20s.	Rent for current year: -do-
5. Golimo, Lot E. 4088 m. 425 r.	Gert J. Oosthuizen	1 Sept. 1905	£32.	18s.	-do- Quitrent for 1 yr
6. Hoepelrok Lot A. Lot B. 1369 m. 174 r.	Willem S. Botha J.H.J.v.d. Wath	23 Oct. 1906 -do-	£26. £50.	14s. 14s.	Rent and Quitrent due for 2 years. -do- -do-
7. Leeuwdraai Lot B. Lot C. Lot D. 2266 m. 310 r.	David Fourie A. J. Venter C.F. Mynhardt and J.L.v.d. Venter	7 July, 1906 -do- -do-	£33.10s. £33. £34.	12s. 10s. 12s.	Rent for current yr: Quitrent for 1 yr -do- " 2 " -do- Quitrent for 2 yrs
8. Lesaka Lot A. 1411 m. 502 r.	Johs. M.v.d. Walt	30 Sept. 1905	£25.15s.	-	Rent and quitrent paid to date.
9. Lesaka	Daniel G. G. [redacted]	6 Nov. 1905	£45.5s.	22s.	Rent due for 1 yr.

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ANNEXURE D.LIST OF SURETIES IN RESPECT OF GOVERNMENT FARMS LEASED IN THE
ORANGE RIVER COLONY.
-----I. DISTRICT OF BETHLEHEM.

Name of Farm.		Sureties.	Address.
(1) Bolivia		(i) T.G.Fourie (ii) J.A.Kleynhaus	Wolhuterskop Uitkyk, Bethlehem.
(2) Beginssel		(i) E.D.C.Roos (ii) P.D.van Zyl	Geluk Joubertsvele
(3) Boschkloof,	Lot A	(i) S.J.Strapp (ii) E.C.Ross	Dumblane Geluk
"	Lot B	(i) S.J.Strapp (ii) J.Z.Lombaard	Dumblane Beginssel
(4) Braamshoek,	Lot A	(i) J.Z.Lombaard (ii) J.G.Roos	xxxxxx Beginssel. Mimmiesrust.
"	Lot B	(i) C.J.de Jager (ii) J.G.Roos	Roodebloem Mimmiesrust
(5) Rhebokkop,	Lot A	(i) E.C.Roos (ii) C.F.Bruwer	Geluk Naauwpoort
"	Lot B	(i) S.C.Mouseley (ii) C.Mouseley	Madrid, Bethlehem. " "
(6) Uitroep (Part Inroep)	(i) ? (ii) ?		
" (part Uitroep)	(i) D. J. Kruger (ii) D. J. Kruger		Elandshoek "
(7) Verkijk	(i) J.L.Vermeulen (ii) M.v.d.A.Vermeulen		Jamaica Leeuwfontein

II. District of BLOEMFONTEIN.

(1) Grootvlei	(i) H.H.Fouche (ii) D. Godley	Bloemfontein. "
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III. District of BOSHOFF.

(1) Arnotsden	(i) L.H.Steenkemp (ii) H.W.J.Jacobs	Graspan, Boshof. Tweefontein
(2) Jansepan	(i) J.W.F.Kammeyer (ii) J.S.le Roux	Schuilhoek " Veefontein "
(3) Langerug	(i) J.M.Steun (ii) L.A.Beck	Welgevonden " Boshof
(4) Onverwacht	(i) H.J.A.du Plessis (ii) J.B.Moolman	Kariespruit " Rietfontein "
(5) Overschot	(i) J.W.G.Steyn (ii) J.C.Daniels	Bloemfontein Boshof
Preezdal	(i) W.C.Bouwer (ii) L.J.Joubert	Koekemoensfontein Graspan.

Annexure D. (2) III. Dist. of Boshoff, (contd).

Name of Farm.	Sureties	Address.
(7) Roodepansvlagte	(i) A.A.Stols (ii) C.G.Maraais	Rietfontein, Bo Boshof.
(8) Triangle	(i) D.C.v.d.Spuy (ii) A. M. Kok	Boshof Beginseldam.
(9) Vlakpan	(i) D. J. Jacobs (ii) P.S.Z.Coetzee	Karielaagte Blauwboschfontein.
(10) Welgeluk	(i) D.J.Jacobs (ii) A.J.Pietersen	Karielaagte Vaalkraal
(11) Winterhoek	(i) C.G.Maraais (ii) P.J.S.Jooste	Boshof Zevenfontein, Boshof.
(12) Zoet-en-Zuur	(i) P.S.Z.Coetzee (ii) D.J.Jacobs	Blauwboschfontein. Karielaagte.

IV. District of FICKSBURG.

(1) Uitval,	Lot A.	(i) M.J.Fourie (ii) J. Donaldson	Ficksburg. "
"	Lot B.	(i) G.F.Fourie (ii) C.F.L.P.Bester	Schoongezicht, Ficks- burg.

V. District of HARRISMITH.

(1) Bruwersjeugd	(i) S.C.Mouseley (ii) C. Mouseley	Madrid, Bethlehem. " "
(2) Middleste	(i) W. Bentum (ii) P.L.Uys	Lincolnshire " Vlakspruit "
(3) Oever	(i) No trace can be (ii) found of his sureties.	
(4) Oldenburg (Groothoek)	(i) C.F.F.Truter (ii) P.J.C.Maree	Harrismith " Josephine "
" (Malima)	(i) F.J.le Roux (ii) D.M.van Zyl	Goedemoet " De Molen "
" (Modderkuil)	(i) S.J.A.Raath (ii) J.F.J.v.Rensburg	Klerksvlei " Wurtemberg "
" (Oldenburg)	(i) S.C.Mouseley (ii) G.B.Mouseley	Madrid " " "
" (Spitskop)	(i) J.F.J.v.Rensburg (ii) S.J.A.Raath	Wurtemberg " Merksvlei "
(5) Woest Arabie	(i) C.P.v.d.Merwe (ii) H.W.Baartman	Trekpad " Bethlehem "

VI. District of HEILBRON.

(1) Bovenmit	(i) W.P.J.Wessels (ii) J.J.de T.Wessels	Spitzkop, Heilbron. Boschkrantz "
(2) Fortuna	(i) W.H.Boshoff (ii) D.B.le Roux	Tweefontein " Heilbron Rd.Station
(3) Grasplaats	(i) J.C.Luyt (ii) G.P.Swart	? ?

Annexure D. (3)

VI. Dist. of Heilbron (contd)

Name of Farm.		Sureties	Address
(4)	Jubilee	(i) J.D.Collins (ii) O.M.B.Fisher	Roodepoort, Heilbron. Heilbron.
(5)	Kimberley	(i) H.O.Eksteen (ii) T.F.D.Moll	Frankfort. "
(6)	Keerom,	Lot A (i) L.C.Scheepers (ii) J.J.Scheepers Lot B (i) P.L.Steyn, sen. (ii) J. Pierce	Mooilaagte Kopjealleen Lepelkop, Heilbron.
(7)	Kronenbloem,	Lot A (i) J.F.Scholtz (ii) J. Pierce Lot B (i) J.F.Scholtz (ii) J. Pierce	Boschbank, Heilbron. Heilbron Boschbank Heilbron
(8)	Molemsteenpan	Lot A (i) J.G.Luyt (ii) J.A.Horn Lot B (i) C.J.Horn (ii) J.W.Horn Lot C (i) J.W.Horn (ii) D.P.J.Steyn Lot D (i) M.J.Steyn (ii) C.P.J.M.v.Tonder	" Molemsteenpan Varkfontein Uitvlugt " " Reef Blyvooruitzicht
(9)	Moscow,	Lot A (i) M.C.v.d.Merwe (ii) C.P.v.d.Merwe Lot B (i) C.W.Els (ii) J.F.Weilbach	Aberdeen " Kliprif Leeuwpoot

(10)

8.

It will be noted that the form of title (Annexure Z) issued for Native farms contains the clause "subject to the obligation of perpetual occupation." As two or more farms were in several instances granted to the same person, this clause could not have been intended to compel personal occupation. It was, in our opinion, merely intended to provide against the land being allowed to lie idle, and to ensure its use and occupation by the Natives and dependants of the grantee. If the farm were subsequently sold to a white man the purchaser would, in our opinion, be bound - under the regulations of the 23rd June, 1885 - to occupy the farm either personally or by a white substitute. If our interpretation of the regulations is correct it would appear that the owners of the following farms have failed to comply with the conditions of grant, viz:-

- (16) Eenzaam.
- (35) Langbewoond.
- (38) Lima.
- (42) Lovedale.
- (44) Manywaters.
- (88) Victoria.
- (90) Walhoek.

p.42. two
The/last named farms appear to have been leased by Native owners in contravention of Section 4 of the Volksraad's resolutions published under the Government Notice of the 30th June, 1885.

The owner of Victoria claims to have evaded the terms of the resolution by letting the farm for six (6) months at a time, and renewing the lease at the expiration of such period of six (6) months. We cannot find Steytler (the lessee) but, in any case, the owner of the farm does not seem to have received permission to let the farm.

The owner of a number of farms (see "Remarks" column) cannot be found at present. The owners of Linana (39) and of Lot F of the farm Mosheunyana (see note at end of Annexure U) are believed to be still fighting.

CONCLUSION.

In conclusion, we wish to acknowledge the good services of our Secretary, Mr. B.B.L.Jackson, and of Mr. J.L.Truter, who acted as Secretary during Mr. Jackson's illness, and whose knowledge of the Thaba 'Nchu district was of great assistance during the visit of the Commission to that place. We have also received valuable assistance from Mr. J.A.Collins, Assistant Secretary to the Orange River Colony Administration; Mr. Austin, Acting Registrar of Deeds; and Mr. J.G.Fraser, the former Chairman of the Orange Free State Volksraad.

We have the honour to be,
Sir,
Your obedient Servants,

(Sgd) J. A. ASHBURNHAM, Chairman.
" E. M. GARCIA.
" J. W. ROBERTSON.
Secretary: BEDVER B.J.JACKSON.

His Honour
The Deputy Administrator,
Bloemfontein

ANNEXURE E.

12th July, 1884.

PROCLAMATION.

Whereas the Chief Sepinare Moroka was murdered on the 10th of July,

And whereas the country in which he exercised jurisdiction is now without lawful government;

And whereas, for the preservation of law, order, peace and safety, it is necessary to immediately establish a proper government there;

And whereas this can best be done by annexing to the Orange Free State the Baralong Territory, over which the late Chief Moroka, during his lifetime, and the Chief Sepinare Moroka after him, and at Thaba 'Nchu, exercised jurisdiction;

Now, therefore, I, Johannes Hericus Brand, President of the Orange Free State, hereby annex the said territory to the Orange Free State, and proclaim that in future the said territory shall form portion of and shall be under the Government and the laws of the Orange Free State.

Notice is hereby given to all persons, and they are required to conduct themselves accordingly.

Given under my hand and the Great Seal of the Orange Free State at Thaba 'Nchu on the 12th day of July in the year of our Lord one thousand eight hundred and eighty-four.

(Signed) J. H. BRAND,

State President.

The top right-hand corner of page 77 bears a rubber stamp impression, in purple ink, reading:

RESIDENT MAGISTRATE'S OFFICE,
20 APR. 1907
THABA 'NCHU, O.R.C.

ANNEXURE F.PROCLAMATION.

Whereas Samuel Lefulere Moroka, Bogachu, Molakane alias John Moroka, Seitlamo, Mashomeny alias Karl Mothibi, Lebhetha, Motlagomang, Botsiele, Moreolute alias Job Ramayafi, Mokgou, Molimi alias Zacchaeus, took up arms in 1880 against the chief of the Baralongs Sepinare Moroka, and were put to flight by the said chief, and took refuge in the Orange Free State, and were, at their own request granted a place of residence upon condition that they lived eight hours away from the borders of the Baralong territory now annexed to this State and behaved in a quiet and peaceful manner; and

Whereas they have repeatedly broken the conditions upon which they are permitted to reside in the Orange Free State and have unlawfully conspired by making an armed raid into the territory of our ally, the late Sepinare Moroka, now annexed to this State; and

Whereas it is in the interests of the general peace and safety to cancel the permission whereby they reside in this State;

Now, therefore, I, Johannes Henricus Brand, President of the Orange Free State, with the advice and consent of the Executive Council, have thought fit and hereby do command and proclaim that the above-mentioned, Samuel Lefulere Moroka, Bogachu, Molakane alias John Moroka, Seitlamo, Mashomeny alias Karl Mothibi, Lebhetha, Motlagomang, Botsiele, Moreolute alias Job Ramayafi, Mokgou, Molimi alias Zacchaeus, shall no longer have the right of residence, but shall be given a pass by the Landdrost of Bloemfontein to cross the borders of this State and shall not be permitted to enter this State again.

And all Landdrosts, Fieldcornets, and Justices of the Peace are charged to strictly carry out this Proclamation.

Thus done and given under my hand and the Great Seal of the Orange Free State on the 18th day of November, 1884.

(Signed) J. H. BRAND,

By order,

P. J. BLIGNAUT,

Government Secretary.

The top right-hand corner of page 77 bears a rubber stamp impression, in purple ink, reading:

RESIDENT MAGISTRATE'S OFFICE,
20 APR. 1907
THABA 'NCHU. O.R.C.

ANNEXURE G.

("Government Gazette" November 19th, 1884.)

PROCLAMATION OF THE 29th JULY, 1884.

Whereas, I, Johannes Henricus Brand, President of the Orange Free State, under Proclamation of the 12th July, 1884, and for the maintenance of law, order, peace, and safety, and in the interests of the Baralongs, did annex to the Orange Free State the territory over which the late Chief Moroka, during his lifetime and the Chief Sepinare Moroka after him, exercised jurisdiction;

And whereas I, at the issuing of the Proclamation, gave notice to the subjects of the late Chief Sepinare, then resident there, who had taken no part whatever in the murder of the Chief, that sufficient ground would be set apart for them for locations, and that their ground rights, as recognised by the Chief Sepinare Moroka, should remain in their possession;

Now, therefore, I, Johannes Henricus Brand, President of the Orange Free State, with the advice and consent of the Executive Council, do hereby proclaim and make known that for the above-mentioned Natives shall be set apart the locations occupied by them, as well as other places in the territory, for residential purposes, and that all persons, white or coloured, who obtained ground rights from the Chief Moroka or Sepinare Moroka, shall retain possession of same.

Given under my hand and the Great Seal of the Orange Free State, at Bloemfontein, this 29th day of July, 1884.

(Signed) J. H. BRAND,

State President.

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ANNEXURE H.

PROCLAMATION OF THE 4th AUGUST, 1884.

Whereas I have ascertained that steps are being taken to purchase ground rights from Baralongs in the annexed territory;

And whereas it is undesirable that transactions take place which will interfere with the Government of this territory;

Now, therefore, I, Johannes Henricus Brand, State President of the Orange Free State, with the advice of the Executive Council, have decided and do hereby make known that no transaction in respect of ground rights in the annexed Baralong territory shall be recognized - such transaction having taken place subsequent to the annexation and prior to the final settlement.

Given under my hand and the Great Seal of the Orange Free State, at Bloemfontein, this 4th day of August, 1884.

(Signed) J. H. BRAND.

State President.

ANNEXURE I.

GOVERNMENT NOTICE OF THE 4th AUGUST, 1884.

By authority of His Honour the State President the following are appointed as a Commission: - Jan A. Prinsloo, Commandant of the Bloemfontein district; C. Voigt, of Bloemfontein, Attorney; and E. Bourdillon, of Bloemfontein, Government Surveyor; who shall proceed to the annexed territory of the Baralongs, and there hold an enquiry and report upon the claims of all persons, white as well as coloured, on farms or other ground situate in the Baralong territory annexed by His Honour's Proclamation of the 12th July.

All persons concerned are required to be at the office of the Commissioners at Thaba 'Nchu on Monday, the 11th August, at 10 a.m., or the days following, bringing their claims or receipts, whether these be in writing or proved by witnesses.

The Commission will not consider claims/~~brought~~ unless presented within fourteen days after the 11th August.

The Commission will enquire into claims brought within the fourteen days and will report upon the following points:-

- (a) By what right the claim is made.
- (b) Whether farms or ground were being occupied by the claimants.
- (c) What building, sowing or other work had been done on these farms.
- (d) From whom the claimants obtained their rights.
- (e) Where the ground is situated.
- (f) The extent of the ground.
- (g) The name of the claimant.
- (h) Whether white or coloured.
- (i) How long resident on the ground.
- (k) What he has paid in rent or otherwise.

Further instructions will from time to time be issued as circumstances may require.

(Signed) P. J. BLIGNAUT,

Government Secretary.

4th August, 1884.

ANNEXURE J.

REPORT

Of Commandant Prinsloo, and Messrs. Voigt and Bourdillon,
 Thaba 'Nchu,
 16th August, 1884.

Your Honour,

The Commission appointed to investigate the ground rights in the Baralong Territory, now annexed, have the honour to specially report the following regarding the investigation.

Evidence was taken by the Commission regarding the general ground rights held by the inhabitants of this territory before and now, and the Commission are of opinion that further evidence should be taken if possible. Out of the evidence obtained (originals of which we attach) it appears that prior to Captain Moroka's time the personal right of fixed property was not known (? recognised) but that places were merely pointed out to certain persons where they could settle with the object of tilling the ground and where they were also allowed certain grazing ground - the Captain following more the law of ownership than of power, as done in the neighbouring countries. He has since given his own subjects more fixed rights over grounds, and has later (from 1876) issued written certificates whereby he gave certain persons farms under certain conditions - mentioning names by which these grounds were to be known, and showing the extent of the ground measured in morgen. The general conditions were that the captain had the right to call up at any time the person, to whom the ground had been granted, for burgher service, and to decide any matter in connection with the land, and the more special conditions were that the grant of land could not be annulled during the lifetime of the Captain. This last condition was usually mentioned in the land certificate.

Mr. Cameron's evidence shows that a person who received land from Captain Moroka could sell his land after the death of Captain Moroka; but all the Baralong witnesses state that the land could not even then be sold, as by their law the land descends from father to son, and that a special law was made by Sepinare Moroka and his council that the land held during Moroka's lifetime could not be sold during the lifetime of Sepinare either.

From the Baralongs' evidence it appears clearly that when land was granted by the Captain, the grant required the confirmation of his council. Mr. Cameron, however, disagrees with the witnesses on this point, and states that the Captain had sole absolute power to make such grants.

From the evidence of Joseph M. Masisi and of Richard Moroka and in the case of claim No.30 of John S. Moroka, it appears that persons obtaining land did not get exclusive rights over that land only, but had also rights of supervision over the adjoining land, and the Commission are of opinion that in such cases a change should be made, and that persons shall not be able to claim ownership of ground over which rights of supervision only were held and granted.

The Commission/...

p.80. Annexure J.

The Commission consider that this refers to the following claims: (1) That of John S. Moroka, No.30, concerning the farms Morago No.110, Kgabala No.111, Bafulu No.112, Roodebult No.115; (2) that of Stephanus Koko Moroka No.5, concerning the farms Patchoana No.102 and Leeuwdraai No.100; and that of Joseph M. Masisi No.7, concerning the farms England No.77, Commissiehoek No.78, and Mokupu No.79.

Your Honour will observe in reading the evidence that little has been adduced against the claims that have been filed with the exception of the above named claims and that of Hermanus Keikelome No.12, who lays claim to a farm of 4,277 morgen. It appears, however, from J.M.Masisi's evidence that the latter claims this farm together with one Meri, and also the farm of J. J. Adendorff, about which another witness has yet to be called.

The evidence will shew that certain points have been omitted by the Commission, about which they will later obtain information and evidence.

The documents handed in with this Report by the Commission are still required by them, and cannot therefore be parted with.

We are, etc.

(Signed) JAN A. PRINSLOO,
E. BOURDILLON,
C. VOIGT.

REPORT OF A COMMISSION.

Appointed by a resolution of the Volksraad, dated the 12th September, 1884, to investigate the documents handed in by the President, and to report upon the same.

The Commission have the honour to report:-

(1) That after careful investigation it appears that the Baralong Chief Moroka, and after him Sepinare, from time to time beaoned off small plots of ground for sub-captains and their followers, which ground could never be considered the property of the sub-captains but of their people.

(2) That it appears that such occupiers never could alienate or make away such ground, but could merely grant the right of occupation, residence and grazing for cattle in return for personal service to themselves and their people.

(1 and 2 accepted by the Raad.)

(3) That the Commission are not clear as to what right the Chief Baralong had of granting ground which did not belong to him, but over which he had merely powers of administration. It appears that Moroka and, subsequently, Sepinare granted land certificates to white persons, by which the farms became their property subject to certain conditions.

(Accepted by the Raad.)

(4) That although the Commission attach no value to such certificates, they yet take into consideration the Proclamation dated 29th July, 1884, whereby both white and coloured persons are entitled to retain possession of their ground, and they wish to suggest to the Raad that to all white persons, possessing written proof, assurance should be given that they will be furnished with title-deeds.

(Unanimously accepted by the Raad and referred to the Executive Council to deal with.)

(5) That in view of the abovenamed Proclamation and in justice and fairness, the Commission wish to suggest that to all Baralongs belonging to the tribe of Moroka and Sepinare, and to their Councillors and Sub-Chiefs, certain grounds should be granted as their free property, in lieu of their positions as Captains and Sub-Chiefs. The Commission, after careful investigation of the claims to ground (vide list), consider that the ground contained in this list should be handed over to the Captains and Councillors. The same list enumerates the white persons who are in possession of land certificates and who have handed in the same.

(The Raad resolved that the Executive Council should deal with the matter, and proposed that the Natives should not be allowed to sell the ground without the sanction of the Government.)

(6)/.....