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THE GRIQUAS OF GRIQUALAND EAST UNTIL

ABOUT 1878.

T H E S I S

PRESENTED FOR THE DEGREE OF M. A.

O C T O B E R, 1935,

B Y

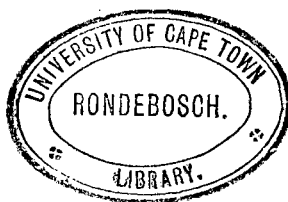
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P R E F A C E.

I have attempted to write a history of that section of the Griqua people who from 1862 to 1872 lived as an independent nation - the word is their own - in the present Griqualand East. It has not been an easy task, and I am afraid I have not given as clear an account as I should have liked to do. The Rev. William Dower, a London Missionary Society Minister, who lived among the Griquas in Griqualand East for several years, is the only man who has written anything like a history of these people. His book I have used ^{mainly} to get an idea of the character of the Griquas and of their social condition while Dower lived with them. For the facts of their history in Griqualand East I had to go to blue books, and to unpublished material in the Archives in Cape Town. I have not had the time to go through all the material on the subject - both in the blue books and in the Archives there is a great deal which I have not touched. In view of the many contradictory statements contained in the blue books which I had at my disposal, it was indeed difficult (due perhaps to some extent to my lack of experience of official reports) to select the correct data. For the history of the Griquas before 1860 I am mainly indebted to Sir George Cory who gives ~~an~~ a connected account of ~~the~~^a period about which there is very little material.

*Starr, Maitland, Ross?
Lindsay, Adams?
Macmillan, Bant, Ross & Hunter?*

r I.

The History of the Griquas before 1860.

There is not very much known about the origin and the early history of the collection of people who later came to be known as the Griquas. The two historians who have written about these people - the Rev. W. Dower and Sir George Cory - are rather vague on the subject of their origin. Dower says there was living at the Cape when the Europeans first settled here, a Hottentot tribe called the Grigiquas. These people were gradually driven north and eventually settled down across the Orange River. Here they mixed with Korannas and Bechuanas, and with the half-castes - the Bastards - who came from the Cape - the offspring of European fathers and Hottentot or slave mothers, people who resembled their mothers in colour and form, but inherited some of the self reliance and energy of their Dutch fathers.^{1.} The pure Hottentots - by now called Griquas, remained the nobility of this extremely mixed clan of people,^{2.} which took its name from the Hottentot section (1813)^{2.}

Cory, however, thinks that the Bastards formed the main section of the tribe. He does not mention the Grigiquas, but tells us that in 1813 a missionary who went among these people gave them the name of Griquas. So it seems that the Hottentot tribe must have been the most important section of the people, though it is very probable that the Bastards exceeded them in numbers.

These people first congregated as a clan around Piquetberg in the eighteenth century.^{3.} Here Adam Kok (born 1710) became their chief and was recognised as such by the Dutch Government

1. Cape Monthly Magazine. 2. Dower, ch. 2 3. Cory, vol. IV, Ch. VI.

at the Cape. He and his followers were nomadic. They did not settle at Piquetberg, but wandered off through the Cape Colony and gradually crossed the Orange. In 1795 they were in the Districts of Hay and Barkly, and were for a while at the Karriesberg¹ in Namaqualand.

They wandered about during the whole of the eighteenth century and the earlier part of the nineteenth, living probably mainly on game. In 1800 they were pretty low down in the scale of civilization. The missionary Anderson describes them as a wandering tribe who wore skins and daubed their bodies with mud and paint. They lived on game and what they could steal and were "without any traces of civilization"; and witchcraft, violence and murder were prevalent among them.²

It was missionaries who first civilized this nomadic tribe. The first Adam Kok had given over the leadership to his son Cornelius, and while he was chief, two missionaries, Anderson and Kramer, went among these people. They wandered about with them for five years, and eventually persuaded them to settle down at Klaarwater, later called Griquatown. And so the Griquas took the first step on the road to civilization.

Having once settled down, with the help of the missionaries, who during the whole period they remained north of the Orange river, had great influence among them, and for whom the Griquas always had a profound respect, they began to build decent homes, to make gardens, to cultivate the land, and they prospered and became civilized rapidly. They traded with Europeans from the Colony, and at the first Beaufort Fair, held in 1819, their business amounted to 27,000 rixdollars.³ They traded elephants' tusks, salt, skins, wheat and honey in return for goods. They always remained chiefly pastoral people - the country north of the Orange

1. Cory, vol. IV, Ch. VI. p. 272 2. Cape Monthly Magazine.

was better suited to pastoral farming than to agricultural, and later when some of these Griquas trekked to Nomansland, they still preferred to keep sheep and cattle, and cultivated comparatively little. This was quite probably due to the fact that agricultural farming entailed far more work than pastoral - the Griquas are notoriously lazy^{1.}

They did not remain a united community at Klaarwater - the nature of the land, with its scanty rainfall and few springs, did not allow that. In 1811 a settlement was formed at Campbell. Then "Dam" Kok who had succeeded Cornelius at Klaarwater had a disagreement with the missionaries, and once more became a wanderer, collecting round him a band of Griquas and Korannas, who became known as the Bergenaars and lived mainly by plundering.^{2.} In "Dam" Kok's place was chosen Waterboer, a strong and very religious man, much under the influence of the London Missionary Society missionaries.

At Philippolis, about 150 miles north of Klaarwater, ~~the~~ a school had been established by Stockenstrom and the Rev. Abraham Faure of Graaff-Reinet. Here, in 1825, Dr. Philip persuaded "Dam" Kok to settle down with his followers.^{3.} Sir Richard Bourke, Governor of the Cape at the time, recognised him as chief. This, however, did not confer any authority on him or ~~sanction~~ his occupation of these lands. The bushmen were the real aborigines north of the Orange. The Griquas just came in and settled down and lands were allocated to them by their chiefs. Later there was trouble when the Boers claimed to have just as much right to these lands as the Griquas.^{4.}

In 1834, Sir Benjamin D'Urban made a treaty with Waterboer. Four years later, Waterboer and "Dam" Kok^{5.} came to an agreement

1. Dower, Ch.V.

2. Cory, vol.IV.,Ch.VI.,p.275. 3. Cory, vol. IV.Ch.VI.,p.276.

4. Cory, vol. IV.,Ch.VI.,p.276. 5. Griqua Law Book.

(4)

with each other about the lands they "owned". This agreement ^{1.} is to be found in the Archives. . It is called the "Artikels van vereeniging tussen de Grikwa hoofden", Adam Kok and Andries Waterboer, and their "volk". ^{"bAM"} Adam Kok claimed the present districts of Philippolis, Bethulie, Caledon River and Rouxville. ^{2.} The lands claimed by both chiefs were to be called Griqualand.

They agreed to live peacefully, and to be one nation and not make war upon each other. Quarrels between the two sections were to be referred to the Cape Colony Government for arbitration. Kok and Waterboer were each to be given his own section. Each chief could appoint all officers of the Government, except the "Wetgevende Raad", which was to be elected by the "burgers". The chief was to have no power over the lives and property of his people unless they ^{did} /wrong, and in that case he was to proceed according to law.

The two Government were to be united for general purposes, and once a year, or more often, a general meeting was to be held at Griquatown and Philippolis in turn, at which Kok and Waterboer were to preside in turn also. Neither captain could make war - except in self-defence - without the consent of this combined Raad neither Wetgevende Raad could pass sentence of death without the consent of this Raad; and this combined Raad was to be a Supreme Court of Appeal for all Griqua subjects.

The two captains promised to prevent thieving commandoes against the native tribes, and to spread christianity and civilization to the natives surrounding them. They also decided to preserve friendly relations with the Cape Colony.

According to this treaty, the Griquas were a civilized, well governed, comparatively democratic people, evidently under the influence of the Boers - their "Wetgevende Raad" chosen by the people, ^{and} the term "burgers" used for Griqua subjects shows this. And the laws they made, with which I shall deal later, also ~~would~~

give one this impression. But I do not think they were as well governed as the treaty and their laws would make us believe. Neither captain was strong enough to carry out his good intentions, and the people could not yet have been civilized enough and sufficiently used to governing and obeying their Government, for the State to be as well governed as the written treaty and laws (show. *Dam*)

The treaty completely ignored the claims of Cornelius Kok who was chief of the little community at Campbell. Cornelius was not very fond of missionaries, which is quite probably why Waterboer and "Dam" Kok ignored him. But Cornelius was not worried. He stuck to his land, and went on selling land to the Boers. 1.

In 1837 "Dam" Kok went to Cape Town to try and negotiate a treaty with the Cape Government, similar to the one made with Waterboer. 2. He failed to do so, and soon after died.

Trouble followed at Philippolis. "Dam's" son Abram succeeded his father. But he was not too popular with the missionaries, ~~and~~ ^{not} consequently with the people. So he was deposed and Adam Kok was elected chief. Cornelius and Abram joined forces, and attacked Philippolis. Waterboer helped Adam, which seems to show that the treaty was being carried out - and Cornelius and Abram were driven off. A combined meeting of the two Griqua Governments was held at Philippolis - again evidence of the treaty - and deposed Cornelius. Cornelius did not mind, for Adam and Waterboer did not get beyond words, and went on selling land to Boers. 3.

Waterboer and Adam disapproved of this. As early as 1821 a law was made to the effect that farms might not be sold to "Kolonisten" from the Colony (Boers had been gradually drifting across the Orange for years) and no "Kolonist" might settle on Griqua lands. 4.

But Kok and Waterboer were powerless to stop Boers coming into the country and settling on the lands claimed by the Griqua chiefs. The country was vast, and the Griquas but few in number, and they did not possess the requisite force for keeping the Boers out. So they leased land to Boers, who often paid the whole^{1.} hire in a lump sum, sometimes with the consent of the Raad, sometimes without it. In 1838, Adam's Raad passed a law that no sale or transfer of land was valid unless the deed of sale or transfer had been signed by the captain and Raad. It repeats that no farm could be sold to a colonist or anyone who was not a lawful Griqua subject.^{2.} This law was never obeyed - it was impossible to enforce it. Maitland found that Boers often held leases signed by the Raad,^{3.} which shows that even the captain and Raad broke the law.

During the Great Trek, the small community of Boers beyond the Orange was greatly augmented by others who were not as loyal to the British Government as the earlier arrivals. In 1842 there were about a thousand Boers in the Riet River district, land claimed by Adam.^{4.} All these Boers ignored Adam's territorial claims and his attempted jurisdiction. The Boers were prejudiced against coloured men and hated the idea of a coloured man ruling over any land in which they lived. They set the Griquas against them by taking summary action against Griqua wrongdoers, and absolutely ignoring the Griqua Government, which intensely annoyed the Griquas who were very proud of their Government and of the fact that they were a "natie".

After 1842 the bad feeling between Boers and Griquas increased. Jan Mocke, the leader of the disloyal Boers, refused to acknowledge Adam Kok's right to the land. He said there was no law in the land, which was probably quite true.^{5.} The Griqua

1. Dowers's 2 Griqua Law Book. 3. Cory ³¹⁴ ~~314~~ 4 Walker. History of South Africa, p.225. 5. Cory, vol.Iv.Ch. ~~IV~~ ^{IV} 21 p.224.

laws, I should think, seldom got further than being written down. Both Griquas and Boers began to arm and to move about the country. A British force was sent to Qlesberg, and for a time hostilities were averted. Kok said that he objected to the Boers because they were against the British. Sir George Cory seems to think that this was hypocrisy on Adam's part, but I think that the Rev. William Dower is right when he says that the Griquas really were friendly to the British. The treaty made between the Griquas of Griquatown and Philippolis bears out this view by two of its clauses — the one which says that disputes between the two sections of the nation are to be referred to the Colonial Government for arbitration, and the last clause, which says that the two chiefs wish to remain on friendly terms with the Colony.

Sir George Cory lays great stress on the fact that some Boers had come into the land north of the Orange as early as, or perhaps earlier than, the Griquas, and so had just as much right to the land as they. But the greater number of Boers had come during and just after the Great Trek and were disloyal British subjects. (The Griquas and other Boers had crossed the Orange before the British took over the Cape and were therefore not British subjects.¹) Adam therefore had a greater claim to the land on account of his longer occupation, and the Boers had no right to claim the land as theirs and set up their own Government as they wanted to do, both on account of this, and because they were still British subjects.

In August, 1843, Adam Kok wrote to Cape Town, asking the Government to make an alliance with him, similar to that made with Waterboer. The position of the chiefs, however, was not similar. Waterboer was chief over people who were willing to submit to his rule, but in Adam Kok's land the greater proportion of the inhabitants were Europeans who objected to his rule, and were strong enough to defy him.²

1. Cory, vol. IV., Ch. EVL p 299

2. -do- p 297

The treaty was made with Napier in 1843. It made Adam Kok a kind of chief of police in his own country. He was to be an ally and friend of the Colony and to preserve order in his country. He was to help the Colony to apprehend wrongdoers who fled across the Orange, and to prevent stealing from the Colony. He also had to warn the Cape of any intended hostile movement against it - probably meant for Boers as well as natives. Kok was to be given £100 per annum and guns and ammunition.

This treaty caused a great deal of dissatisfaction. The native chiefs with whom treaties had not been made were annoyed, and the Boers greatly resented this recognition of a coloured man's authority over them. The Boers were in the wrong in this case. The earlier arrivals had recognised Adam's authority over the land by hiring or leasing land from him. It was the Trek Boers who were causing trouble. They had no right to object to Adam's rule. His people had been in the country long before the Boers arrived, and in addition to this, there is the fact that the Boers were British subjects who had trekked of their own free will and should have put up with what they found in this new country.

In recognising Adam's authority in this land, the treaty was legally correct, but it was not a wise move. Napier should have foreseen that the Boers would object to it. It is difficult to see, however, what could have been done to avert trouble between the Europeans and the coloured men. I do not think that Adam Kok wanted the Boers who had leased land from him to be removed from their farms. He would probably have been quite satisfied if they had acknowledged his jurisdiction and obeyed his laws.

Anyway, soon after the 1843 treaty there was trouble again between Boers and Griquas. Neither side acted lawfully and both resorted to violence in disputes. The English in the Cape Colony at this time sympathized with the Griquas, as the "South African Commercial Advertiser" shows. Fighting between Boers and Griquas started. The British helped Adam. The Boers were defeated at

Handwritten signature or mark

Zwartkopjes, and Governor Maitland came to Griquatown to make peace.

He found that though many Boers held titles from the Griquas, just as many had settled on the land without getting permission. He blamed Adam Kok for allowing the Boers to settle on his land, but saw that Adam was unable to stop them from coming in, because his people were weak and his State was not very well organised. Maitland saw that there could not be double jurisdiction for Boers and Griquas living amongst each other. So in order to make and keep the peace, he told the Boers that they had to acknowledge Kok's authority or else leave the country and go to the Colony and Natal.^{1.}

In February, 1847, the Maitland treaty with Adam Kok was made. His country was thereby divided into alienable and inalienable land. The latter portion consisted of the present districts of Jacobsdal, Philippolis Bethulie and Fauresmith, land south of the Riet River.^{2.} In this land, neither Kok nor his people could grant, sell or lease land to any British subject (which included Boers). Those Boers who already occupied land there, were to leave as soon as their leases expired. Those who had bought farms, were to consider themselves as having forty year leases, and when these leases expired they were to leave. In the alienable territory, the boundaries of which were vaguely defined, Europeans and natives could hold land if they acknowledged the authority of Adam Kok. Quitrent was to be levied on each European-owned farm in alienable territory. Half of the money thus obtained was to go to Adam to defray expenses of his administration, and the rest was to help to maintain a British resident who was to be stationed at Bloemfontein.^{3.} In 1846, Maj. Warden was appointed British Resident.

But this treaty did not bring the hoped-for peace. The Boers and Griquas could not live happily together. In June, 1847, trouble started again. Then Sir Harry Smith came and made another agreement with Adam. The story is that the Griqua

1. Cape monthly magazine. 2 Cory, vol. IV, page 316.

3. Cory, vol. IV. p. 320.

was rather arrogant towards Smith. but agreed to the Governor's proposal when he was threatened with hanging from his own roof.^{1.} By this treaty made in January, 1848,^{2.} Adam Kok agreed to give up "his share of the quitrent for £300 per annum in perpetuity, £200 for himself and £100 for his people in consideration of 'the lands they had let' some forty years leases in the alienable territory being thus converted into leases in perpetuity or ownership". British subjects who held leases in the inalienable territory were to depart when their leases had expired, if they were paid the value of the improvements they had made. If the Griquas were unable to pay this amount then lessees were to remain until the rental had accumulated to the value of the improvements. The valuation was to be made by the British Resident, Kok's secretary, and an emigrant farmer. Adam Kok added a postscript to this treaty "Kaptein Adam Kok begs to add the arrangement as to the purchase of houses and leases in the alienable territory is entirely his own".^{3.} This postscript made Adam's later objections to this treaty seem rather inconsistent.

In February, 1848, the country between the Orange and the Vaal was annexed by Sir Harry Smith, who proclaimed the Queen's sovereignty over all native chiefs in this land, including Adam Kok. The authority of the native chiefs over their own tribes was to be maintained and a firm British Government was to be established at Bloemfontein.^{4.} Maj. Warden, the British Resident, had no trouble with the Griquas under Waterboer, whose land was vested in the chief and State. But the Philippolis Griquas held land by individual tenure,^{5.} and all Warden had to do was to watch them selling their land to Europeans.^{6.}

1. Cory, vol.V., and Dower, Ch.III. 2 G.58-'79, pp.47,59,60.
 3. G.58-'79, p.60. 4. Cory, vol.V. 5. G.58-'79, p.47. 6. E.A. Walker, History of S.A., p.225.

In 1854 the Orange River Sovereignty was abandoned and the troubles of the Griquas got worse and worse. They had lost almost all the alienable portion of their land already, now they lost most of the inalienable territory. The third article of the Bloemfontein Convention stated that as the provisions of the Maitland Treaty with regard to the inalienable territory had never been kept, this treaty was to be modified. All restrictions upon sales of land in the inalienable territory were to be removed. It was said that Adam Kok had consented to this, but Kok denied ever having given his consent. He said that if lands had been sold it had been done without his consent.^{2.}

Clerk
 Sir George ~~Sturges~~ was sent as a special commissioner to try and settle some of the disputes between the Boers and the Griquas. In the inalienable territory certain farms had been confiscated by Maitland from rebellious Boers. These men were threatening to return to their farms, and Adam Kok predicted trouble if they did so. Also, certain leases of farms held by Boers in this territory had expired, but the farmers refused to leave.^{3.} Clerk offered to buy the lands in the possession of Boers if Adam would agree to certain conditions.^{4.} These were that his subjects should have the right to sell their lands in the inalienable territory, which meant that the Griqua law forbidding this had to be abrogated. All Europeans buying land in this territory were to become subject to the authority of the Boer Government, and a landdrost was to be appointed to be in authority over them. Kok was still to be paid the £300 per annum that the Smith treaty gave him, and his people were to be compensated for the lands they had lost in the alienable territory by this treaty. The Griquas under Adam Kok were to be allowed and helped to remove from the country if they wanted to - it was evidently becoming more and more obvious that this was the only possible course to adopt if the Griquas had not to lose

1. A.118-'61,p.12. 2. 118-'61,p.2. 3. A.118-'61,p.75.
 4. 118-'61,p.4.

CHAPTER II.

THE PREPARATIONS FOR, AND THE ACTUAL TREK TO,
NOMANSLAND.

Sir George Grey decided that the only hope of the Griquas lay in removing from the Philippolis lands. If they stayed there they would before very long quarrel with the Republic, and they had no hope in a struggle against the Boers. Their nation would be broken up, and the remnants of it would probably join Moshesh, which would be dangerous for the Orange Free State.^{1.} Grey thought that the best place in which to locate these Griquas was Nomansland, on the frontier of the Colony. But he was determined that they should go as British subjects. He wrote to the British Government, stating the many advantages there would be in locating the Griquas in Nomansland. They had always been loyal allies of Great Britain, to which ~~the~~ fact the Executive Council of the Cape testified on February 18th 1861.^{2.} By establishing them as British subjects in Nomansland, Great Britain would be adding 6,000 or 7,000 loyal subjects to the Empire.^{3.} These people were comparatively well off and what is more were energetic. They would open up unknown lands and would act as a barrier against the savage native tribes beyond the frontier. Grey hoped to settle Europeans among them, so that the Griquas should not form a class-settlement, but should become absorbed by the European population. They were ~~to~~ to be given all the powers of disposing of land that British subjects had. The Griquas would be a great advantage on the frontier, Grey said, since they would bring 2,000 well armed and mounted men with them. They were not savages. They spoke English and Dutch, were good and moral Christians and among them crime was no more prevalent than it was among Europeans. They lived like Europeans in

1. A.118-'61, p 25. 2 A.11-'61.p.22. 3. A.30-'79, p.7. Orpen disagrees with this number. He says that Adam Kok moved with about 50 wagons and the same number of families (A.12-'73, p.167). This figure is probably too low. Adam Kok himself said he was taking 1,500 families with him (A.118-'61,p.35).

villages and houses built in the European manner. They were not land speculators, but would live on their farms and cultivate the soil. They were able to defend themselves, as their State was divided into field cornetcies for this purpose.

Having given the ~~many~~ advantages attached to settling the Griquas in the new land, Grey ended up with the significant remark, that the Griquas could be regarded as pioneers who could be followed by Europeans. They were to be allowed to sell their land to Europeans, and when they had done their pioneer work and sold their lands, they would once more move on.

was to?
 ✓ It is interesting to see just how far Grey's hopes were realized. The Griquas went to Nomansland and did their pioneer work there, but because they had grown poor on the way to the new land and during their first years there, they did not do very much to open up the country. They did not cultivate as much as Grey thought they would. They did not make roads and bridges, but they did keep the natives quiet. And they did sell their lands to Europeans when the British Government took over authority in the country. But they did not again remove as a people to a new country. In this respect Grey was just a little too optimistic.

✓ Arrangements were made about the removal of the Griquas to Nomansland. This bit of the country had by the 1844 treaty between Governor Maitland and Faku, paramount chief of the Pondes, been restored to the natives who had originally lived there, though Faku remained the paramount chief of the territory. In 1850 he ceded it to Great Britain on condition that she governed it because he was unable to control it. When he heard that Adam Kom was to settle in this land, he objected. But when Sir Walter Currie, who was sent by Grey to enquire into conditions in the country, assured Faku that Kok and his people were to come as British subjects, the Pondo chief withdrew his objections, and the land between the Umtata and Umzimkulu was ceded to Great Britain (1861).

Sir Walter Currie reported that the land was fertile, well-watered and wooded, and was capable of supporting a large population. The upper parts were suitable for sheep farming but the whole could be cultivated, the higher portions being suitable for wheat growing, while nearer the coast sugar could be grown. He reported that there were some natives in the land - ~~NEEK~~ Nehemiah Moshesh with about 50 Basutos, ~~XXXX~~ Amabacas, Amapondomesi, Xesibi, and a few Fingoes, the chiefs of which tribes all wanted to be under the protection of the British Government and wanted British magistrates stationed among them. He reported that most of the land, however, had never been occupied. Between the Bashee and the Umzimvubu there were 35,000 fighting men, among whom the Griquas would be a good civilizing influence.^{1.}

The Griquas themselves sent an expedition consisting of Kok and about 100 men to Nomansland. They found there few inhabitants, plenty of game and a fertile country, and decided that it was a land of promise where they could grow sugar, coffee and rice.^{2.} They visited Faku, and from the native chiefs who inhabited the land they got permission to settle there. Kok said that these natives ceded land to him,^{3.} and as the country belonged to them by the 1844 treaty, he thought he could move to it. He would have liked to get Grey's permission, but decided to move even if he was unable to get this. The Griquas naturally wanted to go to the new land as an independent nation.

But Sir George Grey would not allow this. If the Griquas refused to go as British subjects, they could stay where they were. He decided to appoint a Commission consisting of a representative from British Kaffraria, Natal and the British Government, which was to define the boundaries of Kok's future location, and just before he left he framed the conditions on which the Griquas were to go to Nomansland.^{4.}

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Adam Kok and the Home Government consented to these.

(1) The tract of country was to be defined by a Commission appointed by the High Commissioner, and the Griquas were to occupy it as British subjects.

(2) Adam Kok was to get a commission as a Justice of the Peace in this territory, and was "for the present to administer justice amongst his own people, under the rules, laws and regulations now in force in Griqualand".

(3) Adam Kok was to keep all his former powers, and was to have in addition the powers a Justice of the Peace had in the Colony.

(4) The Griquas were to divide the land among themselves.

(5) Surveys were to be made of farms as soon as the farmers were in a position to pay for them.

(6) The High Commissioner "is to guarantee possession of each such farm to its occupant against all British subjects as fully and securely as if it were held under grant from the Crown, and to issue titles to this effect as soon as the surveys had been completed".

(7) Quitrents were to be paid on the same principle as in British Kaffraria, i.e. about £5 per annum for any ordinary farm.

(8) The same fees for licences, etc., were to be paid as were paid in the Colony.

(9) All sums thus raised were to be used for the administration of Nomansland.

On these conditions, therefore, the Griquas left their lands north of the Orange, and went to Nomansland.

^{1.}
Orpen tells us that the Griquas were very well treated by the British Government by this arrangement. He says they sold their old lands for the full value, and then accepted "munificent grant from Government on the chief condition that they.....should admit themselves to be British subjects and be governed as such" (Orpen would have preferred to have had British

everything they had. Ammunition was withheld from the Griquas by the British Resident, who told them that he would give them no more unless they agreed to these conditions. This, however, was a purely unofficial action.

Kok did not agree to these conditions. He refused to abrogate his Griqua law, although that did not make any difference, since the third article of the Convention legalized sales of land in the inalienable territory. Later Kok wrote again to the British Government, saying that he would accept the conditions if certain alterations were made in them. But Clerk informed him that he could no longer make any arrangements with him. So the special commissioner went away without having made any definite arrangements, and the Griquas were left to fend for themselves.

Now that Kok had been deserted by the British, the Dutch Government began to encroach more and more upon his land and his authority. In May, Hoffmann, President of the Orange Free State, proclaimed that all burghers who had bought land in the inalienable territory should declare the purchase before a Dutch landdrost, and the Dutch Government would protect them. Adam objected to this, but Hoffmann told him that if Kok himself could not prevent the sales he could not be expected to do so, and so he had decided to have things done openly. More and more Griquas lost their farms, and more and more sales were declared before a Dutch landdrost. The Griquas did not realize they were cutting their own throats. Adam Kok did not approve of this selling, but he could not stop it. So most of the farms sold to Dutch subjects were looked upon as the property of the Orange Free State Government.

In 1857 the Republican Government published an article of the Bloemfontein Convention of which Adam had known nothing. This declared that whenever Griqua lands were sold to anyone of

1. A.118-'61,p.2. 2. A.118-61,p.8. 3. A.118-'61,p.9.
4. A.118-'61, p.7. 5. A.118-'61,pp.7 and 8.

European descent, these lands became the property of the Orange Free State.^{1.} Another article in the Convention had declared that all Europeans who had resided north of the Orange for six months became subjects of the Republic^{2.} - and so Adam Kok lost land and authority. With the publication of the secret clause, the whole country, including Philippolis, was divided into field-cornetcies, and every European became the subject of the Republican Government, and his land the property of the Orange Free State.

Now the Republic began to assume authority ~~over~~^{over} the Griquas subjects as well - Griquas were imprisoned in Free State prisons, instead of being sent to the Griqua Government.^{3.} Nothing but trouble could come of this state of affairs, with two different Governments claiming authority over people living side by side, and sometimes over the same people and the same land. The Griquas could do nothing. They had to go.

Sir George Grey ~~xxx~~ tried to help them because he sympathized with them and saw their side of the question. He wrote repeatedly to England, ~~xxx~~ The only answer he got was that he might settle the question peacefully if he could, but that Great Britain was not prepared to interfere in the affairs of the Griquas and the Boers. So Grey decided that the Griquas had to leave the country. They had been treated rather badly by Great Britain after 1854, both by the repudiation of the Maitland treaty and by the secret clause in the Bloemfontein Convention. But there would have been trouble whatever Britain had done. It was impossible to have a white and a coloured Government in the the same country, especially where the Europeans hated the coloured people and far outnumbered them. Grey's course was the best one - sending the Griquas to a new country, and that one of the best bits of land in South Africa. The Griquas naturally lost a great deal in their /trek to this country, but it was mainly due to their own stupidity and laziness that they

1. A.118-'61, pp.13 and 14. 2. Cape monthly magazine.

3. -do-.

did not prosper there.

And now that I have given an outline of the history of the Griquas up to the time of their trek to Nomansland, I shall say something about the Government of these people and their habits and customs.^{1.}

Their Government, consisting of an elected captain, a "Wetgevende Raad" and field cornets appointed by the captain, showed the influence of the Boers, who governed their republics by means of an elected council and an elected President. There is unfortunately very little material on the subject, but what there is, is most interesting.

The powers of the captain were defined in the treaty between Waterboer and Adam Kok, and in a document called "de grondstellingen en wetten van het distrikt van Philippolis", 18th November, 1838. The chief was president of the "Wetgevende Raad", and together with ^{it} formed the central Government, having legislative, executive, and administrative powers. As president of the Raad he had a casting vote. He appointed all Government officials. He had to govern according to the written laws of the country, and had no arbitrary power over the lives and property of his subjects. He could not start a war except in self-defence, without the consent of the United Council of the two sections of the nation.

The "Wetgevende Raad" was elected by the burghers. At different times laws were made about it, the earliest being in 1821. This law said that Griqua burghers had to obey the captain and Raad and all Government officials; the Raad meetings were to be open to the public; the majority were to decide, and not less than three members had power to decide a case; it was to meet once every two weeks. The "grondstellingen en wetten" laid down that the Raad had legislative, executive, and judicial powers in conjunction with the captain. The Raad and captain could call up the burghers to fight for their land and to defend their law.

This bill was the first of the kind in the Cape.

In 1858 regulations about the sittings of the Raad and payment of members were made. The Raad was in future to sit once every two months, on the second Tuesday in the month, and each sitting was to last three days; it was to consist of 12 men, each of whom was to get £1 a day while the session lasted. Members were not to absent themselves without sufficient reason, and were allowed to appoint a competent man to take their place in case of their absence; all business of the Raad had to be written down by the "schryver des Raads". The Raad had power to decide all civil and criminal cases that fell outside the scope of the magistrates' court, and could also act as a Court of appeal. It could not pass the death sentence without the consent of the United Council of the nation.

of the Cape

Local Government was carried on by field cornets appointed by the captain. Instructions sent to a certain field cornet on the 27th August, 1852, shows us what the position and powers of these officials were. A field cornet had the status and the powers of an assistant magistrate, being able to decide minor cases. He had to apprehend murderers and send them to the Raad in Philippolis. The people of his district had to obey and respect him and ~~he~~ were bound by his rules. He could punish them for disobedience and defiance. Burghers had the right to appeal against their decision to the court of the captain and Raad.

The rights and duties of a Griqua burgher also shows the influence of the Boers. In 1858 the captain and Raad made a law that every youth of 20 years became a burgher. He had the right to vote elect the members of the "Wetgevenae Raad" and also to elect the captain. He had the right of appeal to the Court of the captain and Raad, and in cases above 200 dollars to the Council of the United nation. He had to serve on commandoes if the captain and Raad called him up, and if he was unable to he had to inform the field cornets who had to make enquiries and report to the Raad. Burghers and field cornets could be fined for breaking this law.

There is not much material about the actual working of this Griqua State, but its history shows that the Government did not have much real power. The fact that it could not enforce its laws against selling lands to colonists shows its weakness. It is also probable that field cornets and other Government officials did more or less as they liked. I found no evidence of taxation, so that the whole of the revenue evidently came from fines, and it is very probable that in the Philippolis land as later in Nomansland, only a small proportion of this revenue found its way to the captain and Raad. However, the written laws show that the nature of the people was democratic; that they had reached a comparatively high level of civilization; ^{and} that they were very much under the influence of the Boers. ^{But} ~~That~~ these Griquas were not yet sufficiently civilized and sufficiently used to Government to carry out the good intentions of which their law book is evidence.

This Griqua law book also tells us a great deal about the manners and customs of these people. They were greatly influenced by the missionaries and so were naturally very religious. In the "grondstelligen en wetten" we find that the people are told to pray every Sunday for the Raad, that it might govern in the fear of the Lord. And they all probably went to Church every Sunday like their Boer neighbours.

In their marriage laws we also find the Dutch influence. They followed the custom of monogamous marriages. When a man and a woman proposed to get married, the bans had to be read in the Church for three successive Sundays, and then the ceremony had to take place before the whole congregation.

The laws concerning murder also showed the missionary influence. The penalty for premeditated murder was hanging; child murder and theft with violence were also punishable by death. Drunkenness was not considered a mitigating circumstance, but a man was not hanged if he committed a murder in self-defence or accidentally.

The Griquas had a law - apparently enforced - prohibiting them from indulging in strong drink, The law of 1843 laid

down that no Griqua was allowed to have in his possession more strong drink than was required for medicinal purposes, and a fine of 20 rixdollars was imposed for breaking this law. No trade in liquor was allowed in Adam Kok's land and it could not be transported through his country. Traders were allowed to have only 20 gallons on their wagons, and field cornets had the right to search such wagons, any quantity in excess of 20 gallons being removed by them. This attitude towards strong drink fortunately remained unchanged while the Griquas were in Nomansland until the British took over the Government. Then, owing to the influx of Europeans who demanded facilities for getting liquor, the Griquas were able to obtain ^{it} and a growing liking for it was the result, and one of the causes of their rapid degeneration.

Philippolis itself must have been an interesting place. There was no municipal council to look after the town, so the inhabitants themselves were made responsible ~~themselves~~ for the cleanliness of the street in front of ~~their~~ houses, and were fined if they neglected this duty. They had also to be careful not to leave wagons and other obstacles in the streets. In 1831 a law was passed dealing with the occupation of houses. It laid down that all burghers who possessed houses were to provide for their occupation within a certain period or otherwise run the risk of confiscation. Inhabitants of the village were held responsible for seeing that their stock did not stray and cause damage to property. Animals straying and damaging property were liable to be placed in the "schut", where they were kept until compensation had been paid for the damage and the cost of keeping them in the "schut" had been made good.

Farms in the Griqua country were evidently granted free to the population, for no mention is made anywhere of rentals being required, and the only ^{laws} concerning land in the Griqua law book deal with its sale to colonists.

I was ~~sorry~~ not ^{to} find more material about the Griquas during the period, because the fragments in the Griqua law book were very interesting.

colonists in this land). He does not take into account the many years during which the Griquas were independent living under their own Government north of the Orange, and the fact that this had caused them to come to regard themselves as a nation. They very naturally did not want to become British subjects and lose all their cherished independence.

However, they decided to trek. Kok called a meeting of his people in January, 1860, and the majority decided that they would go to Nomansland on Grey's conditions. At this time the Griquas were a ^{1.}prosperous people, possessing about 500,000 acres of land. They held titles to their farms on which they built houses and outbuildings, where they had planted orchards and gardens, and had cultivated lands which they often enclosed with stone walls, and on most of these farms there were good stone kraals and dams. Each farmer had 20 ^{east?} to 100 horses, the same number of cattle, and thousands of well-bred wool sheep. Shopkeepers found the Griquas as good customers for clothing, groceries, guns, saddlery and furniture as the Boers. (There were, of course, the inevitable poor people, but they owed their poverty mainly to laziness and thriftlessness. They voluntarily gave £500 to £600 a year to the support of religion and education among themselves, paying their own minister, a schoolmaster in Philippolis, and schoolmasters in the country. It was inevitable that they should grow poorer on their trek to a new country. "No people could enter upon such an exodus without being thrown back by unexpected sufferings and loss"^{2.}

They naturally lost a great deal of stock both on their trek to Nomansland, and immediately after their arrival in this new country. But the fact that they did not prosper in this fertile land is due almost entirely, I think, to their own laziness. All the worst elements of their character seemed to come out in Nomansland. It seems as though their

1. Cape monthly magazine.

2. -do-

✓ prosperity in the Philippolis country must have been due to a very great extent to the missionaries. Without their guidance the Griquas forgot that they had to work if they wanted to prosper. In Nomansland they unfortunately did not have missionaries for the first few years, and never had as many and as influential men as in Griqualand West. Left to themselves they did not work, and so they came to lose almost all their former prosperity.

The Griquas needed months to prepare for the trek. They had to dispose of their land, sell their farms, and their cottages in Philippolis, and had to buy wagons, food and supplies for the actual trek. Their farms were good and so commanded good prices. Almost the whole of the first instalment on them was taken in supplies, wagons and animals. Only two or three Griquas held mortgage bonds as security, because the buyers were indignant at the lack of trust implied in asking for such security. Very few Griquas who did not have mortgage bonds ever got the full amount agreed upon. The money that they did get seemed to ^{the} Griquas quite inexhaustible. They were used to handling small sums, and now that they had lots of money they spent it madly and on absolutely unnecessary articles - ^{1.} the Griquas never learned to be careful with money. Their unallotted lands were disposed of by agents, and were sold in 1862 to the Orange Free State. Here too the Griquas lost money through dishonest agents. The money got from the parsonage, school and church sales, was almost all lost. ^{2.} At last, however, the Griquas were ready to depart. They began to move off slowly towards the end of 1860. ^{3.} They went first to Hanglip, and then moved to just inside the Basuto border (Kok had got permission from Moshesh and other Basuto chiefs to pass unmolested through their territories). At Hanglip the Griquas rested for months even erecting a temporary church there.

1. Dower, Ch.V and Cape monthly magazine. 2. Dower. 3. Cape monthly magazine.

It was a long straggling trek, with all sorts of vehicles, and numbers of cattle, sheep and horses accompanying each family. The poorer people travelled in wagons bought by the Griqua Government. It was not an easy trek. 1862 was a year of intense drought, and there were famine prices beyond the Orange. The milchcows on which the Griquas depended on a great proportion of their food, died. And to make matters worse, the Basutos began to steal stock. In September, 1862, the Griquas left Hanglip and moved off to the foot of the Drakensberg, which they were determined to cross. Every day working parties were told off to prepare some kind of road across the mountain. Eventually the Griquas managed to cross the mountains, but only with the greatest of difficulty, often having to abandon their wagons for lack of draught animals. In February, 1863, they had reached the Banks of the Keniga. From there they went to Berg Vyftig which was later called Mount Currie, and where they established their chief village.

While the Griquas were on their way to Nomansland, there had been some trouble about the land they had to occupy. Natal claimed the land between the Umzimkulu and the Umzimvubu¹ by virtue of the 1850 treaty with Faku, and wanted to annex this, because the natives living there were rather troublesome. Grey and Wodehouse both asked Natal not to annex the land before Adam Kok was settled,² and his boundaries determined. This was agreed to after Natal and the Cape Government had written many letters.³ In November, 1861, a Commission was appointed consisting of Dr. Sutherland, the Surveyor-General of Natal, and Sir Walter Currie. Wodehouse had told Adam Kok that he could have the land between the Umzimvubu and Umzimkulu bounded on the north by the Tugela range of the Drakensberg mountains. In March, 1862, another Commission, consisting of Sutherland,

1. A.118-'61, pp.29 and 30. 2. A.118-'61 and G.53-'62.
3. G.53-'62, p.4.

Currie and two Griquas appointed by Afam Kok, determined Kok's

1. boundaries. Natal claimed that her western boundary was

2. the Umtambuna, 1,000 miles west of the Umzinkulu. Kok objected

to this. He said that he had with him more than 1,500

families, more than 20,000 sheep and also many horses and cattle,

and if Natal was given all she claimed, there ~~was~~ ^{would} not be enough

land for him and his people, since the land was already occupied

by native tribes. Moreover the site he had chosen for his

chief village fell within the land claimed by Natal. In May,

1862, ~~3.~~ ^{3.} Wodehouse informed Kok that he could have as much land as

needed. Natal was to get the land bounded by the sea, the Umtam-

vuna, the Umzinkulu, and ~~the~~ ^a line drawn from the Tugela mountains

to the junction of the Ibisi with the Umzinkulu. Kok was to get

the rest of the land up to the Drakensberg and the Umzimvubu. This

gave him the spot he wanted for his principal village, and Wode-

house assured him that he would not be molested by Nehemiah

Moshesh or Faku.

1. G. 53-'62, p.4. 2. G.53-'62, pp.10 and 11. 3. G.53-'62, p.17.

Section II.

~~THE~~ THE GRIQUAS IN GRIQUALAND EAST.Chapter III.

The character and social conditions of the Griquas.

The Griquas were descended from European fathers and hottentot or slave mothers. There were many points in their character which could be traced to their mixed origin. Many characteristics were developed by their environment.

One of their chief characteristics, and one of the main causes why they did not prosper in Nomansland, was laziness.¹ Their hottentot ancestors had been a pastoral folk, living on their cattle and sheep and on game. When they later entered the service of the European farmers it was found that they served best as herdsmen, finding it hard to do agricultural work. The same tendency was evident in the Griquas. In their Philipopolis days they had cultivated a certain amount of land, this was probably mainly due to the efforts of the missionaries. Even there, however, their farms were mainly pastoral. When they came to Nomansland they had no missionaries to induce them to work and to cultivate the land. So they lived on game and milk, and when their stock being unused to the long grass that grew there died in this new land, the Griquas were stranded. But they could not make up their minds to do the work that was required for agricultural farming, and they never cultivated very much land in Griqualand East. The Rev. William Dower tells us that when Kokstad was first being established, the Griquas were too lazy to take up erven in the new township. He also tells us that he preached continually the gospel of work to these people, but in vain. They disliked work, and if they could get a farm from the Government, and possessed a few cattle and sheep to keep them from starving, they were quite satisfied with themselves.

1. Dower, chapters VI and VIII.

Out of this indolent character arose their great love of talk. If they could talk about something they were happy, and if they were deprived of this pleasure they immediately had a grievance. The 1879 Commission which took evidence on the subject of the rebellion, reported that a Griqua would take two days to say what a European could say in half an hour. When Captain Blyth came to Griqualand East he did not know of this characteristic, and it was a long standing grievance of the Griquas that he did not allow them to talk the matter over so that they might understand each other. An objection to the taking over of the Government in 1874 was that Sir Henry Barkley, after having allowed the Griquas to put off the meeting with him on two occasions, left Kokstad before the Council could make up its mind that it had talked enough and would meet him. After 1874, the Griquas formed their committee of 12, which acted as a safety valve since it allowed them to talk as much as they liked. When Blyth suppressed this committee they were very dissatisfied. A Griqua had to talk to be happy.

Two which were
 * /characteristics ~~xxxxxxx~~ traceable to their Boer ancestors and ~~xxxxxxx~~ which were developed by their environment, were their pride and their love of independence. For many years they were quite independent in the lands north of the Orange and came to regard themselves as a nation. They were superior to the natives around them in civilization, and the British Government was their ally. This rather tended to turn their heads and to turn pride to conceit. Their position in Nomansland, as an almost sovereign State supported by the British Government, and an authority over thousands of natives, added to this pride. They were also very suspicious and had to be treated with great tact. They never really trusted Europeans, and were ready to take the smallest thing as an insult from them. The British Government unfortunately

1. G. 58-'79, p.15. 2. G.58-'89, p.15. 3. G.58-'79, p.15.
 4. Dower, ch. XVIII. 5. G.58-'79, p.17.

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did not realize this when it took over the Government of the country. That the Griquas took themselves very seriously indeed, is shown by their Government papers. One had to be very careful not to offend this sense of dignity and importance. They called themselves "grootmensch",^{1.} and when the British Government regarded them as just unimportant, ignorant men, there was trouble.

It was also said of them that they were "conspicuously wanting in habit and mental training".^{2.} This could be traced to their origin - the Griquas lacked steadiness and perseverance. They did not have a great deal of common sense, and as far as money ~~were~~^{was} concerned they were like children. Both in Philippolis, and in Griqualand East, they sold their farms at the first opportunity,^{3.} lacking the sense to see that they were losing power in the land by doing so. In fact they seemed to lose all balance when once they started selling their farms. Nothing could stop them. Dower says "the average Griqua, if he once gets the 'verkoop gedachte', the selling fever, has neither conscience nor reason, nor common sense, nor ears to hear". The wild selling of farms that went on after 1874 bears out this statement.

And when they were paid for their land, they did not keep the money. They spent it on unnecessarily and useless things. They never in Griqualand East had much money, until they began to sell their farms, and then it slipped through their fingers like water.^{4.} Dower says that even the good Griquas showed childish folly in spending their money. It is a great pity that the missionaries who had persuaded the Griquas to settle down, and brought them to a comparatively high level of civilization, had been unable to teach them the folly of selling their land and spending their money extravagantly, because these things caused their final downfall in Griqualand East. These

1. G. 58-'79, p.16. 2. G.58-'79, p.14. 3. FDower, Ch.VIII.

4. Dower, p. 66.

~~xxxxxx~~ peculiar people, independent, proud, loving talk were also very critical - of others. And they had to have a grievance to be happy. 1. "..... a Griqua without a grievance would indeed be an anomaly" 2., the 1879 Commission quite correctly reported.

They were an interesting people, but not easy to govern, as the British Government discovered after 1874. Adam Kok kept them quiet, but that was probably because he ruled them fraternally and generously. 3. The Griquas under him probably complained a lot, but they left their Government alone. They at any rate never rebelled during Kok's rule.

In Griqualand East, as in the Philippolis lands, they were very religious. When they first came to Griqualand East they had no minister, and could not afford to have one. For seven years they remained without a minister at a crisis in the history when they most needed one. 4. The officers of the Church who had come from Philippolis kept up the services and maintained discipline. When Kok himself offended the Church, he was excluded from its privileges, but although he never tried to get these back, he attended divine service regularly and helped in the external affairs of the Church. For a long time a Griqua deacon, Hans Bezuidenhout, acted as minister of the Church, but he could not do much since he had his farm to look after. The Rev. William Dower became their first European Minister in 1879. Land was granted in Kokstad for the building of a Church, 5. and this was built by the Griquas themselves. It is interesting that the missionary influence as far as religion was concerned, was so profound. If they did not influence the Griqua character much, they at any rate taught them to go to Church on Sundays, and taught their legislative Council 6. to begin its meetings with a prayer that it might govern the land well in the fear of God.

1. Dower. 2. G.58-'79, p.16. 3. G.58-'79, p.19.
4. Dower, ch. VI, 5. Executive Council minutes, Dec. 1870.
6. Leg. Council minutes, 1868.

Missionaries were allowed to establish stations in the country if they got permission from the Volksraad, which granted land for the station, but retained this land as the property of the State. Missionaries and others¹ who lived in the mission station had to obey the laws and customs of the land. One man, Dr. Calloway, was warned that if he transgressed the laws of the land he would be expelled. It is also interesting to note that missionaries were warned to confine their activities to the spiritual teaching of the inhabitants of the land, whether they were Griquas, English or natives. Dr. Calloway was told of this, and the reason given was that experience had taught the Volksraad that missionaries often caused trouble when they concerned themselves with political affairs.¹ The Government was quite prepared to allow missionaries to come into the land on these terms, because it thought that they would be of advantage to the natives.

As far as marriage was concerned, the laws made in Philippolis still existed. In the Griqua Law Book from 1864 onwards, there are several documents issued at "Berg Vyftig, Nieuw Grikwaland", which testified to the fact that certain people had been lawfully married according to the marriage laws. All these documents were signed by Adam Kok. Divorce was evidently allowed, but was not very popular. In 1870 the Executive Council too decided that divorce was a matter for Kerkeraad to deal with, but in March, 1871, it was decided³ that the Legislative Council could grant permission for divorce if the applicants had lawful reason for desiring it. In May, 1873, a certain Griqua was told by the Executive Council that he would be allowed to divorce his wife if she also presented an application. The minutes of the Legislative Council mention an interesting case of seduction. A certain man, a European judging by his name, seduced a Griqua's wife. He was fined £25, and was ordered to be outside Griqualand

1. Griqua Government papers, 1870. 2. Executive Council minutes. 3. Legislative Council minutes.

East within six days. Judging by this case, the Griquas were strict about the keeping of their marriage laws.

There was some attempt at education under Kok's rule. In the minutes of the Executive Council a school committee is mentioned, and in 1870 an erf in Kokstad was granted for a school. Dower tells us that the Rev, W. Murray in 1869 conducted a boarding school for the most advanced Griqua boys.^{1.} Dower's own sister-in-law kept a dayschool at the request of the Griquas.^{2.} The Cape Government paid £50 per annum for the purpose of education to the Griqua Government,^{3.} and this was used for educational purposes.

The Griquas first settled about three miles north of the spot where Kokstad was later established, and called this settlement Mount Currie.^{4.} In the centre of this village they built a long narrow building, about 8 feet high, with sod walls, a thatched roof, and unglazed openings for windows.^{5.} This served as a citadel, assembly hall, dayschool house, and Church, and also sometimes as a kraal for the town goats. A Very strong fort was built, with an underground powder magazine, which was carefully guarded. This fort inspired a wholesome respect in the natives, and helped to keep them quiet.^{6.} *From* For the first the Griquas lived close to this lager, occupying farms near it. But as they grew more confident, they began to spread out and take farms further away from the centre of the village. The Rev. William Dower made it a condition of his becoming the Griqua minister in 1869, that a new and better settlement be formed at the present Kokstad. Adam Kok agreed to this, but it was not easy to get the Griquas to settle there. They were too lazy to move from the old lager and to

1. Dower, ch.VII. 2. Dower, ch.VII. 3. G. 27-174, p.156. Orpen admitted that this money was used for ^{educational} occasional purposes, although for the first few years it had not been so.
4. All documents headed Mount Currie until "Kokstad" used.
5. Dower, ch.VI. 6. Dower, ch.VI.

take up erven in the new township. ^{1.} But houses were gradually built there, and in March, 1871, Kokstad was declared the principal town. ^{2.} The Griqua Government made a number of interesting regulations about the Mount Currie settlement, and these probably later applied to Kokstad when that became the chief village. In 1868 it was decided ^{3.} that damage done by stock to property in Mount Currie was ^{4.} valued by three impartial people, and had to be paid by the owner of the stock. The animals were to be kept in the "schut" until such damage had been paid, and if they had not been redeemed after one month they could be sold by public auction. In 1870 the Legislative Council decided that houses in Mount Currie were not to be built out into the road, but that their verandahs might extend beyond the edge of the road. Most of the houses evidently possessed verandahs. By a regulation of the Executive Council in November, 1871, all property in Mount Currie had to be fenced in, otherwise the owners could not claim damage done by wandering animals. Judging by these regulations almost all of the inhabitants of the chief village possessed cattle and sheep and other animals, and were evidently not too careful about keeping them in kraals.

Water for drinking and for agricultural purposes was obtained from a water furrow which ran through the town. And the inhabitants probably very often disagreed about this furrow. ^{4.} As this was the only water supply the town had, there was sometimes too much water, and sometimes none at all. ^{5.} But the Executive Council never took any steps about the matter. ~~They~~ It probably did not occur to them to do so. When Capt. Blyth came to Griqualand East, he decided to do something to give Kokstad a better water supply, and also affirmed his intention of establishing a market, ^{6.} which shows that Kokstad, during Adam

1. Dower, ch. VIII. 2. Ex.Co. minutes, 3. Griqua law book.
 4. Leg.Council minutes, April, 1866. 5.
 6. G.52-'76, Blyth to Brownlee, 12th April, 1876.

Kok's rule had no market. Nor for the matter^{of} that was there a market in the whole Griqualand East. Kokstad, however, had a school, and its Church with a tower and a vestry, was almost finished when the British Government took over in 1874.^{1.}

By 1869 a post office had been established in Mount Currie, with a postmaster who kept a list of all the letters that passed through his hands. These letters were carried by a native runner. In 1874 a weekly postal service between Kokstad and Natal was established by the manager of Ballance & Goodliffe's store. It was really a private postal service, ~~which~~^{that} became public by having its own postage stamp. It was called the "Mount Currie Express", and if the Griqua Government wanted to make use of it, it had to buy the stamps just like other people.^{2.} In May, 1874, there was a note in the Executive Council minutes to the effect that it had been decided to establish a postal service to the Umzimkulu district.

As soon as the Griquas had grown used to their new land, they began to spread out, and to get farms for themselves. It was easy enough for a Griqua burgher to get a farm. He could take out a title on payment of 10/-, which he probably paid in kind,³ or he could take a "certificate", costing only 7/6d,^{4.} which gave him the right from the Griqua Government to a farm, before the title was issued. In March, 1867, the Legislative Council made various regulations about farms in Griqualand East, the most ~~of~~ important of which were that captain Adam Kok was from March, 1867, to have the right to grant farms to Griqua subjects, and that each farm was to consist of 3,000 acres. The first regulation was not carried^{out}, because we find that the Legislative Council dealt with applications for grants of land, and ~~with~~^{with} applications to sell or ~~transfer~~^{transfer} farms.^{5.} The Executive Council referred all such applications to the Legislative Council.

1. G. ~~xxxxxx~~ 21-'75, p.83. 2. Dower, p.40. 3. Griqua law book, 1865. 4. Dower, ch. XVI. 5. Leg. Council minutes.

The rent paid on these farms was £2 per annum, according to an account^{of revenue} received from farms in the Griqua Government papers of 1870. At the end of 1870, an annual tax was imposed on all farms. If a farmer was unable to pay this, he had to do Government work to the value of the tax. The amount of this annual tax, however, is not mentioned.

Towards the end of this same year the Government made an effort to get the Griqua farm owners to live on their farms, by threatening them with confiscation of their farms if they did not occupy them before January, 1872. In June, 1874, the field cornets were instructed to see that this law was carried out within two months, which seems to show that the Griquas had not been returning to their farms, and that they had not been punished for their disobedience. When the first census was taken by the British Government in 1875, it was found that many Griquas were not occupying their farms, so the field cornets had evidently not carried out their instructions.

The Griqua Government did not like granting land to Europeans, and therefore made them pay £150 before they could get a farm on the same conditions as Griqua burghers. Dower tells us that Europeans sometimes even married Griqua women in order to get farms on the same conditions as the Griquas. But this policy of the Government did succeed in keeping out Europeans. In 1872 there were only comparatively few white men who possessed land in Griqualand East. It was after 1874 that they came in in large numbers.

Some attempt was made to survey the farms granted in Griqualand East, because in 1868 Barker was appointed the land measurer of the Griqualand territory, and detailed instructions were given him. But he surveyed only a few farms and had great difficulty in getting his diagrams signed by Kok. The 1876

1. Griqua Government. papers, 1870. 2. Leg. Council minutes.
 3. G.21-'75, p.116. 4. Leg. Council minutes, Dec. 1873. Per-
 mission granted to two Europeans to get farms if they paid £15
 5. Dower, ch. XVI. 6.

Land Commission reported that very few surveys had been made so little use had evidently been made of the Griqua Government's land measurer.

Probably, how much?

The Griquas cultivated quite a lot of ground, but their main interest lay in stock farming, and it was on this that they chiefly depended for their subsistence. It was because cattle and sheep were so important to them, that so many regulations were made about ^{lung} ~~xxx~~ sickness and red water disease. Several very good regulations were made by the Executive Council. In September, 1871, they sent the rather surprising instruction to the field cornets, that they were to ^{1.}compel the natives in kraals where there was lung sickness to inoculate all their cattle. In November, 1872, the minutes of the Council mention that regulations about lung sickness had been made for Mount Currie. In February, 1874, other regulations were made about red water, which were to be carried out by men appointed by the Government. A red water boundary was fixed. No cattle were allowed to cross this line, and if they did so they were not allowed to return. Any one who infringed this regulation was to be subject to a fine not exceeding £20, or to three months hard labour. People were encouraged to give information about infringements of the rule, by being offered half the amount of the fine that was imposed. In April again, instructions were sent to Sidowi, a native chief, and to all the field cornets, that cattle which had crossed the boundary were not to return, and all officials were ordered to co-operate in the carrying out of the regulations. In May it was decided that the captain and the Executive Council were to decide whether animals that had strayed across the line were infected or not, and if they were, they were to be destroyed. The owners could not claim compensation for such cattle.

The thick forests of the country evidently employed many men,

1. G.21-'75, p.86. 2. Most forests, ^{were} in Eastern part, ^{which was} inhabited mainly by Bacas

because a "boschmeester" was appointed, and detailed regulations were made about licences and the cutting of wood.^{1.} In 1864 the salary of the "boschmeester" was fixed at £20 per annum.^{2.} This man had to carry out the following regulations of March, 1870:

He was to issue monthly licences, costing 10/- each, without which no man could chop wood for sawing; he was to see that no worker came within 40 square yards of the sawpit of another; he was to see that men on the other side of the Idisi worked only in certain places; he was to decide where outspans in the forest were to be, and had to see that natives did not damage the forests. Licence fees could be paid in wood, stinkwood being valued at 6d per foot and yellow wood at 1/6d per 20 feet. By these regulations the "boschmeester" was paid half the amount received from licences.^{3.}

There is only one "boschmeester" mentioned in the Government minutes. It seems impossible that one man could carry out all the instructions given in 1870. It was probably once more a case of good intentions on the part of the Government not being carried out in practice.

Other administrative work done by the Griqua Government was connected with roads, outspans, drifts and ferries. The 1872 Commission to Griqualand East reported that it found no roads in the country, and gave the impression that the Griquas had ~~never~~ even attempted to make roads. This was incorrect, for the Griqua Government had tried to make roads. In the Executive Council minutes of July, 1870, there is mentioned a road party which had to be paid by the field cornet Smith Pommer. There is even one instance of convicts being set to work on the roads for three months.^{4.} In 1871 they made what amounted to a traffic regulation for the "Beeste kraal gekapte pad" -

1. Leg. Council minutes, March, 1870. 2. Griqua law book.
 3. This was ^{not} in addition to the £20 salary. 4. Ex. Council minutes. Men who had been convicted of witchcraft, July, 1872.
 3. See Griqua Govt papers 1870, account of expenditure - Boschmeester's not long as paid salary

the field cornet of the district was instructed to order riders on this road to keep to the upper side of the road, and to fine them 5/- if they disobeyed.^{1.}

The Commission, however, cannot be blamed for thinking that the Griquas had done nothing about roads. That part of South Africa is not easy to provide with roads, because of the sandy nature of the soil. Even today its roads have the reputation of being among the worst in South Africa. I have been told that during and just after the rainy season the roads are in places quite impassable, because of the deep dongas that are washed out by the heavy rains. The Griquas cannot be blamed for not making roads in this country. They must be given credit for trying to do something even though they did not accomplish much.

They must also be given credit for establishing outspans throughout the country. At a time when people travelled mainly by ox wagon, taking days over journeys that would take us a few hours, outspans were very necessary things. The Griqua Government could of course have allowed travellers to outspan anywhere along the roads. But they evidently realised that it was necessary to have certain definite spots for outspans, and that they could make some money out of establishing them, by charging a small amount for the privilege of using them. Outspans were usually established at drifts in the rivers - there were no bridges - and no land might be granted out of these outspans, and natives were not allowed to plant in them.^{2.}

Where there was no drift through a river, a ferry was sometimes established. At the Umzimkulu river, Donald Strachan operated the ferry on payment of £20 per annum.

An important part of the administration was the control of the guns and ammunition that the British Government allowed Adam Kok. This was all imported from Natal, and was very ~~xxxx~~

1. Legis. Council minutes.

2. Ex.Council minutes.

carefully looked after by the Executive Council. No one was allowed to buy guns and ammunition, or to trade in it, without the permission of the Executive Council.^{1.} When the field cornets needed arms for some purpose, the Executive Council issued the required amount, and ordered them to return what they did not use.^{2.} The prices at which guns and ammunition were to be sold to Griqua burghers were also determined by the Executive Council. It seems that the Government managed on the whole to keep control over the supply of guns and ammunition to the country.

Among other interesting information I got from the Griqua Government papers was the fact that no one could leave the country without a permit, which was usually granted by the Executive Council for one year.^{3.} I also found that the Griquas had some kind of police force. There is an amusing story in the Legislative Council Minutes of 1867. Karel Pienaar, a Griqua, was appointed a police officer by the captain, and was told to find men to work with him in his duties. Karel Pienaar was rather vague about what being a police officer meant, but he somehow gathered that there was money in the business, and so he was quite willing to undertake the work. He had a heated argument with the Legislative Council about his salary and that of his men. In the end he was given about half the amount that he asked for. On one or two occasions I found that the Executive Council had given a bag of mealies or some blankets to the police. I found, however, no evidence of their work.

I also discovered that the Griqua law of prohibition was still enforced in Griqualand East. A European who was found drunk and who had caused trouble while drunk, was in 1872 expelled from the country. This shows that the Executive

1. Govt. papers, Dec. 1871. 2. Ex.Council Minutes, July, 1870.
3. Ex.Council minutes, 1873, permission given to a man to leave the country on the "usual conditions" for one year.

Council

/did carry out some of its laws. It is evident from their regulations about farms, red water and lung ~~ixx~~ sickness, roads and forests, that the Griqua Government did do some good administrative work. The 1872 Commissioners were therefore mistaken ✓ in their impression that no administrative work had been done in the country. I shall deal later with the judicial work done by the Government - this is also evidence of the very good work that the Government did accomplish.

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CHAPTER IV.

THE GOVERNMENT OF THE GRIQUA STATE.

For the first seven or eight years of their sojourn in Griqualand East, the Griquas were governed as in Philippolis, by a captain and Legislative Council. It is true that in February, 1865 this Legislative Council decided that an Executive Council was to be established, but this law did not come into practice until 1870, when the 25 articles were formulated, defining the powers and functions of the captain, the Executive Council and the Legislative Council. From this time the Executive Council became the real Government of the land, and the Legislative Council did less and less work. Before the 25 articles were framed, the Executive Council must have been in ~~existence~~^{existence}, although there are no evidences of its working, for this "constitution" was framed by a committee consisting of the captain, two Legislative Council members and two Executive Council members.

The captain was to have supreme power in Griqualand East. He alone could appoint and remove officials; he alone could dissolve the Legislature provided that he allowed another one to be elected within three months; he had to sign all death warrants, and had the right to pardon wrongdoers, and to change their sentences; he alone had the right to grant Government ground; and his consent had to be obtained to all measures of the Legislative Council before they could become law. With the approval of the Executive and Legislative Councils, he could declare war or martial law, make treaties, receive aliens, sell or hire out Government land, and define the boundaries of districts and locations. By a law made in June, 1871, the

1. Griqua law book, 9th February, 1865. 2. Griqua Law book, 1st April, 1870. 3. The minutes of the Ex. Council begin in June, 1870. 4. Probably meant natives.

post of captain was made hereditary.

The Executive Council was to consist of the captain, and three men appointed by him. It had to carry out all the laws made by the Legislative Council, and controlled~~led~~ all public works, and was to be responsible therefor. It was to have power over all officials. It was to control revenue and expenditure. It was also to be a final court of appeal. The members of the Executive were to have seats in the Legislature, and could be elected by burghers as their representatives in the Legislature. The Executive Council was therefore like a Cabinet, since it had seats in the Legislature, and was held responsible for its actions, presumably to the Legislature.

The Legislative Council was to consist of 12 members, two being elected from each district, Each burgher evidently had a vote.^{1.} This Council was chosen for three years, and according to the 1870 constitution had only law making powers.

This comparatively modern constitution in which the captain was nominally the supreme power, but where Government in reality was carried^{2.} on by the Executive, must have been thought out by Brisley, who was the Government Secretary during the whole period of the Griqua self-government in Griqualand East. ~~THE~~ The Griquas could never have thought it out for themselves. They would not have thought, for example, of making their executive responsible to the Legislature - and the way in which the Government was carried^{on} in practice, shows that they did not regard this Clause as important. In practice ✓ their Executive did as it liked and was the real power in the State. It was never called to account by the Legislature. Then too the way in which the Legislature in theory having only law making powers, in practice, acted as a Court of Justice,

1. See Philippolis Govt. Ch.I: Every youth of 20 years was a burgher. 2. Possibly they were guided also by the Orange Free State system of Government.

when the 25 articles distinctly said that the Executive was to be by the Supreme Court, and the way in which it interfered in financial matters, which were theoretically the sole province of the Executive, show that the 1870 "constitution" did not have very much effect on the actual Government of the country.

According to the Legislative Council minutes, most of the work done by it was judicial. Besides this it made a few laws, and also controlled land, making regulations for the giving out of farms, and granting or refusing applications for land.¹ It also made regulations about property in Mount Currie, both before and after the Executive Council began to function (1870).

After October, 1870, proper minutes were kept by Brisley, and after this date the Raad evidently devoted itself less to judicial matters and more to financial affairs, matters dealing with natives,² and legislative work. Before 1870, a Griqua secretary kept the minutes, and did so in a very slipshod and careless manner, probably recording only a small proportion of the work that was done. The Rev. W. Dower tells us that the Legislative Council met on the stoep of the captain's house, where they drank a lot and talked a lot and evidently had a very entertaining time. He says that they did very little work, and that their session lasted only as long as the food and drink with which they were supplied by the Government. He says that they often went away after a day's session, wondering just what they had decided. Dower is probably correct as far as the talking and eating and drinking ^{are} ~~is~~ concerned, but I think that he is wrong in saying that the Raad accomplished very little work. A good deal is recorded in their minutes, and it is probable that much more was done than was set down in writing. Brisley's minutes show that the Raad did quite a lot of work, and when Brisley became secretary, the Executive Council was already beginning to function and taking work off the hands of the Legislature.

1. See Chapter III. 2. See Chapter V.

The Executive Council was mainly occupied with judicial work, but it did quite a lot of administrative work as the regulations about red water and lung sickness, roads and

1. outspans show; it also gave instructions for the Gatberg through Adam Kok, 2. It looked after the Government and the judicial administration of the natives, in which work it was helped by the Legislative Council. To a certain extent it carried out laws, directing its officials to enforce the liquor laws, 3. and doing its best to put down witchcraft among the natives. 4. It also exercised some sort of control, though probably not very much, over its officials. The Executive

Council suspended Barker from office as ferryman of the Umzimkulu because he had not fulfilled his duties, and it fined a member of the Raad who had obtained cattle from native thieves in return for promising not to bring the matter of the theft before the authorities. 5. The field cornet Smith Pommer 6 also once or twice had to appear before the magistrate of Mount Currie to defend himself against charges of theft. The appointment of all officials was done by the Executive, the Legislature refusing to have anything to do with it. In November, 1869, Kok evidently asked the Raad to help him to find a suitable person as magistrate of Mount Currie. The Raad answered that "het gansch buiten hunne beroep of aanstel is om zich te vebezigen in het aanstel van enige uitvoerende ambtenaar".

The summoning of the Legislative Council, legally done by Adam Kok, was really in the hands of the Executive Council, which made all the arrangements for its election. When it was time for the elections to take place, every field cornet was told to collect all the burghers of his district on his farm on a certain day, in order to choose two representatives for the Legislature. One "Raadslid" presumably of the former Raad, who was usually re-elected, had to be present at these

1. See Chapter III. 2. Ex. Council Minutes, June 1870.

3. Ex. Council Minutes, May, 1871. 4. Ex. Council Minutes, July, 1872. 5. Leg. Council minutes, 15th November, 1869.

6. Smith Pommer was a Notary.

elections in order to help count the votes, and a day was fixed on which the Volksraad had to meet.^{1.} According to the Executive Council minutes the elections did not take place every three years, because there were elections in 1870 and again in 1871. Members of the Legislature were summoned to every session by letter from the Executive Council.^{2.} If the Government did not approve of the election of any man as representative the field cornet of his district was informed of the fact, and was ordered to hold a fresh election, no reasons being given except that the man was not qualified for his post.^{3.}

This showed how the Executive controlled the Legislature. And when the Legislature was in session the members of the Executive probably influenced them very much. The Executive sat very often, and did a great deal of work. It is interesting to see how the Legislature lost power to this permanent body of men. It at first sat 12 times a year, but in 1868 the number of sessions was cut down to six a year. In 1870 they began to sit only once every three months - it was not necessary to sit as often as before, since the Executive Council was established in 1870 - and in March, 1872, they decided to have only two sittings per year.^{4.} This arrangement probably worked well in practice because the members of the Legislature were Griqua burghers, who were paid by the Government for each day of the session, but during the rest of the year had their own work to do on their farms. The Executive members were paid an annual salary of about £24 and it is improbable that they had any other work to do. But this reduction in the number of sessions and in 1873 the reduction of the number of Legislative Council members from 12 to six,^{5.} meant that the Legislature lost influence in the Government of the country - which meant that the Griqua burghers lost influence in the Government. Orpen was probably correct, therefore, in

1. Ex. Co. minutes, 16th August, 1870. 2. Package 7, 13th Dec. 1873. 3. Ex. Co. minutes, 6th Dec. 1870. 4. Leg. Council minutes. 5. Leg. Council minutes, Dec. 1873.

saying that the Government of Griqualand East was that of a small class of a small class.

Just as the Central Government was in the hands of the Executive Council after 1870, so the local Government was controlled by it. In 1864~~7~~ the Legislative Council appointed field cornets and other officials. After 1870, however, all officials including field cornets were appointed and controlled by the Executive.^{1.} Griqualand East was divided into six districts, over ~~which~~ each of which was placed a field cornet, with powers to collect revenue, and look after farms, natives and locations.^{2.} Native superintendents were appointed to supervise the natives, and the only two that are mentioned in the Government records, were Donald Strachan and Smith Pommer, both of whom were field cornets. I do not know whether they had authority over all the natives in Griqualand East, or whether every field cornet was also a native superintendent, with authority over the natives in his own district. I think the latter is the more probable, seeing that field cornets were several times ordered to call out the natives in their own districts to go on commando.

Field cornets had certain judicial duties; they had to call up and lead their burghers in case of war; and they had to supervise the election of members for the Volksraad.^{3.} In this, as in other things, they evidently ^{did} much as they pleased, as a letter from the burghers of the district of field cornet N. van der Westhuis to Kok, dated 7th November, 1871, shows. Thirty two burghers of this district complained that their field cornet had not allowed them to vote for their representative in the Volksraad, but had sent a man to whom they objected to be their representative. They also complained that Van der Westhuis had put into positions of authority mere children, whom they said "zelfen bestuurder nodig het"^{1/2}

1. Kok could veto appointments made by the Ex. Council, see. Ex.Co.minutes of 23rd October, 1873. 2. 25 articles.

3. Griqua Govt. papers show evidences of field cornets' authority overlapping; evidently not sure of their districts.

Another letter to Kok in the 1872 Griqua Government papers, shows that the field cornets must very often have done just as they liked. A Griqua burgher complained that his field cornet had come to his farm in a state of intoxication, and helped by eight men, had assaulted him and his family. He said that this was not the first time such a thing had happened. I found no evidence of either field cornet being removed.

It is not surprising that such complaints were made, because the Executive Council appointed these local officials, and although the Executive was legally responsible to the representatives of the people, in practice the Legislature had no power over it, and so the people had to put up with their field cornets. But affairs could not have been very bad, since the Griquas never rebelled against their Government, although they complained a great deal. They were probably left to their own resources most of the time, and allowed to do as they liked, and this kept them more or less satisfied with their conditions. There was really very little to worry the average Griqua under Adam Kok's Government. For several years he had to pay no taxes, and when taxes were imposed he probably seldom paid them; he could have a farm for a very small amount, and on this farm he paid only £2 quitrent every year. (In 1870, only 230 farmers paid this rent, though many more must have possessed farms.) On this farm the Griqua kept his cattle and sheep and perhaps grew some wheat, and if he could not make enough money to keep himself, he could always write to Kok for help. There are many such letters in the Government records, their very number showing that Kok must have granted these requests. The 1871 Commission also reported that it was said of Kok that he could not say no. When the Griqua did get some money he

1. Umzimkulu district under Donald Strachan was best administered and was the only one that sent in reports. At one time the people of Smith Pommer's district asked to come under Strachan. 2. Griqua Govt. papers, 1870. 3. G.58-'79, p.19.

was not able to spend it on drink; he did not have to go to school if he did not want to; he could talk as much as he liked and complain as much as he liked; and in addition his Government had set up a good system of justice to which he could go and be almost sure that he would be treated justly.

The judicial administration of the Griqua Government is very interesting. The 25 articles had made the Executive Council the final court of appeal. But the Executive did not deal only with appeals. It acted also as a court of first instance for all sorts of cases. It dealt with quarrels between Griquas and natives, disputes about land, about deceased estates and with theft and murder cases. It made no difference what amount was involved in a case, the Executive Council could and did deal with anything, so that it is not surprising that so much of its time was spent in doing judicial work. It tried many more native than Griqua cases. It seems indeed that the Griquas must have been a people who were singularly free from crime, their main difficulties being disputes about land, with an occasional accusation of a raid over the border into Pondo country.

The Legislative Council also acted as a court of justice, both as a court of first instance, and as a court of appeal. This is probably due to the fact that most of the fines imposed went to the court that judged the case, and the Legislative Council wanted a share in the spoils. It also decided all types of cases both among Griquas and among natives. But cases of debt seemed to be mainly the work of the Legislative Council. In connection with this there is a law in the Griqua law book dated 1865 that no man is allowed to take possession of the property of another in payment of a debt without a proper warrant from the magistrate.

The punishments imposed by the courts of the Executive and Legislative Councils usually took the form of fines, which could be, and probably/nearly always were, paid in kind. Cattle and sheep were usually paid as fines. Imprisonment was seldom

used, usually being the alternative to a fine.

Fines were probably also the most popular form of punishment among the other judicial bodies in the State. In Mount Currie there was, according to the 25 articles, a law court consisting of a magistrate, a justice of the peace, and one field cornet. In practice though, I think this became just the court of the magistrate of Mount Currie, and that he ~~xxxxxx~~ alone decided all cases that came to this court. In 1870 the Legislative Council made various regulations for the magistrate of Mount Currie. He was to have jurisdiction from the Umzimvubu to the Ibisi, and down the Ibisi to its junction to the Umzimkulu. His court was to sit on two days in the week from 10 o'clock in the morning to three o'clock in the afternoon. He could try all cases below £20 including native cases. Appeal was allowed from his court to the Raad. He had to investigate all the cases above £20 and send them to the Raad for trial. He was to issue all licences in his district, and every three months had to give an account of the revenue and expenditure of this office and the revenue from the "schut kraal" and from licences. The magistrate was paid £60 per annum and his clerk £35 per annum. In addition to this each got 5/- out of the fines for each day they sat, and lived at Government expense during the session. Detailed regulations were made about summonses, arrests and the payment of fines. Damages were to be paid out of confiscated property, which was to be valued by the magistrate and two impartial persons. The magistrate had to keep a record of all the cases that came before him, of the trials, the statements made by witnesses and the sentences imposed.

In the outside districts there were also magistrates, probably one for each district. The 1879 Commission reported³ that although Kok tried to use his most important men as

1. Leg. Council minutes, 1870. (Regulation voor de magistraat van Mount Currie.) 2. See Chapter V. 3. G.58-179, p. 50.

magistrates, they were failures, antagonising the natives and misappropriating revenue. Dower tells us that the office of magistrate of Kokstad was usually given to some needy Griqua who knew nothing about law and decided cases according to his own ideas of justice.

There were also justices of the peace and field cornets with judicial duties in each district. There is very little to tell one what the jurisdiction of each was, and how much work he did. Field cornets had to enquire into cases and report on them when ordered to do so by the Executive Council. They had to help in the apprehension of thieves, and had to see that fines were paid, and stolen cattle returned to their owners. They were evidently just assistants of the court of Executive Council helping it in its duties. As far as justices of the peace were concerned, I know no more than that they existed and were paid salaries.

In addition to these various inferior courts of justice, the Executive Council acted as a circuit court. We find in its minutes that cases in outlying districts would be tried when the Raad went there. Sometimes the Executive Council appointed Commissions to try civil and criminal cases in the country, among natives as well as among Griquas. These Commissions were paid by the Executive Council.

Cases outside Kokstad were sometimes tried by a "Gerechtshof" appointed by the Executive Council and subordinate to it. This was not a permanent body, different men being appointed for every new case that had to be tried. Sometimes a magistrate and two field cornets formed the "Gerechtshof", and sometimes one or two Executive or Legislative Council members. Field cornets usually acted on a "Gerechtshof". All the evidence about these courts shows that they were formed of only two or three men. So I do not quite know what the 1879 Commission means when it talks of a "Rondgaande Gerechtshof" consisting of 40 members.¹ I can find no evidence of such a court.

1. The Commission makes this statement on Strachan's authority.

~~But~~ ^{But} the way in which this is described as appropriating many fines for itself, probably applies to all the circuit courts and also to the magisterial courts. It is also very probable that the justice meted out by these courts was not of the same standard as that of the Executive and Legislative Councils.

These two courts took the administration of justice very seriously. For contempt court people could be fined 15/- to £1, or could be imprisoned for periods up to 15 days, and on one occasion^a a Griqua who had not paid a fine, and had been guilty of calling the captain a liar, was sentenced to six months imprisonment. For bearing false witness the punishment was from £3.10.0 to £7.10.0, or one to three months imprisonment. In a ~~the~~ case of theft that came before the Legislative Council in 1866, it was decided that as no evidence had been brought against the accused men, they could go free, because "de Griqua wetten niet toelaat iemand in hechtenis te houden onveroordeeld en zonder dadelijk aanklagers". But they decided that as these men were caught thieving after they had been released, they were to be shot dead on the spot. It is also interesting to note that cases could be adjourned until the accused could find witnesses. Summonses were sent out to such witnesses, and field cornets had to help to find them and bring them to court. ³

The Griquas were accused of being unjust to bastards and apprentices,⁴ and to Europeans who were without influence. It was said that they considered only the Griquas and the natives. As far as bastards were concerned there is not enough evidence to say whether this was true, and in the case of Europeans the 1879 Commission, and other people who accused the Griquas of injustice towards Europeans, based their accusation on only one case - that of the trader Hall. There is indeed very little other evidence of Europeans being tried by Griqua courts. And in the case of Hall it is very probable that the Europeans were prejudiced, although I think that there is something in the

1. Ex. Co. minutes, Nov. 1873. and July, 1870. 2. Regulations for magistrate of Mount Currie. 3. Minutes of Ex. Co. Nov. 1873.

statement that the magistrate who tried the case had a personal grudge against the European, and allowed this to influence his judgment.^{1.} But the Griquas were always suspicious of Europeans, and so it is probably correct to say that they did not treat them very justly. There is, however, too little material on the subject to come to a definite conclusion.

The financial administration of the Griqua State was not as good as the judicial administration. During the first few years in the new country the Griquas grew very poor. For a long time they remained gathered around the old lager at Mount Currie, where their stock died in great numbers, and where they cultivated hardly any ground. Prices for foodstuffs were terribly high, and since there was scarcely any money in the land payment was made in kind, and in this way many more animals were lost. After a little while the people began to spread out to farms, but it was quite a few years before they and their stock got used to the new land, and before they managed to raise enough food to keep themselves. Organised parties were sent to Philippolis to collect the instalments on their farms, but were usually unsuccessful, and even when they were able to collect the instalments, the expense of the ~~xx~~ journey usually exceeded any money they obtained.^{2.}

The revenue in these early years came from the hut tax which the Griquas imposed on the natives,³ and from licence fees. This revenue was evidently in the hands of Adam Kok, who must have done more or less as he liked with it, because in 1868 the Legislative Council complained to him that they had no money to pay the expenses of Government. They said that they knew nothing of the revenue of the land, what/amounted to and what was done with it, and when they need/money, there was nothing.^{4.} So they decided that in future they were going to control all the revenue of the land.

1. See p.49 Dower's statement about magistrate of Kokstad.
 2. G. 58-'79, p.50. 3. Griqua law book, 1865, see Chapter V.
 4. Leg. Council minutes, August, 1868.

In April, 1878, the 25 articles put all revenue and expenditure under the control of the Executive Council. At the same time it was decided that a commission was to be appointed to investigate into the debts of the Government.

By this time the revenue no longer consisted only of hut taxes and a few licence fees. In 1869 a tax of 5/- per annum was imposed on every erf of 24 feet in Mount Currie, and in December, 1870, all owners of farms had to pay an annual tax.¹ In 1874 just before the British Government took over the country, an annual tax of 7/- called "hoofdgelt" was imposed on every Griqua burgher who was married and did not already pay a tax.² This tax was to have come into effect in 1875. A great deal of revenue came from judicial fines and licences also yielded quite a lot. In 1870 it was decided that an annual trading licence for any one who did not already have such a licence was to cost £18. For traders who held licences already, the fee was £15. The Griquas never kept stores. All trading was in the hands of a few Europeans, who charged exorbitant prices for their goods. But as the licence fees were high, and the trader could only get his cattle with which the Griquas usually paid, over the border to the Natal market at great risk, these high prices were probably unavoidable.³ There were also forest licences, ferry licences and even butchers' licences, and of course licences to sell guns and ammunition. In addition to this each farm paid a quitrent of £2 every year, and farm titles and certificates also yielded some revenue.

This revenue was collected by field cornets, and sometimes by special men appointed by the Executive Council. There was no one to check these collectors, with the result that all the revenue was never collected, and of what was collected only a small proportion reached the Government. It is significant that Strachan's district gave the most revenue - he was probably

1. Leg. Council minutes. 2. Leg. Council minutes. 3. Dower

the only honest field cornet in the country. Brisley

later reported that only about one tenth of the total revenue ever reached the Government.^{1.} The revenue of the country should have been almost £5,000 a year,^{2.} but in 1870 it amounted to £1,177 and in 1873 it was only £374.^{3.}

The accounts of revenue and expenditure kept by the Executive Council, when there were any, were in a hopeless muddle. But I managed to gather that nearly all of the revenue was spent in salaries, although Dower tells us that some of it was spent on the school and the Church.

There is no mention of money being spent on roads or on other public works. But the members of the Executive and the Legislative Councils were usually paid very punctually, and they also profited by large shares of the fines they imposed. The British Government still paid to the Griquas the £300 per annum promised them by the Smith treaty, but I think that very little of this ever reached the people - most of it went into Adam Kok's pocket.^{4.}

Towards the end of 1870 the Griqua Government decided that it was time they tried to improve their financial position. The Legislative Council began to be more careful about the payment of its members, paying them only if they attended the whole session. In March, 1871, they decided to take steps to ensure a more satisfactory collection of revenue, and decided to immediately appoint competent men to collect the native ~~tax~~ ^{hut} tax, so that the Government might know just what the revenue of the land was - an illuminating statement. They also established Government prices for cattle, sheep, goats, corn and mealies. Also in addition to appointing men to collect the taxes, they decided that one member of the Volksraad was to accompany each collector, which shows that the Government was at last beginning to see the need for some check on its officials.^{5.} These

1. G.58-179, p.18. 2. G.37-176, p. 92. 3. Griqua Govt. papers. 4. G. 58-179, p.49. 5. Leg. Council minutes.

The 1879 Commission reported that Griquas complained that Kok did not pay his money punctually.

collectors and the men who accompanied them were to be paid fixed salaries.

In December, 1875, there is in the minutes of the Legislative Council the report of the "Schuld Commissie" which had been appointed to investigate ~~into~~ the financial position of the Government with a view to paying off its debts. Its recommendations were accepted by the Legislative Council. They were that the revenue and expenditure of the country were to be placed under the Volksraad until the debts of the Government had been paid off. All the revenue of the country was to be used for this purpose. The Legislative Council, excluding the members of the Executive, were to collect this revenue, and were to have all the necessary powers of establishing prices and of making regulations in order to collect the revenue and pay off the debts of the country.

In 1872 for the first time accounts of revenue and expenditure were read out to the Legislative Council. The work of the financial committee of the Legislature was in 1873 taken over by the Executive.

This attempt to bring the finances of the country into a better state, was not very successful. The Government could not make its collectors give honest accounts and collect all the revenue, and when the British Government took over authority in 1874, the Griqua Government was still in debt.

Chapter V.

THE RELATIONS OF THE GRIQUAS WITH THE NATIVES BOTH INSIDE AND OUTSIDE KOK'S TERRITORY.

When Wodehouse told Adam Kok ~~to~~ go to Nomansland with his people, he was under the impression that the land was more or less unoccupied.^{1.} But it was in reality inhabited by native tribes who outnumbered the Griquas by many thousands.^{2.} These Griquas considered themselves placed under Kok's authority, and Kok himself was very naturally under the same impression. Wodehouse added to the number of natives under Kok's rule. In March, 1869, he informed the Lieutenant Governor of Natal that Kok's boundary extended only to the Keniga but said that Zibi a Fingo chief, and Lebenya, a Basuto chief, would probably pay hut tax to Adam in return for protection, though they were to be otherwise independent.^{3.} He also placed a number of Basutos under Makwaai under the Griqua captain.^{4.} These people having lost their land in the Orange Free State, had settled in the land between the Keniga and Umzimvubu rivers which the Basutos claimed belonged to them by cession from Faku. The British Government, however, denied that the Basutos had any claim to this land. It all belonged to the British Government. ~~xxxxx~~ As Wodehouse was unable to establish Government authority there, he placed Makwaai and the land between the Keniga and the Umzimvubu under Kok's authority.^{5.} The Basutos were to pay hut tax, and be subject to general control by the Griqua Government. This ground was to be given to Kok on condition that he gave a certain tract of country to Natal.^{6.} Natal, however, refused the conditions on which she was to get this land, and so Kok kept both this tract of country and also that on which Makwaai was located.^{7.} The addition of Makwaai's land

1. G.27-174. p.80.

2. 917-74 p.50.

3. Orpen says 8,000 to 10,000 men.

PR.30.51.

4. A.12-173, p.91.

5. A.12-173. p.91.

6. A.12-173 p.91.

7. A.12.-17

p. 91, 92.

naturally increased both the authority and the revenue of the Griqua Government.

Other tribes and remnants of tribes were continually coming into Griqualand East. One of the most important chiefs was Sidoi who together with his tribe had been outlawed from Natal. He was located by Kok in this country, where he became one of the most influential native chiefs. In the Griqua Government papers, and in the minutes of the Executive and Legislative Councils, mention is from time to time made of other natives who wanted to come into Griqualand East.

On the 15th March, 1870, an agreement was made between Natal and the Griqua Government about the natives who were continually passing to and fro between the two countries.¹ In future natives were not allowed to leave one country and enter the other without written permission from both Governments. The Legislative ~~Executive~~ Council decided that all natives who had come in without permission were to collect their goods and chattels and depart at once, and the chiefs of such tribes, and Griqua officials in charge of natives were given instructions to this effect. After this time there are many notes in the minutes about natives who wanted to come into the country. From about the middle of 1870, there was a tendency to put an end to this continual immigration. In July, 1870, the Executive Council granted permission to certain natives to enter the country, but decided that at the next session of the Legislature ~~the~~ a law was to be introduced that immigration of natives be in future suppressed. Smith Pommer, a superintendent of natives, was told that he would be held responsible if any natives crossed the frontier without permission from the Government.

~~In~~ In 1871 Silonyana and Ludidi were allowed to become Griqua subjects - they had their own locations already.² But natives who wanted to come and settle in Griqualand East, were not allowed to enter, because the Government had decided that

1. Minutes of Executive Council. 2. Minutes of Leg. Council.

1. that there was not sufficient land left for them. The Griquas after 1870 evidently became determined to stop this immigration of natives into their land. It is, however, impossible that they stopped it completely. They did not have the requisite power to control all immigration into their large tract of country.

Adam Kok was thus placed in authority over a large and continually increasing native population. It was mainly due to the prestige given him by the support of the British Government, and to the arms and ammunition allowed him, that he managed to control these natives. He kept them in order, kept peace among them and also managed to collect hut tax from them. But he must be given some credit for the way in which he governed them. The minutes of the Executive and Legislative Councils show how important an element in this State the natives were. Most of the work done by these two Councils was judicial and most of this judicial work was concerned with natives.

As soon as the Griquas had begun to settle down in their new land, they concerned themselves with the large native population in the country. In April, 1865, they declared that all natives in Griqualand East were Griqua subjects, and as such had to pay hut tax, and were liable to military service in the defence of the country. 2. Then locations were marked out for the natives. Sometimes the captain and some members of the Legislative Council marked out the locations; 3. sometimes the Executive Council; 4. and sometimes Commissions appointed by the captain did this work. 5. Natives were not allowed to buy farms or possess land except in their locations. 6.

Many natives naturally lived on farms which were taken by the Griquas. Some farmers could not get on with these natives, and they complained to the Government, with the result that the natives were removed from their farms. They had to be given a

1. Ex.Co.minutes, Sept. 1872 and March, 1873. 2. Griqua law book.
 3. Leg.Council minutes, April, 1866. 4. Govt. papers, 1870.
 5. Leg.Council minutes. 6. Leg.Council minutes, August, 1868.

year's notice in writing through the field cornet of the district, and when the year had expired they had to depart to the locations of their respective tribes. Some of them were placed in Strachan's district. This arrangement, however, applied only to those natives who were on farms the owners of which had objected to them.

This settlement of the various native tribes in locations was a wise policy. The method of governing them also shows the wisdom of the Griqua Government. They were governed by their own chiefs, under the supervision of native superintendents appointed by the Griqua Government. The taxation of the natives was very important to the Government, as it formed the main source of revenue of the State. In April, 1865, a hut tax of 7/6d per annum was imposed on every hut in every kraal. This tax was to be collected in July each year by men appointed by the Griqua Government. The collection was to take place on the "hoof werf" of the captain of the tribe, who was to help in the collection. Those natives who were not under the authority of a chief, had to pay their tax to the nearest magistrate's court. If natives refused to pay the tax, they could be driven out of the district. At various times men were appointed by the Government to collect this tax. It is only ~~to~~ probable that they did not hand over all that they collected to the Government, because there was no check on them. They very probably did not even collect the taxes sometimes. In April, 1870, Makwaai was told that he had to pay ^{double} the taxes that he had not paid the previous year in addition to the tax for 1870, and was threatened with punishment if he did not do so. The natives, however, probably paid their taxes far more regularly than the collectors handed the money in.

The administration of justice among the natives formed ~~the~~.

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1. Ex.Co. minutes, Sept. 1872 and 1873. Instructions to field cornets and Sidoi to remove natives who had been given notice.
 2. Only two are mentioned - Strachan and Pommer. 3. Minutes of Executive and Leg. Councils.

an important part of the work of the Griqua Government. The chiefs were allowed to decide minor cases among their own natives, but had to refer more important cases to Mount Currie. This was in accordance with the policy of leaving the natives under the Government of their own chiefs, under supervision by the Griqua Government. The Executive and Legislative Councils were courts of first instance and of appeal for native cases. Sometimes they inflicted the death penalty for murder. Fines were ^{the} most popular form of punishment, imprisonment being seldom used. There is an instance of a woman who had killed her child, being given two years hard labour, and to be kept in irons. But her family was allowed to buy off the second year.^{1.} It was evidently not too safe to inflict the death penalty on a native, because his tribe might come to his rescue. A field cornet in 1871 was sent to hang a murderer, but he was instructed to take as many armed as he could find with him.^{2.}

The magistrate's court in Mount Currie also had jurisdiction over natives in cases below £20, which had been brought to it by the superintendent of natives who had to be present at the trial and could plead for the native.^{3.}

Sometimes Commissions were appointed to investigate into cases, and might carry out the sentence, or otherwise the Executive Council received the report and passed judgment. The Commission were probably allowed to pass sentence in minor cases. Sometimes Adam Kok himself travelled about the country investigating into disputes between the natives,⁴ and there are many letters to him from the natives in his land in the Archives papers. Sometimes the Executive Council travelled as a court of justice among the natives. In October, 1873, its minutes mentioned the fact that a native case on the other side of ~~the~~ the Umzimvubu would be decided when the Council went there. Sometimes the Executive Council ordered a native chief to

1. Ex. Co minutes. 2 Ex. Co. minutes. 3. Leg. Council minutes, 1870. 4. Ex. Co. minutes.

investigate^{1.} into a case and report to it. In December, 1872, the Executive Council minutes mentions a court of Kaffir chiefs which was to decide certain native cases, and in an appeal case in March, 1874, a Kaffir court was established to investigate into the matter and report to the Executive Council.

A note in the Executive Council minutes to the effect that a native was fined a beast for taking the law into his own hands, confirms the impression that the judicial administration of the natives was taken very seriously. But a case that came before the Executive Council in March, 1873, shows that justice was not always carried out as well as the Government arrangements tried to insure. There had been thieving among certain natives, and a member of the Council had gone to the culprits, and promised them that he would not bring the matter to the notice of the authorities if he was given certain cattle. The natives gave him the cattle, but the man was found out and the case came before the Executive Council. The culprit was fined, and the bribe he had received from the native was confiscated by the Government. This shows that the Government was sincere in its effort to govern the natives well, but it is very probable that cases similar to the one just mentioned occurred many times, when they were not brought to the notice of the Government.

The 1875 census reported that in the western district there were many natives cultivating Griqua farms, the owners of which lived at Kokstad. When they had no more money they used to come to their farms, and take a share of the crops that the natives had cultivated. They then ordered the natives to cultivate new lands.^{2.} This again proves that although the intentions of the Government were good the Griqua subjects were not always inclined to support their Government.

1. Ex. Co. Minutes, October, 1872. 2. G. 21-175, p.116.

1.

Natal complained that the Griqua Government was weak and that there were consequently frequent disturbances among the natives under its rule. The Griqua Government was undoubtedly weak, but I think that the statement about the natives is an exaggeration. But the Government could not prevent its natives from thieving across the borders. In 1865 a law was passed that any one who raided outside Griqualand East would be fined

2.

£60, and there is evidence of a native being fined for this offence. Another case - of the good intentions of the Government going astray because it was too weak to carry them out; its boundaries were extensive, its country vast, the natives were many and the Griquas were few. It was impossible for the Government to stop thieving which came naturally to the natives.

But I think that the Griqua Government deserved credit for the way in which they tried to govern the natives. Their policy of putting them in locations, and leaving them to themselves, keeping some sort of check over them by means of superintendents, was by far the best they could have adopted under the circumstances. By administering justice according to European principles, they were gradually bringing civilisation to the natives. They also did their best to suppress witchcraft and smelling out. How far they succeeded in this I do not know. The fact remains that they tried.

I shall now turn to the relations of the Griquas with the natives outside Griqualand East. Adam Kok did not confine his attentions to the natives inside in his territory. He very soon began taking an interest in the tribes outside his borders. The first people with whom he had trouble were Nehemiah Moshesh and his Basutos, who were settled between the Keniga and the Umzimkulu. When the Griquas were moving into Nomansland they stopped for a time near Nehemiah's location, and the Griquas and the Basutos stole regularly from each other. Kok tried to stop this by making some agreement with Moshesh. But the Basuto tried to stir up the Pondo chief Umqikela against the Griquas.

Kok then sent a number of armed men to meet Nehemiah in order to come to some agreement, but when these men arrived at Nehemiah's village they found that he and his people had fled to the mountains from where they continued to send thieving expeditions against the Griquas. The Griquas then attacked the Basutos and managed to drive them out.^{1.} The Griquas and the Basutos were probably equally to blame in this matter.

The Governor of Natal and Joseph Orpen were worried that Adam Kok would extend his authority beyond his borders, but Wodehouse assured the Governor of Natal in 1867,^{2.} and Orpen in 1868,^{3.} that Kok's authority extended only to the Keniga, and that the Government did not intend to allow him to interfere with the lands under Faku, Damas or Umditchwa.

In 1866 during the war between the Orange Free State and ~~Basutoland~~ Basutoland, the various native chiefs in Griqualand East were informed that no Basutos were to be allowed to enter the country during the war. Any who did so were to be plundered and driven back.^{4.} Orpen said that this was interference with the Basutos who complained that they were attacked by British subjects from the ~~river~~^{rear}.^{5.} But it seems to me that the Griqua Government did not intend to attack the Basutos,--although its subjects very probably did so-- it was merely trying to keep out unwanted refugees. The Griquas quite probably were not very fond of the Basutos, both because of the trouble with Nehemiah Moshesh, and because of the thefts of cattle by Basutos while they were trekking to Basutoland. But their Government never ordered men to attack Basutoland. In fact, in February, 1866, the Legislative Council forbade Griqua subjects to cross the boundary into Basutoland in order to raid there, and in April, 1866, the fined a native £60 for breaking this law. Once more it was a case of good intentions not being carried owing to the weakness of the Government. And it must be

1. G. 37-'76, pp.57 to 60. The 1876 Land Commission reported that Nehemiah was justly expelled. 2. G.27-'74, p.54.

3. G.27-'74, p.54. 4. Leg.Council minutes. 5. A.30-'79, p.8.

remembered that in 1866 the Griquas were only just beginning to find their feet in the new country.

Kok, however, did interfere with natives beyond the Umzimvubu. In the Legislative Council minutes of August, 1868, there is a law that the boundaries fixed between the natives on the other side of the Umzimvubu were to be abolished, as they were likely to cause trouble with the Griqua Government. Each chief was to retain ^{authority} over his own tribe.

The Griquas had a great deal of trouble with the Pondos to the south. The boundary between them and the Griquas had been fixed by Wodehouse, and both sides knew of it. Yet Kok claimed authority over the land occupied by the chief Jojo, who lived in Faku's land, and Jojo paid tribute to ~~Kok~~ Kok in the belief that Kok represented the British Government, and would protect him. ^{1.} Kok also countersigned the deeds selling the copper mines in this territory to Natal.

Between the Griquas and the Pondos there was continual stealing. Orpen blamed the Griquas for this, but according to the Archives records, the Pondos were just as much to blame as the Griquas. The Griqua Government never sanctioned thefts. And Umqikela, chief of the Pondos, was untrustworthy according to the minutes of the Griqua Government. ^{2.} The boundary established by Wodehouse was evidently ignored by both parties, because in January, 1870, Mr. Strachan was ordered to visit Umqikela in order to arrange a definite boundary between him and the Griquas. This arrangement was to be ratified by the Griqua Government. There was a great deal of correspondence between the two chiefs on the subject of the continual thefts, evidently without much result, because in March, 1870, the Griqua people sent a memorial to Adam Kok asking him to put an end to the Pondo thefts. Kok answered that he was trying to get the stolen property returned by means of sending constant messengers to the Pondos to ask for it. He did not want to start a war with the Pondos, because they were much too strong for the Griquas to cope with.

In 1871 the Griquas had a dispute with the Amabaka under Silonyana. According to the 1872 Commission the Griqua Government was to blame in the matter, but according to the Griqua Government minutes the Amabaka were the cause of the trouble. The Commissioners reported that Kok had disregarded the requests of Silonyana to remove a troublesome Griqua subject from the border. But the Minutes of the Executive Council show that Kok did not ignore the matter entirely, because a Commission was sent in October, 1870, to settle the boundary between the Griquas and the Amabakas. In August, 1871, another Commission was sent to investigate into the matter and report to the Executive Council. But in September, 1871, it was decided to declare war on Silonyana since people had already been killed in a quarrel. Adam Kok asserted that he had been patient for along time, and had ^{had} to suffer enough damage from Silonyana, and had come to the conclusion that the only possible course was to fight. So the field cornets were ordered to call up the burghers of their district, and all the natives in Griqua territory were instructed to be ready to fight. The field cornets were to be in command of the burghers, and the chiefs in command of the natives. Read was appointed commandant of all the forces.

Silonyana was defeated by the well armed and mounted Griquas and their native forces, and many cattle were taken as spoils of war. These were divided among the burghers and natives and caused a lot of quarrelling. In December, 1871, Silonyana asked leave to become a Griqua subject, and was accepted.

In the Langalibalele affair the Griquas acted as loyal British subjects. Even Orpen admitted this. Kok was informed by Shepstone that Hawkins and a force of men were in pursuit of Langalibalele who would probably flee to Kok's

country. The Griqua captain was expected to help and co-op-²erate. Commandoes were called up in the various districts as soon as this news was received from Shepstone. All the native chiefs under Kok were ordered to be ready to stop Langalibalele from passing through. It is interesting to find that in February 1874, a court of enquiry was held into the case of a man who had sold guns to four men of Langalibalele's tribe. The accused was found guilty, was fined £100, and was not in future to be allowed to trade in guns and ammunition.

These are the main points in the relations of the Griquas with the tribes outside of Griqualand East. By 1872 these natives were evidently getting too much for Kok, because just before the Commission was sent to Griqualand East, he asked the British Government to establish a Resident among the chiefs surrounding him.³

Kok definitely exceeded his authority in granting titles to farms in the Gatberg district which was about 150 miles west of his borders.⁴ In 1869 Kok gave up his claim to this district "for the present".⁵ The documents of the Griqua Government papers mention the affairs of the Gatberg people, and there were a number of letters written by them to Adam Kok. They had their own Volksraad, but evidently to a certain extent recognised Kok's authority, because in 1870 the Griqua Government sent a Commission to enquire into a case of attempted rebellion. This Commission was told to collect all documents and papers belonging to the Government, and had to take armed men with them to enforce obedience.

2. Letters Kok to field cornets 17th November, 1873. 3. A.12-'73, p.48. 4. A.12-'73, p.125. 5. A.12-'73, p.130.

Section III.

THE ANNEXATION OF GRIQUALAND EAST.

Chapter VI.

The Commission of 1872 and the "Annexation" of 1874.

When the Griquas had been in Nõmansland for about 10 years, the Cape Government once more turned its attention to them. It had heard that the relations of the Griquas with the Pondos south of their territory were not too cordial, and that Adam Kok had been endeavouring to extend his authority by invading the Baca country.^{1.} In addition to this there was Kok's request of December, 1871, for a British Resident among his tribes.^{2.}

The Governor of Natal had also during 1871 sent frequent letters to the Cape Government complaining that the Griquas were violating Alfredia which belonged to Natal, and that the unsettled state of the natives in Griqualand East, owing to the weakness of the Griqua Government, was causing uneasiness among the natives in Natal territory.^{3.} The Cape Government came to the conclusion that it was time that it learnt something of what was going on in the Griqua State.

So in January, 1872, a Commission consisting of James Ayliffe, C.D. Briffiths and Inspector Grant, were appointed to investigate into these matters.

These Commissioners made enquiries into the disputes between the Griquas and the Pondos, and fixed a definite boundary between them. They also went into the matter of thefts between Griquas and Pondos, and in the three cases which had been brought to their notice decided that the Griqua Government had to be held responsible.^{4.} Smith,^{Pommer} a Griqua Government official, had

1. A.12-'73, p.48. 2. A.12-73, p.48. 3. A.12-'73, pp.64,69,70.

4. A.12-'73, pp.103 and 104, cases of Banya, Lockenberg and Turton.

him being implicated in one case, but the Commission found that he had not been supported by the Government, and that he had since been dismissed from office.

As far as the war between the Griquas and Amabacas was concerned, they decided that the Griquas had been the aggressors and that their invasion of the Baca territory without previous reference to the High Commissioner, was quite unjustifiable.^{1.} I have already shown that the Griqua Government had tried to settle the dispute peacefully, and that they were not wholly to blame for the outbreak of hostilities. The Commissioners had evidently not examined all the evidence on the subject. Consequently their report that the Griquas, having gained the support of ~~the~~ the natives in their land, and thus become strong, had used this strength on several occasions for no good purposes, ~~is~~ must be treated rather carefully. I think that in this matter, as in others, the Commissioners were too severe on the Griquas. But their report that all the native tribes around Kok's land were in favour of being taken over by the British Government, is probably correct.

Before I deal with the Commission's report on the Natal complaints, I shall give a short account of the Griqua relations with Natal before 1872. From the correspondence between the Cape Government and Natal before the Griquas settled in Nomansland, it appeared that ~~the~~ Natal was not very eager to have the Griquas settle there. She claimed part of the territory that Wodehouse intended to give to the Griquas,² but failed to get this. In 1869 there was a dispute between Natal and Adam Kok,³ and to settle this, Wodehouse proposed to give a certain piece of Natal on certain conditions.^{4.} These were that all grants of land made by Kok within this territory should be confirmed, holders of such farms to have them surveyed at their own cost within six months, and the money received from land not yet

1. A.12-'73, p.105. 2. G.53-'62, p.17. 3. A.12-'73, p.91.
4. A.12-'73, p.91. See MAP

granted should be paid to the Griqua Government. Natal did not agree to these conditions, and so Kok kept the land.

1. When Wodehouse informed Kok of this he asked him to try to promote a better understanding with Natal. This Adam evidently managed to do, and for the next few years his relations with Natal were quite ~~cordial~~. He got all his guns and ammunition from Natal, and there was never any trouble about this. He also helped Natal by apprehending criminals who had fled into his country from Natal, and by sending ~~xxxxxxx~~ natives who were required as witnesses to the Natal Government. His letters to Shepstone show that he always acted promptly in these matters, and Shepstone's letters to him were always very

2. friendly. The Griqua Government also made an agreement with Natal about the natives who were continually passing from one country to the other.

3.

Natal, however, was not satisfied with her Griqua neighbours. Keate, the Lt-Governor of Natal, writing to ~~xxxxxx~~ Barkley in August, 1871, 4. accused the the Griqua Government of tolerating witchcraft and of being altogether in a low state of civilisation. But his main objection was that in the Griqua quarrels with the Pondos, the territory of Alfredia was frequently crossed by raiding parties from one or other nation. Stolen cattle were driven across Alfredia, and the natives in this land were held responsible, according to native law and custom, for such cattle, until the spoor had been traced beyond their kraals. 5. This naturally upset Alfredia, and Natal could not allow it to go on, as she was responsible for the security of this country. Shepstone was sent to investigate ~~into~~ certain cases of theft, and he reported that the Pondos were unwarlike, and that their chief Umqikela was ready to be peaceful and listen to Natal's advice. 6. It seems to me that Shepstone was not quite correct here, for according to the Griqua/~~law~~ Government books the

1. A.12-'73, p.91. 2. Griqua Government papers, 1871.

3. Ex. Co. minutes, 15th March, 1870. 4. A.12-'73, p.64.

5. A.12-'73, pp.64 and 65, 69 and 70. 6. A.12-'73, p.74.

Pondos raided just as often as the Griquas, and Umqikela was anything but peaceful. But Shepstone's report was read by the Cape Government, and the Griqua Government books were not.

The Natal Government also alleged that the long boundary between its territory and Griqualand East was likely to cause trouble. The Griqua Government was weak and could not control all the natives in its territory, and disturbances in Griqualand East could easily extend to Natal country. ^{1.} Governor Keate also complained that the Griquas were causing trouble among the natives outside their territory, and as the natives thought that the British Government were supporting the Griquas, it was likely to damage the British prestige among the natives. ^{2.} Keate also thought that the Griquas were importing too much ammunition, without giving sufficient reasons for it.

The 1872 Commissioners investigated ~~into~~ all these questions. They decided that the violation of Alfredia could not be stopped because of the long line of the boundary, and the predatory habits of the natives in Kok's country. The only remedy was to give Natal the wedge-shaped piece that Wodehouse had wanted to give her. They agreed with Shepstone that the Griqua Government was too weak to maintain a strong Government among the native tribes around its territory.

The Commissioners also enquired into the advisability of giving Kok greater facilities for getting arms and ammunition. They decided against it, as these arms were probably used to arm Kok's native subjects, there being no organised force in the country, and most of the game having already been exterminated.

The Commission also investigated ~~into~~ the conditions in the Griqua State itself, but it unfortunately did not read the Griqua Government documents. The question of what would happen if Kok died had caused some anxiety to the High Commissioner, because he had learned that no one knew who would

be the next captain. There were several claimants to this position in Griqualand East. The Jood, Eta, and Waterboer families all had some claim to it; ^{1.} Smith Pommer had hopes of becoming captain on Kok's death; ^{2.} and Kok himself had a daughter who might lay claim to his position, although there was some prejudice against ^{her} ruling. ^{3.} The Commission reported that confusion and anarchy would follow Kok's death, and Dower says that if Adam had died between and 1869 and 1874 there would have been civil war in Griqualand East.

The report on the state of civilisation of the Griquas is interesting, ^{4.} although on several points the Commissioners were incorrect. It was said that the Griquas had gone down in civilisation since they had left Philippolis. There many of them had been comparatively wealthy, but in Griqualand East most of the people were in a state of "positive want and penury" ^{5.} This was largely due to the change of pasturage, which had caused many animals to die, but the main reason for the degeneration of the people was their own lazyn^{6.}, thriftless and idle habits. This, however, did not apply to the ~~descendants of slaves and apprentices who had accompanied the Griquas from Philippolis.~~ They were industrious people, and had prospered in the new country. The Commissioners described Mount Currie as presenting a scene "which, for poverty, desolation, and squalid misery, cannot, we say, be surpassed" ^{7.}

Their report on the roads of Griqualand East was not correct. [✓] They said "during our journey through the country we did not see a single yard of made roadway, not even the faintest sign of any labour ever being employed to make or put in order a single drift, in fact, no sign of any public works of any kind whatever, and this, too, notwithstanding that the revenue derived by the Griqua Government from h^ut tax, quitrents, licences, etc., must amount to some thousands of pounds annually

1. Dower, ch.XIII. 2. G.58-'79, p.21. 3. Dower, Ch.XIII.

4. A.12-'73, pp.110-111. 5. Dower Ch.VI, agrees. 6. Dower Chapter VI agrees. 7. According to other evidence this report on the state of the Griquas themselves is correct. [✓]

.....the manner in which this revenue ~~was~~^{is} expended appears to be a profound mystery".

In Chapter III I have shown that the Griqua Government ✓ did do a certain amount of quite good administration. The Commission evidently did not examine all the evidence on the subject. They seemed to have left the Griqua Government papers severely alone. But their report on the financial state of the country was only too true.

They reported that the judicial administration of the Griques was not too good, and cited the case of Hall, condemning the Griquas.^{1.} They also decided that the Griqua Government had ruled unjustly because certain farmers had reported that their farms had been confiscated by the Government for no reason at all.^{2.} These people were probably not pure Griquas.^{3.} But the fact remains that a section of the people under the Griqua Government was badly treated.

The Commission ignored the good administration that had ✓ been done, and concentrated only upon the failings of the Government. And so they reported that the "immediate interests of the Griquas themselves demanded most urgently that some radical change be at once instituted in the form of Government under which they lived".^{4.} They also reported that the great majority of Griquas wished to be taken over by the British Government, and advised that the whole of Griqualand East should be placed under British rule as soon as possible. X

The Cape Government received this report and decided to take over the Government of Griqualand East, because first: the Griquas had caused trouble among natives outside of Griqualand East, using their strength to no good purpose. Second, the weakness of their Government was liable to lead to trouble among the natives, which was dangerous for Natal. Third, the interests of the Griquas demanded it.^{5.}

1. See. Ch. IV¹ 2. A.12-'73, p.112. 3. See Chapter IV. 4. S.12-'73, p.112. 5. Keate had reported that a class of Europeans had been coming into the country who were attracted by the lack of lawfulness and were a bad influence.

I agree that the Government of the country should have been taken over for these reasons, but I think that more credit should have been given to the Griquas themselves. They had after all established a Government which had done quite good work in the country, and as far as the natives in this territory were concerned they had been peaceful under the Griqua rule, although it is impossible that in the 10 years during which the Griquas governed them, they could have brought a great deal of civilisation to the natives, And in the matter of the natives outside Griqualand East it seems to me that the Commissioners were prejudiced against the Griquas, and did not make sufficient enquiries into the subject.

I agree that it was necessary to establish British authority in Griqualand East, because it would give a far better Government to both Griquas and natives, and would do more towards the prosperity of the country than the Griqua Government had been able to do. I think, however, that this should have been done in the first place. By leaving the Griquas in an independent state for so long, the British Government made matters very difficult for itself, because people who had governed themselves, and had had authority over others for so many years, could not be expected to be pleased with ~~being~~ being deprived of their independence. And when the people in question were the Griquas, it was not surprising that they could not even see the necessity for taking away this independence.

Soon after the 1872 Commission had sent its report, Joseph Orpen was made British Resident for the whole of the Transkei, including Griqualand East.¹ As far as the Griquas were concerned, this was not a happy choice, because Orpen was very prejudiced against them. Both the tone and the contents of of his correspondence about the Griquas shows us this, and the Rev. W. Dower, who was a personal friend of Orpen, also tells us that he very much disliked the Griquas. He thought that

1. Dower Ch. XIII.

there was no good in them, and treated them accordingly, worrying Kok about all sorts of little things and belittling him, which treatment the captain naturally resented. In June, 1874,^{1.} Kok was at last "worried and goaded" into asking Orpen to ✓ explain to him exactly what his position was, whether he was an independent chief or under British control.^{2.} He said that the 1872 Commission had warned him that the British Government intended to take over the Government of the country, but that he would first be consulted. Then, without warning, Orpen was placed in authority over him, and Kok did not quite know where he was.

Soon after this, however, the Cape Government decided to take over authority in Griqualand East.^{3.} The difficulties which had prevented Wodehouse from directly governing the country, no longer existed, and it was now possible to place a magistrate in Kok's land. Moreover, the position of the Cape Government in the St. John's territory^{4.} made it advisable for Griqualand East also to be under Government control. The Griquas were by this time only a small fraction of the total population of the land, the great majority being natives, all of whom desired the establishment of a British Resident among them. An additional advantage in the eyes of the Government, was the fact that the revenue of the country was estimated at about £5,000 per annum, which would make the country self supporting, and enable them to give pensions to Kok and other office holders.^{5.} Governor Barkly having been instructed by the Cabinet to do so,^{6.} therefore went to Griqualand East, where on ~~15th~~ 15th October, 1874, he met Kok and his Raad and several native chiefs, and informed them that he wished to substitute direct rule by the Cape Government for the provisional Government which was in existence in the country. The conditions on which^{his} was

1. Dower. 2. G.21-'75, pp.66 and 70. 3. G.21-'75, p.70. It would have been easier to annex the country to Natal, but the Griquas had objected to this. 4. St. John's territory annexed in . 5. G.21-'75, p.70. 6. G.21-75, p.71.

to be done were the following:

(1) Adam Kok was to continue to hold his present honorary title, and was to get a fixed salary, which would amount, together with the allowances he already received from the Colonial Governments, to £1,000 per annum, in consideration of his past services, and his position as President of the Council whose functions were to be determined by the Government, and of such assistance as the Government would ask of him in the arrangement of affairs of the country in future.

(2) The present officials of the Government were to remain in office at their present salaries until the Cape Government could enquire into their cases and qualifications, and decide who were to remain in office or receive pensions.

(3) The existing laws were to remain in force until the Government could make investigation, and the wishes of the captain and the people were to be carefully considered.

(4) Titles already granted to land were to remain until the Government had enquired into them, and it was promised that these enquiry would be just and liberal.

(5) All Government property and documents were to be handed over to the British Resident.

(6) All just debts of the Griqua Government would be liquidated by means of arrear and incoming revenue.

(7) The Government was in future to be carried on under instructions from Joseph Orpen.

Adam Kok requested, after he had seen these, to my mind, liberal conditions, that the functions of himself and his Council be defined; that his retiring allowance be increased; and that all land titles issued by him be absolutely recognised. Barkely answered that he could not at once accede to the first request; ~~but~~ that the second would be considered; and that the third could not be agreed to as the titles were unsettled and disputed, and it was known how many had been issued.

Barkley then left Kokstad, accompanied by Orpen, who left instructions for the Government of the country with Brisley, and ordered a census to be taken at once. In November, 1874, Brisley and Strachan went to Cape Town in order to arrange the details about Kok's functions of Government.^{1.} They made several suggestions about the future Government of Griqualand East to the Cape Government,² which was influenced by these proposals when it made arrangements for the government of the country.^{3.} Brownlee, the Secretary for Native Affairs at the time, wrote that if the Cape Government confirmed Barkley's arrangements, which ~~they~~ ^{it} probably would do, it would be prepared to carry out Barkley's conditions as modified by the suggestions made by the Griqua Government. Until this was done, the Government was to be carried on by a Commissioner acting together with Kok and having equal power with him. The present Raad was to remain as it was, and could advise Kok on matters brought before him and the Commissioner. All bona fide and undisputed land titles already issued would be confirmed, but future claims for land were to be submitted through Kok and the Commissioner to the Cape Government.

The future Government of the country was to be carried on as nearly as possible as before, but was gradually to be assimilated to the laws and customs of the Colony. Kok was to get £700 per annum from the Griqua revenue, and three of his councillors, Lukas van der Westhuis, ~~Rex~~ Piet Pienaar and Adam Eta, were to get £36 per annum for life in recognition of past services to the Griqua Government.

This document as well as the acceptance of it by Brisley and Strachan on behalf of the Griqua Government, was approved by the Cape Government⁴: When Brisley and Strachan returned to Griqualand East, they submitted the arrangements made to Kok and the Executive and Legislative Councils, by whom they were approved.^{5.} In March, Mr. Cumming arrived as the Commissioner

1. G.21-'75, p.75. 2. G.21-'75, pp.75 and 76. 3. G.21-'75, pp.76 and 77. 4. G.21-'75, p.78. This approval by the Cape Government was not ratified until Parliament passed an annexation Bill in 1879. 5. G.21-'75, pp.79 and 80.

who was to exercise joint authority with Kok. He was instructed for the time being to introduce no innovations and to confine his attention mainly to the collection of revenue.¹ He was a tactful man who knew the Griquas, and by allowing them to talk as much as they liked, he managed to calm them. Kok was glad to be relieved of the responsibility of Government, and Cumming soon did very much as he liked.² And so for a while there was peace in Griqualand East. The annexation put an end to the weakness of the central Government, brought justice and equality to the country, and greatly increased the value of land.

1. G.21-'75, p.78. 2. Dower, Ch.XIX, p.72.

Chapter VII.

THE HISTORY OF THE GRIQUAS FROM 1874 to 1878.

Before I go on to the actual events between 1874 and 1878, I shall give an account of the condition of the Griquas in 1874. In Griqualand East the Griquas had grown poor, and had gone down in civilisation. There were several reasons for this, apart from their dislike of work, which prevented them from becoming successful agricultural farmers. They had lost a great deal of stock during their first years in Nomansland; they had no easily accessible market for their produce; and between 1860 and 1870 there had been a general trade depression throughout South Africa which had affected them also. These were reasons for their lack of prosperity. As far as their moral condition was concerned, they had degenerated because they had had no missionaries for several years; because there were not a sufficient number of schools in the country; and because while yet little more than half civilised, they had been located among savage natives, far away from any civilised communities.^{1.}

After 1870, however, they had begun to improve morally as well as materially. They had begun to cultivate more land and by 1874 they were growing a considerable quantity of wheat.^{2.} Their stock had increased, and they were beginning to build better houses. In their chief village they had a school room and were building a Church. There was a day school^{3.} which was quite well equipped and had a trained school mistress. In the vicinity of Kokstad there were two private schools maintained by Griqua parents. In the schools English, Dutch, reading and arithmetic were taught, and the more advanced pupils learned geography and grammar. During part of the year evening

1. G.21-'75, pp.83 to 86. 2. G.21-'75, p.86. 3. School conducted by Dower's sister-in-law.

classes were held for adults. Just before the country was annexed in 1874, the school committee had applied to the Executive Council for a grant to establish schools in various parts of the country, and this application had been favourably received.^{1.} Nothing however had been done when the British took over the Government of the country. The £50 which the Cape Government had so far given every year for educational purposes had been used for the central school which Dower said had done efficient work for several years. As far as their religious condition was concerned, Dower tells us that Sunday and weekday services, Sunday schools, Bible classes and even mothers' meetings were regularly held at Kokstad. In addition to this services were conducted every Sunday at four different outstations and at six others occasional services were held. Dower was assisted in all this work by a native ordained colleague and several Church officers and lay preachers.^{2.}

There were as yet no proper roads in Griqualand East, and no bridges, though there were some drifts and one or two ferries. At this time there must have been about 1,000 adult Griquas, and about 1,300 children, judging by a census taken by Blyth a few years later.

Although Cumming managed to keep the Griquas quiet for a while, they were not really satisfied with the annexation.^{3.} The Griquas who had governed the country for the last 10 years became dissatisfied as soon as they realised that in future they were not to have things all their own way and that every one in the land was to be equal before the law. They saw only that they had lost authority and prestige, and ignored the advantages that annexation brought to the country.^{4.}

The causes for the dissatisfaction of the mass of Griquas, however, are to be found mainly in their ~~own~~ character.^{5.}

1. G.21-'75, p.85. 2. G.21-'75, p.84. 3. G.21-75, p.87.

4: G.58-'79, p.21. 5. ~~G.58-79, p.17.~~ see ch. 2.

I have shown that they had always been very proud of their independence, and the 10 years of self government in Griqualand East had increased this pride and their sense of self importance.

To be suddenly deprived of this independence did not please them. During the last 10 years, too, they had not learned to work or to educate themselves and they disliked the idea of obedience to the British Government.^{1.}

But their main objection to the annexation lay in the way it was carried through. To begin with, Barkley had not given them enough time to talk the matter over, and this had annoyed the Raad. Barkley cannot be blamed. He gave the Raad a long time to talk, and allowed them to put off meeting him on two occasions. If he had known the Griquas better he might have waited still longer. But as he did not, he went away without talking to the Raad, which was a great pity because it gave a grievance to the Griquas, both in that it had not allowed them to talk as much as they liked, and in that it ignored the importance of their Raad.

✓ The whole annexation was far too summary. A man who knew the Griqua character, Dower says, could have annexed the country with the enthusiastic support of the Griquas, if he had spent enough time and tact on the subject^{2.} But the annexation was carried out in a way which ignored the feelings of the Griquas entirely. The Griquas were proud of their independence, of the fact that they were a nation - the annexation ignored this. They could be easily persuaded, and tactful treatment could accomplish almost anything with them - the Cape Government just blundered in and highhandedly annexed their country and established authority over them. The result could not be satisfaction with the Government. And in addition to this many were not even sure that they had come to Griqualand East as British subjects - and from 1862 to 1872 nothing had been done to impress upon them that they were British subjects - and that the Government

1. G.58-'79, p.17. 2. Dower, Ch.XVI, p.53. This is, I should think, correct.

therefore had the legal right to take over authority in the country.^{1.} Even the Commission sent to enquire into the causes of the 1878 rebellion decided that the ^{? Cfr} British Government had been wrong in the way in which it had annexed the country, and reported that a more conciliatory attitude would have had better results. I think, however, that it is quite probable that, the Griqua character being what it was, an assumption of authority over them by the British Government when they first came to Griqualand East would have caused just as much dissatisfaction as the 1874 annexation, although since annexation was inevitable it would have been better, as I have stated previously, to have brought them under British Government control from the commencement.

Soon after Cumming became Commissioner in Griqualand East, a Commission consisting of C. Griffiths, S. Probart, and Thomas Cumming, was appointed to enquire into the affairs of Griqualand East, with special reference to the grants of land made since 1872.^{2.} It ~~is~~ ^{was} absolutely necessary to investigate into this matter. Since May, 1872, there had been a mad scramble after land, and 345 titles had been issued by the Griqua Government. No regular survey had been ~~made~~ ^{made} of farms granted. They were named, the approximate extent given, and the district where they were supposed to be situated. The practice had been for each farmer to engage a surveyor if he wanted to. Sometimes duplicate diagrams were sent to the Griqua Government, but even when they were sent they were not examined. No one knew exactly how much land had been granted or how much remained to be granted.

Adam Kok objected to the appointment of his Commission, because he said that Barkley had given him the impression that all his land grants would be confirmed.^{3.} This was not the case. Barkley had distinctly stated that he could not confirm all Kok's land grants.^{4.} But although Kok did not want

1. G.58-'79, p.12. and G.37-'76, p.68. 2. G.37-'76, pp 1 and 2.
 3. G.37-'76, p.76. 4. G. 21-'75, p.72.

his land grants reviewed, his people definitely did. They accused him of favouritism (which was quite probably ~~xxxx~~ well founded) and at a public meeting the Griquas objected to the British Government taking over Griqualand East if it was done on condition that all Kok's land grants were confirmed. ^{1.}

Certain traders in Griqualand East also complained against the many grants of land which had been made to the firm of Strachan & Co. of which Brisley was a member. It was found by the Commission that since 1872 several grants of 50 acres each had been made to this firm in various outspans and at various drifts. It does seem like favouritism on the part of the Griqua Government, that the two most influential Europeans in the country were given land in all the best areas. The Commission decided that these grants of land were not to be confirmed. ^{2.} ^{3.}

The Commission worked carefully and impartially in its task of drawing up lists of land grants which were to be confirmed or rejected. The Griqua Committee of 12 often interviewed the Commission, and talked a lot probably to very little purpose. The whole business caused some unrest in Kokstad. ^{4.} The Commission decided first to provide for the land claims of all bona fide title holders; then to provide for those whose claims were based on certificates - the Commission drew up a list of land certificate holders to whom they thought title should be issued. Where lands were already occupied by such holders, the titles should be issued to these farms. ^{5.} And thirdly, the Commission decided that aggregate acreage of locations for native tribes should be maintained. ^{6.} They reported that the native locations should be left as Kok had determined them, and that no land should be granted to farmers out of these locations. If any men held titles to land in locations, they were to be given farms elsewhere. They recommended that after the country had been surveyed, some of the smaller

1. G. 37-'76, pp.30 and 31. 2. G.37-'76, pp.97 and 98. 3. G.37-'76 pp.28 and 29. 4. Dower, Ch.XIX. 5. G.37-'76, pp.31 to 34. 6. Dower, Ch. XX.

locations among the farms to which titles had been granted, should be removed, and the natives placed in the larger locations. Any land that was left after these conditions had been fulfilled was to be granted to Griquas who had trekked from Philippolis and had no~~l~~ land, and residents among them who had done public service.

All the land which had been intended by Kok for distribution was granted away by the Cape Government with one or two exceptions. The Griquas were quite fairly treated, and it was their own fault that they lost their lands to Europeans.^{1.} The Griquas were dissatisfied with the provisions made for the native and Basuto locations, and when the Land board was created~~later~~ to consider fresh applications for land, and generally carry on the work of the 1876 Commission, they still objected to this provision, and so once more showed their lack of sense, and also ~~alienated~~^{2.} sympathy from themselves.

✓ The Commission reported on the claims of Nehemiah Moshesh to land, deciding that they should not be granted, as Nehemiah had already threatened to fight the Griquas, and would only cause disturbances among the natives.

They also reported on the financial position of the country saying that the 1875 revenue was sufficient to pay off the debts of the Griqua Government, and that the country was quite able to support itself. As far as the future Government was concerned, the Commission decided that the Colonial Government should as soon as possible establish direct control in the country governing by special rules and regulations. They recommended that a Civil Commissioner be established at Kokstad, having jurisdiction over the whole of Griqualand East, and being directly responsible to the Cape Government for revenue and expenditure. Resident Magistrates supported by a few police, should be established at Koksta,~~d~~ Umzimkulu, and Matatiele, with judicial duties, and powers to collect the revenue in their districts which they were to pay over to the Civil Commissioner.

The Commissioners recommended that the list of land grants which were to be confirmed should be published as soon as possible. Unfortunately there was some delay in doing this, which caused a great deal of unrest among the Griquas. Many rumours were current, that now that Adam Kok was dead^{1.} the Government would not keep faith, and very few Griquas would get farms. A class of land speculators caused more trouble and disaffection than any other people.^{2.} They ~~made~~ endeavoured to depreciate the value of the land by spreading rumours that the object of the Commission was to disallow Kok's land grants. They were mainly responsible for the rumours after Kok's death that the Cape Government would not keep its promises to the captain. This caused the Griquas to repudiate the agreement made between the Griqua Government and the Cape, and they began openly to say that they were not going to submit of the authority of the Cape Government.^{3.}

Unrest in Griqualand East was increased by the arrival of the four men who were to survey the country.^{4.} Every Griqua immediately objected. They said that the surveys would cost money, and that they had never consented to any such measure. The Cape Government then promised them, that all farmers whose lands had already been surveyed would not have to pay their share in the new survey, which promise, as only comparatively few Griqua farms had been surveyed, did not do much towards calming the Griquas.

Then there was the census which was not^{5.} taken for the first time. The Griquas had never before heard of such a thing, and regarded it with great distrust, often giving false reports to the census officers. All sorts of absurd rumours went about, that even such things as dogs and cats were to be taxed, and that the poor Griquas were going to have a sad time in future. The Griqua character being what it was, all these rumours were

1. Died December, 1875. 2. G.16-'76, p. 104. 3. G.16-'76, p. 104. 4. Dower, Ch.XXII. 5. G. 21-'75, p. 116.

believed, and had a profound ~~in~~ effect upon them.

While all these things were causing growing dissatisfaction, the Griquas were furiously selling their farms. Every fresh cause for discontent - the delay in the publication of the land lists, the survey, and the census - caused them to sell still more land.^{1.} Dower preached "don't sell your land" but in vain. The Griquas seemed possessed by a positive mania for selling. They sold because of the rumours that they were to be heavily taxed; they sold because they pretended to believe that the land board would not recognise their claims even after it had heard them; and they sold because they loved handling money, and the increased value of land which brought buyers for farms, gave them an opportunity to obtain money. Buyers came from all quarters, and the Griquas rushed to get rid of their farms. They sold farms and erven, titles and the right to get them. Everything went. By 1879 nearly one half of the Griqua farms had passed out of their possession. Thousands of acres of good grazing and agricultural land were sold for sixpence an acre, even after annexation had given security of tenure.^{3.}

Does all this selling not show how ignorant and lacking in common sense the Griquas really were, for all their apparent civilisation? Does it not show that they were still not sufficiently civilised to possess land by individual tenure? Does it not show that they should never have been allowed to set up their own Government, but should always have been controlled and guided by a more civilised power?

And when they had sold their farms, they spent their money in the same mad irresponsible way. Many traders came into Griqualand East, and helped the Griquas to get rid of their money. What they did not spend on useless articles of clothing, etc., they wasted on extravagant displays, such as weddings,

1. Dower, Ch.XVII. 2. G.58-'79, p.16. 3. Dower, Ch.XVII.

and if their more sensible European minister objected, and tried to show them the folly of such proceedings, they accused him of trying to prevent them from improving their social position.^{1.} These poor Griquas really could not see further than their own noses. It seems doubtful whether they could see even so far.

The saddest thing about the whole business was that they did not realise that by selling their land they sold their power to influence the Government of the country. The Europeans who got their farms, rapidly came to have more influence in the Government than the Griquas. This is shown by the fact that as more Europeans came into the country, the old Griqua law of prohibition was ignored.^{2.} Canteens were set up in the country, and the Griquas were able to obtain strong drink, and readily took to it. It naturally had a bad effect on them, and later some people attributed the rebellion to drink.

The Griquas found another grievance in the fact that Europeans became more influential than they. They unfortunately did not realise that it was their own fault and that it was not in their own interests to sell their land. I have shown that the Cape Government had treated them fairly and had granted all the land that Kok had intended for distribution. So that if they had not sold their land, Europeans could not have come in so rapidly and in such large numbers, and the Griquas would have remained an important element of the community.

In December, 1875, Adam Kok died. The Legislative Council held a meeting^{3.} on the 3rd January, 1876, at which they decided that the Griqua people had the right to elect a successor to the late captain irrespective of the lineal succession. They decided to send the members of the Council

1. Dower, Ch. XVII. 2. Dower, Ch. XVII. 3. Griqua Government Papers, 1876.

to the respective districts to meet their people, and to bring the report of their ^{choice} ~~xxxxx~~ to a meeting to be held on the 13th January. Meanwhile the Legislative Council elected Lukas van der Westhuis as chief of the Griqua nation until they heard the decision of the people. ^{1.} But on the 21st January, 1876, Cumming was told by the Secretary for Native Affairs to "at once issue a proclamation in Griqualand East, and make it as widely known as possible that consequently upon the death of Adam Kok' (hitherto sustained in a show of conjoint authority for reasons of policy) he' on behalf of the Colonial Government, assumed the sole direction and control of public affairs in that territory, and until further arrangements' " ^{2.} This was done, and on the 29th February the Griquas held a public meeting, and subsequently wrote to Cumming that they objected to the arrangement. They said that they had not consented to the Colonial Government assuming authority, and had often made this known to the Commissioner. ^w ^u This was a strange statement to make, considering that the Executive and the Legislative Councils had consented to the arrangement in 1874, but was quite in keeping with the Griqua character.

Cumming evidently grew rather worried about these evidences of unrest, and he wrote to the Cape begging the Government to stop the agitation among the people as soon as possible. ^{3.} He said that evilly disposed people were prejudicing the minds of the mass of Griquas against the Government, and he feared trouble. He reported that the centre of the agitation was Rietvlei, and Dower agrees that Smith Pommer was the main instigator of the trouble. So in April, 1876, the Cape Government sent to Griqualand East the man they thought was best fitted to suppress any possible rebellion. ^{4.} As it happened this man was the spark that caused the conflagration. Capt. Blyth was ^{5.} absolutely the wrong man to put in command of the Griquas.

1. They completely ignored their own law that the post of captain was to be hereditary. 2. G.58-'79, p.12. 3. G.58-79, pp. 22, 23 and 27. 4. G. 16-'76, p.104. 5. Dower, ~~ch. xxi~~

He believed that they were all disloyal and ready for rebellion, and so he started off in a high handed manner, telling them that he was not going to allow any treason against the Queen. Not knowing the people, he did not realise that this was the wrong way in which to treat them. He was naturally a hasty man, very just, but a soldier, not a diplomat. And diplomacy was what was needed in dealing with the Griquas, now more than at any time, when they were already dissatisfied with the Government, and were being still more unsettled by men like Smith Pommer who were determined to stir up rebellion.

Blyth commenced by calling a meeting of Griqua burghers. They as their custom was, came armed and mounted.^{1.} Blyth already suspicious, became still more suspicious at what he regarded as a hostile move. In his address to this meeting, he said that Griquas were subjects of the Queen, that there was treason in the land, and that he was determined to stamp it out. He went on to say that the Committee of 12 was a treasonable body, and had to be abolished. This was a mistake that caused a lot of dissatisfaction among the Griquas. No one seems to know quite how or when this Committee originated, only that it appeared after the annexation. It was a safety valve that allowed the Griquas to talk as much as they liked. It allowed ^{them} to air all their grievances, and so in a measure satisfied them.^{2.} Blyth unfortunately did not know this. All he could see was that the Committee of 12 talked treason, so he antagonised the Griquas from the beginning by abolishing this body.

On Blyth's very first night in Kokstad there were events which put the Griquas still more against him. Both sides were suspicious. There was an alarm, and Blyth caused the houses of several Griquas to be entered and their fire arms to be confiscated. The next day Kok's widow and the influential Jood family trekked to Natal "for safety".^{3.}

1. Dower. ^{ch} 2. Dower. ^{ch} 3. G. 52-176, Blyth to Brownlee, 12th April. 3 Dower ch xxii

After this bad beginning, things calmed down a little. The land lists were explained to the Griquas, and they found that their fears had been groundless.^{1.} Also as Blyth got to know them better, he adopted a more conciliatory attitude, and did much to make amends for his first mistake. It was only by a few people that these things were not forgotten. In April Blyth reported to Cape Town^{2.} that Kokstad was becoming less excited, and that he believed that there was no more danger of a rebellion, but there were certain people with Mrs. Kok who were doing all they could to stir up rebellion. Blyth said he was doing his best to inspire confidence in the Griquas and was taking steps to improve Kokstad. Brownlee also thought^{that} "with wise and judicious management there is every reason to believe that the Griquas will soon be willing and loyal subjects of Her Gracious Majesty".^{3.}

There is some ground for the belief of the 1879 Commission that this hope would have been fulfilled had it not been for Smith Pommer and his friends. They gained great influence among the easily persuadable Griquas, and made the most of all their dissatisfaction. It is difficult to see though how the Griquas' dissatisfaction at the loss of their land could have been removed by Blyth or any other magistrate. There were many Griquas who had already sold their land, and these people could not get the idea out of their heads that they had been wronged. This was one of the main reasons why nearly all the Griquas joined in the rebellion. A great deal of the blame for this event must undoubtedly be put on people like Pommer who stirred up the Griquas, but if the Griquas had not already been dissatisfied they would not have joined in the rebellion as eagerly as they did. Blyth himself reported that nearly every Griqua had been concerned in the rebellion.^{4.}

The rebellion broke out in April, 1878. Smith Pommer led the disaffected Griquas, aided by about 90 Pondoos.^{The} Rebellion

1. Dower, Ch. XXII. 2. G.52-'76, Blyth to Brownlee, 12th April.
3. G.16-'76, p.104. 4. A.51-'78, p.14 and G.58-'79, p.41.

was soon suppressed and Pommer was killed. The prisoners who were taken were sent to Cape Town, where the Supreme Court decided that it did not have the right to try them since the 1874 annexation had not been ratified by the Cape Parliament. So they were sent to Griqualand East where they were tried by Brownlee, the Chief Magistrate.

Shortly after the rebellion the Cape Parliament passed an Act annexing Griqualand East and Brownlee was sent to Kokstad as Chief Magistrate. When the effects of the rebellion had worn off, and the Griquas were once more settling down, the country again began to prosper rapidly. Many Europeans settled in it, trade increased and after the first few years the revenue began to exceed expenditure. The country was opened up and roads and bridges were built.¹ The Griquas, however, continued selling their land. In February, 1879 Mr. Watermeyer reported² that "Europeans are still steadily becoming possessed of the Griqua farms, which leaves no doubt as to the immediate prospects of this country. It is difficult to predict what is to become of the men who are thus parting with what has been their only means of existence, and are spending the proceeds without any regard for the future..... Nearly one half of the Griqua claims have passed from them and it seems³ that numbers will follow." In 1880 again, Brownlee reported³ that although there were a few excellent Griquas, the great majority were steadily degenerating and selling their land so rapidly that within a few years there would be less than 50 true Griqua land holders. After this there is very little information about the Griquas in the Parliamentary blue books. The days when the Griquas were the most influential people in Griqualand East were past. The superior intelligence of the civilised Europeans who had entered their country caused the ejection of the simple minded and ignorant Griquas. The law of the survival of the fittest prevailed and the Griquas - whose subsequent history is rather obscure - had to surrender to^K inevitable march of progress. It seems a pity that these people who had

started out under rather auspicious circumstances and with the promise of in course of time gaining a nationhood did not meet with a better fate..

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B i b l i o g r a p h y .

A. Primary:

- A.118-'76. Correspondence relative to the occupation of Nomansland by Captain Adam Kok and the Griquas.
- G. 53-'62. Correspondence relative to the settlement of the country between the Bashee and the western border of Natal.
- A.12-'73. Report of Select Committee on Native Affairs.
- G. 27-'74. Blue book on Native affairs.
- G.21-'75. Blue"book on Native Affairs 1875.
- G.16-'76. Blue book on Native Affairs, 1876.
- G.52-'76. Blue book on Native Affairs, 1876 - Annexure.
- G. 37-'76. Report of a Commission appointed by H.E. the Governor to enquire into the affairs of the territory of Griqualand East.
- G,12-'77. Blue book on Native Affairs, 1877.
- G.16-'78. Blue book on Native Affairs, 1878.
- A.51-'78. Papers relating to the rebellion in Griqualand East.
- G.33-'79. Blue book on Native Affairs, 1879.
- A.30-'79. Reply to a resolution of the House of Assembly, 29th July, 1879.
- A. 6 -'79. Report of the Select Committee appointed to consider and report on hostilities in Basutoland.
- G. 58-'79. Report of a Commission appointed to enquire into the causes of the recent outbreak in Griqualand East.
- G. 13-'80. Blue book on Native Affairs, 1880.

B. Secondary:

- "The Rise of South Africa", volumes IV and V - Sir George Cory.
- "The Early Annals of Kokstad and Griqualand East" - Rev. William Dower.
- "History of South Africa" - Eric A. Walker.
- "The Griquas and their Exodus" - Cape Monthly Magazine, Dec.1872.
- The South African Commercial Advertiser, April and May, 1845.

Unpublished: in Cape Archives.

Griqua Law Book.

Griqualand East Records, package II, containing Griqua Government Papers.

Griqualand East Records, package VI, containing minutes of

(2)

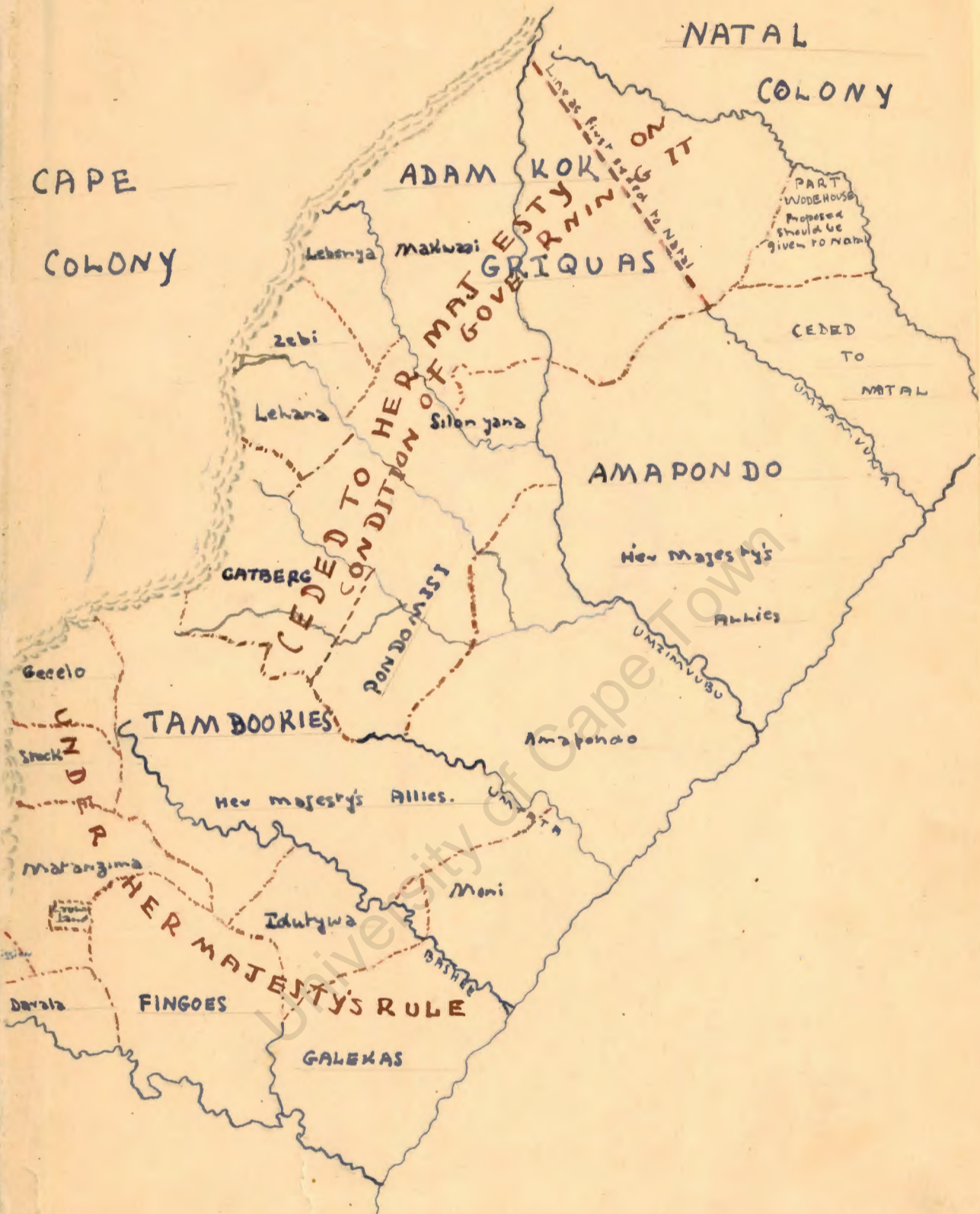
Executive Council and application book for farms.

Griqualand East Records, Package VII.

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CAPE COLONY

NATAL COLONY



B