THE CADASTRE AND THE COLONY: SURVEYING, TERRITORY, AND LEGIBILITY IN THE CREATION OF SOUTH AFRICA, c.1860-1913

by

LINDSAY FREDERICK BRAUN

A Dissertation submitted to the Graduate School-New Brunswick Rutgers, The State University of New Jersey in partial fulfillment of the requirements for the degree of Doctor of Philosophy Graduate Program in History written under the direction of Professor Michael P. Adas and approved by

________________________
________________________
________________________
________________________

New Brunswick, New Jersey

October, 2008
ABSTRACT OF THE DISSERTATION

The Cadastre and the Colony: Surveying, Territory, and Legibility in the Creation of South Africa, c.1860-1913

By LINDSAY FREDERICK BRAUN

Dissertation Director:
Michael P. Adas

This thesis explores the creation and negotiation of the South African state’s geographical basis through a comparative study of surveying and cartography between the 1850s and 1920s in two regions: the Kei river valley and the northeastern quarter of the former Transvaal. The two regions’ distinct histories show that different local beginnings, patterns of encounter and resistance, and relations with colonial administrations led to the emergence of different philosophies of spatial incorporation in both loci of cross-cultural encounter. Reconciling the philosophies and orders that developed in each region before 1900 in the period after the South African War ultimately led to the rise of territorial segregation to eventual ascendancy as a strategy for control under the Union Government after 1910. In order to define such segregation, the notional body of the colonial state required completion, and in that endeavor the surveyor was an essential figure.

Through the medium of the surveyor and the cartographer, the colonial state sought to assay, divide, separate, and repurpose the land, and often came into conflict
with competing spatial orders on the ground as well as local actors with different agendas in the process. That conflict increasingly pitted European agricultural settlers or labor-hungry mining concerns against local producers and African authorities, but opposition was not always the case, and a great deal of porosity and uncertainty existed at the edge of the surveyor’s cadastre that defied the absolute value the diagram suggested. The various measures of the South African regimes that followed built upon the negotiated order of the colony, and aimed at giving force to the idealized order of the colonial map and the geographical archive of representative deeds, diagrams, photographs, and numbers that lent it power.
Preface

The path to the completion of this study has been long and convoluted. From my original ambition to write an integrative history of a major imperial geographical project from Egypt to South Africa, I have narrowed my focus and brought my attention closer to the human encounters on the ground. The focus of the study on geographical science and surveying has remained, but the result has been one that I believe moves beyond the history of science and the history of imperialism writ large to include cross-cultural interactions. At times, I have elided technical information or presumed historical knowledge in the interests of avoiding digression. At other times, I may have pointed out the obvious. The ultimate goal has been a study with substance and relevance in both South African history narrowly and the discussion over land conflicts and power in world history more broadly.

This dissertation centers on the cadastral construction of colonial states in southern Africa and its subjectivity as a cultural process rather than as a technical one. Though there is no full history of surveying and mapping in South Africa as yet, a single study cannot address such a large lacuna. As a result, the researcher must collect and create their own store of knowledge on the subject, which adds enormous challenges and concomitant rewards to the process. Some archives required arrangement, and others were simply misunderstood or not consulted in the past. At times, I even found documents in the various archives that openly lamented the lack of a strong effort to tap the wealth of information therein. The quantity of unturned material remains vast even after five years of my own research.
Through my efforts and those of interested people inside and outside of South Africa, we are developing program of further study and writing. Those contacts were also critical to making this study possible. There is a saying that “South Africa is a small town” but nowhere is that truer than in the academic and surveying communities. The Internet has also made contacts with that community far easier and more reliable. Accordingly I owe a number of debts for inspiration given and perspiration expended on my behalf by people on three continents.

In Pretoria, and in South Africa more generally, nobody has done more for me than Elri Liebenberg, Professor Emerita of Geography at UNISA. She kindly made contacts, provided recommendations, made comments, and even emailed photographs of documents I’d missed. Her “Die Topografiese Kartering van Suid-Afrika” and various papers set me on this road, so it is fitting that I mention my debt to her first. Professors Jane Carruthers and Greg Cuthbertson also created a collegial atmosphere at UNISA during my Fulbright year (2002-2003). At the National Archives in Pretoria, the staff was always helpful and patient. I had a number of interesting conversations with Dr. Iain R. Smith while there, which helped to flesh out some of my ideas. Andy Tladi and Andre Loubser gave me pointers to enormously useful documents on land restitution and historical memoirs respectively. At the Office of the Surveyor General in Pretoria, Silence Phalanndwa, Derek de Nysschen, and Chris van Dyk assured that I had virtually complete access to the plans and records there and showed great interest in my work.

In Cape Town, I depended heavily on contacts from the Chief Directorate: Surveys and Mapping in Mowbray. Richard Wonnacott (the Director of Surveys) not only allowed me to consult the archives, but suffered my constant sharing of new
discoveries there, and even allowed me to arrange and catalog the manuscripts. Linda Fedder of the Library and Steven Jansen of the technical wing have been great friends as well as enormously helpful with obtaining documents and maps even across the Atlantic.

At the Cape Observatory, part of the South African Astronomical Observatory system, I enjoyed the hospitality of Dr. Ian S. Glass and the librarian, Shireen Davis. The Office of the Surveyor General on Plein Street gave me unfettered access. In the records room, Solomon Ross and Sylvia Schuller were endlessly gracious hosts. The Surveyor General, John Obree, and the assistant Surveyors General, Tony Wynne (now retired) and Hendrik van Zyl, smoothed out all bumps as they appeared. Chris Esterhuizen gave me valuable insight into the logistical vagaries of being a surveyor in the Transkei, and the surveying knowledge of the late Rupert Hurly helped to acquaint me with the profession.

Professors Brian Warner, Nigel Worden, and Roger Fisher of the University of Cape Town, provided insight, collegiality, and invaluable logistical help to me.

My work in England took me around the country, and I incurred great debts in my travels. For inspiration and exchange, I drew heavily upon the knowledge of Christopher Board, Catherine Delano Smith, and Ian Mumford about the metropolitan side of the British cartographic archive. At the British Library the Map Librarians, Tony Campbell (now retired), Peter Barber, and Andrew Cook (of the India Office Library), helped me build my knowledge during the period of my J. B. Harley Fellowship in 2000. At the Royal Geographical Society, Francis Herbert and Andrew Tatham were eternally patient with my exasperating cartographic questions. The staffs of the Cambridge University Library and the Public Record Office (now the National Archives) fulfilled many a detailed request for odd materials. James R. Smith, Professor Emeritus at the University
of Portsmouth (UK) and historian of surveying and geodesy, gave me useful advice in South Africa and the United Kingdom both.

A wide variety of people in the US have long given me indispensable academic encouragement and feedback. Matthew Edney, now Director of the History of Cartography Project at the University of Wisconsin-Madison, commented on papers, asked provocative questions, and provided me pre-publication copies of his own work. The committee behind my work at Rutgers has been an exceptionally good influence on me. My advisor (and dissertation chair) at Rutgers, Michael Adas, shaped my scholarly journey by example and always-constructive intervention. Allen Howard has been a similarly positive presence, and has kept questions relevant to African spatiality at the forefront of my thinking. Julie Livingston gave me excellent feedback on my work as she received it, and raised important questions relative to the history of southern Africa that will continue to direct me in my work. D. Graham Burnett, of Princeton University, has inspired me through his own thorough work and his commentary on mine. My colleagues at Colby and Dartmouth Colleges have also been unanimously supportive and convivial. I owe particular debts to Peter Ditmanson, Larissa Taylor, John Turner, and Jim Webb at Colby for thought-provoking discussions and constant encouragement, and at Dartmouth, Doug Haynes, Bruce Nelson, and Rich Kremer were the best intellectual neighbors a dissertation-writer could ever hope to have. Closer to home in Michigan, Roger Long at Eastern Michigan University has changed through the years from a mentor to a colleague and friend, and has shared more good professional advice with me than any student has a right to hope for. Dick Goff, Professor Emeritus from EMU, provided my
other initial spark on this long journey and I am proud to count myself among his creations as well.

Finally, my small but supportive family has been essential to my spiritual and emotional well-being in this entire process. My sister Lisa, brother-in-law Joe, and my niece and nephew give me something outside my office to think about. My uncle Rick has followed the family tradition of placing one’s philosophy before material gain, and I follow in those footsteps. Finally, I owe the greatest debt to my mother, Thayer, who is still very close to my heart even though she was unable to see the end of my journey as a student. She, too, extolled the freedom of discovery and the value of knowledge, and in so doing sent a son into the world to seek knowledge and return both smarter and wiser. The journey will never be quite complete, but it is to her memory and ongoing example that this work is dedicated.

**Table of Contents**

Abstract

Preface

List of Illustrations

Territory and History in the Making of South Africa

Early Survey and Cadastralization in the Kei Valley

Atomizing the Colonized: Individual Tenure Surveys, 1830-1890

The Surveyor as Agent: The Glen Grey System

Spatial Rationalization and the Settler State in the Transvaal

From Independence to Incorporation in the Northern Transvaal

Epilogue and Conclusion

Abbreviations and Acronyms

Bibliography

Curriculum Vita
List of Illustrations (Maps)

Map 1.1: Area of Study 2
Map 2.1: Districts of the Kei Valley 53
Map 2.2: Colonial Office Copy of Jervois Map, 1848 74
Map 2.3: Sketch of the Transkeian Territory with Notes 80
Map 2.4: Copy of Colley’s Sketch Map of 1861 82
Map 2.5: Detail of Southey’s Plan of Glen Grey 105
Map 3.1: Transkei Settlement Areas and Individual Tenure 115
Map 3.2: Kamastone Mission Lands, 1868 143
Map 3.3: F. H. S. Orpen, Farms Around Oxkraal and Kamastone 145
Map 3.4: Gcalekaland Partition Scheme, 1878 164
Map 3.5: Compilation Plan of Gcalekaland, 1892 172
Map 4.1: E. D. Barker, General Plan of Mount Arthur M.S. 193
Map 4.2: Charles Marais, General Plan of Cacadu, Glen Grey 215
Map 4.3: E. D. Barker, General Plan of Toleni, Butterworth 230
Map 5.1: Inspection Sketch of “Leeuwwkuil,” Waterberg, 1873 249
Map 5.2: Special Commission Re-inspection Plan, 1889 259
Map 5.3: Inspection Sketch of “Dordrecht,” Waterberg, 1869 264
Map 5.4: General Plan Detail of “Dordrecht,” 1894 264
Map 5.5: Northeastern Detail of Jeppe and Merensky, 1868 269
Map 5.6: Inspection Sketch of “Moskow,” Lydenburg, 1870 272
Map 5.7: Survey Diagram of “Moskow,” 1885 276
Map 5.8: Special Commission Sketch of “Moskow,” 1888 277
<table>
<thead>
<tr>
<th>Map Number</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.9</td>
<td>Original Sketch of “Geluk’s Location,” 1885</td>
<td>282</td>
</tr>
<tr>
<td>5.10</td>
<td>Presentation Version of “Geluk’s Location” Sketch</td>
<td>283</td>
</tr>
<tr>
<td>5.11</td>
<td>Special Commission Plan, Detail of Location, 1889</td>
<td>284</td>
</tr>
<tr>
<td>5.12</td>
<td>Division Between Sections of Geluk’s Location, 1902</td>
<td>285</td>
</tr>
<tr>
<td>6.1</td>
<td>Zoutpansberg, Detail from Jeppe and Merensky, 1868</td>
<td>293</td>
</tr>
<tr>
<td>6.2</td>
<td>Zoutpansberg, Detail from Jeppe, 1877-1880</td>
<td>293</td>
</tr>
<tr>
<td>6.3</td>
<td>Zoutpansberg, Detail from Jeppe, 1889</td>
<td>294</td>
</tr>
<tr>
<td>6.4</td>
<td>Zoutpansberg, Detail from Jeppe &amp; Jeppe, 1899</td>
<td>294</td>
</tr>
<tr>
<td>6.5</td>
<td>Zoutpansberg, Detail from Topocadastral Maps, c. 2000.</td>
<td>295</td>
</tr>
<tr>
<td>6.6</td>
<td>Overlay of Points of Interest on Jeppe &amp; Jeppe, 1899</td>
<td>311</td>
</tr>
<tr>
<td>6.7</td>
<td>Jeppe’s Sketches of the Zoutpansberg Plain, 1892-1893</td>
<td>318</td>
</tr>
<tr>
<td>6.8</td>
<td>C. G. Muray, Proposed “M’pefu’s Location,” 1905</td>
<td>344</td>
</tr>
<tr>
<td>6.9</td>
<td>Preliminary Survey Diagram of Mphephu’s Lands, 1909</td>
<td>351</td>
</tr>
<tr>
<td>6.10</td>
<td>Sites of Contest and Locations in Zoutpansberg, Overlay</td>
<td>353</td>
</tr>
</tbody>
</table>
Chapter 1

Territory and History in the Making of South Africa

Introduction

Between the first stirrings of colonial self-government in the British Cape Colony in the 1850s, along with Britain’s pledge of non-interference in the Boer republics north of the Orange River, and the promulgation of the segregationist Natives Land Act (No. 27) of 1913, the geographical basis of modern South Africa was essentially created. During that period, the putative frontier closed and direct military conflict over land ended. South African whites dispossessed black landholders and progressively restricted their ownership rights to a mere eighteenth of the country, created political boundaries to aid state or settler interests, developed the mineral wealth in the country on the backs of African labor, and ultimately amalgamation the four of the largest territories into a single Union of South Africa under a segregationist regime. Various European and African groups contested land ownership, location, and use within a system of territorial demarcation and geographical knowledge rooted in European science and technology. Surveyors and cartographers evaluated those contests to create a geographical basis for the state at that time that endures today, and underlies every discussion concerning land in some way. Yet those imperial technicians were not working in a vacuum, for African ideas about and practices regarding land left an indelible imprint on the colonial geography they created.
This thesis explores the creation and negotiation of the South African state’s geographical basis through a comparative study of surveying and cartography between the 1850s and 1920s in two regions: the Kei river valley and the northeastern quarter of the former Transvaal (see map 1.1). The two regions’ distinct histories show that different local beginnings, patterns of encounter and resistance, and relations with

---

1 I am aware of the anachronistic (and Cape-centric) nature of the old geographical term “Transvaal,” but as shorthand it is more wieldy than attempting to describe the Lowveld, Lolu Mountains, and Zoutpansberg region in any other way that would link them conceptually. See chapter 2 for further notes on geographical ordinals and chorographical toponymy.
colonial administrations led to the emergence of different philosophies of spatial incorporation. Reconciling those philosophies after the South African War (1899-1902) ultimately led to the Natives Land Act (No. 27) of 1913 and the rise of territorial and cultural segregation to eventual ascendancy. In order to define such segregation, the notional body of the colonial state required completion. In that endeavor the surveyor was an essential figure.

Through the medium of the surveyor and the cartographer, the colonial state sought to assay, divide, separate, and repurpose the land, and often came into conflict with competing spatial orders on the ground as well as local actors with different agendas in the process. That conflict increasingly pitted European agricultural settlers or labor-hungry mining concerns against local producers and African authorities, but opposition was not always the case, and a great deal of porosity and uncertainty existed at the edge of the surveyor’s cadastre that defied the absolute value the diagram suggested. The increasingly draconian legal measures of the racist, segregationist South African apartheid regime between 1948 and 1990, characterized as emblematic of Africa’s late colonialism by Mahmood Mamdani, were in fact directed toward giving force to the idealized order of the colonial map and the geographical archive of representative deeds, diagrams, photographs, and numbers that lent it power.²

I therefore approach this study from two main angles, one a comparative study between the two regions, and the other a study of cultural encounters between settler-state rationalization of space and the strategies of non-state actors. At the heart of both is the

colonial drive to rationalize space and assay human and material resources, a goal James Scott refers to as *legibility* and one pursued not only by colonies but also in aggregate by imperial states.³ The comparative study seeks to weigh the variations between the two areas’ experiences with survey and mapping, given that both eventually are integrated into a Union-wide legal and spatial regime. The other, which I would characterize as a “cosmographical” encounter, is far more subtle. It represents a shift away from imperial histories that presume geography to be neutral and toward the history of cross-cultural interactions over space, place, and territory that Paul Carter has termed “spatial history” and that Clifton Crais explores broadly in his studies of state power on the Eastern Cape.⁴ That the imposition of the colonial order in South Africa was so difficult and never complete suggests the power of alternate sets of meanings and spatial orders to work against those preferred by European administrators, as happened elsewhere in Africa despite the best efforts of Europeans to map space and control societies.⁵ Those struggles are still written on the landscape, and in southern Africa today the issue of aboriginal land


ownership and distribution is a central—if not the central—focus for measures of justice and redress of grievances against late colonial regimes.⁶

Since the end of apartheid in South Africa became imminent in 1989, the issue of redressing the injustice of its forced removals, expropriation, and spatial restrictions has been a central subject of debate over the country’s future. At its heart is the ownership of title to land. Those land titles (cadastres) and their accompanying precise measurements of area and land quality are not only the final product of the cadastral surveying central to this study, but also the fundamental building blocks of the state for revenue and resource mobilization. The South African government set a goal to transfer 30 percent of the country’s agricultural land area from white farmers to African producers by 1999, but moved that target to 2014 when it became obvious that meeting the deadline would require dislocation and disbursements the government could not support and the compulsion of land sales. That situation that may still obtain, with one estimate stating that as of August 2004 over two million hectares per year would need to be transferred annually—eight times the annual transfer of land between 1996 and 2004.⁷

The land restitution program in operation since 1994 does not recognize any claims for direct restitution dating from before 19 June 1913, the date when the Natives Land Act came into operation and recognized African land ownership was at its smallest extent—less than ten per cent of the country.⁸ Older claims were made eligible for redistribution through purchase from willing sellers, or for tenure reform meant to secure

their ownership. The decision to terminate restitution claims at 19 June 1913 however was and remains controversial, the more so given that the pace of land reform has been remarkably slow, with less than 2.9% of the country’s agricultural land transferred to new ownership by March 2004. Though nearly 90% of the total number of claims lodged—71645 out of 79696—had been resolved by April 2006, nearly seven thousand of the remaining claims are rural ones and represent a vast area. At the same time, public pressure exists to re-open both the 1998 deadline for filing claims and the 1913 limit for direct restitution, most recently with hearings at the end of May 2007 where the Department of Land Affairs strenuously opposed such an amendment. At the same time, many in government and commentators as well recognize the importance of the pre-Land Act colonial past in creating the anomalous situation written into law in 1913, whereby the white-owned tracts represent what Cherryl Walker calls “The unexamined measure of both loss and redress.” It is the pre-1913 past that concerns this study, as that was the period when hard boundaries and clear proprietorship were theoretically first

---


11 Department of Land Affairs, Republic of South Africa, Commission on the Restitution of Land Rights Annual Report for the Year Ended 31 March 2006 (Pretoria: DLA, 2006), 3-4, 56-58. No figure is given for the full extent of territory still potentially outstanding, but it is probably close to one million hectares based on the extent of the rural claims already settled.


determined in a manner recognized by the state today, and the period in which “native title” was effectively uprooted from the land.\(^\text{14}\)

The history of territorial delimitation and competing claims over and ideas about land has application well beyond South Africa. The subjectivity underlying survey and mapping also applied elsewhere in the formerly colonized world. Colonial expropriation of land for sale or grant to European planters and farmers was widespread elsewhere in Africa during the 19\(^{th}\) and early 20\(^{th}\) centuries, and increasingly led to or fed into anticolonial movements as the 20\(^{th}\) century wore on, from Mau Mau in Kenya and struggle and civil war in Algeria and Mozambique, to the situation in Zimbabwe that led to widespread discontent and precipitous, politically-fraught redistribution of land following the 2000 general election there.\(^\text{15}\) Beyond Africa, too, the expropriation of land was a common theme of settler colonialism globally. Comparative similarities between the history of settler colonialism in southern Africa and elsewhere have been a subject of historical enquiry since the early 1970s, and the recognition of the broader global commonalities developed rapidly after 1990.\(^\text{16}\) Contact and conflict over land colonization in the eighteenth and nineteenth centuries in fact form a theme common to the Americas, Africa, Central Asia, Australia, and other colonies of European settlement,

\(^{14}\) The establishment and uprooting of native title are recognized as a key stage in the development of colonial societies and land policies in John C. Weaver, *The Great Land Rush and the Making of the Modern World, 1650-1900* (Montreal: McGill-Queen’s University Press, 2003), 133-77.


a link interpreted most recently by Michael Adas and developed further in a 2003 study by J. C. Weaver that primarily concerned Anglophone settler societies.\(^{17}\)

The major factor distinguishing settler colonialism in Africa from other cases was that African populations, with the notable exception of the Khoisan peoples of the extreme southwest, did not succumb to European diseases at anything like the rate of their counterparts elsewhere.\(^{18}\) Smallpox, plague, and other human and animal diseases did accompany the encounter between Europeans and Bantu-speaking Africans with far-reaching effects, but their demographic effects were radically attenuated by comparison, meaning that the colonial regimes that developed after the 1850s came to encompass a vast non-European majority, albeit one not included in the body politic and so not sharing its entitlements.\(^{19}\)

That inclusion was a major shift for a colonial order that developed with vast tracts of sparsely-populated or depopulated land for the taking under the doctrines of *terra nullius* or *vacuum domicilium*, so crucial to its counterparts in the Americas, New Zealand, and Australia.\(^{20}\) The jarring reality that other people already lived on the edges of settlement in great numbers precluded unilateral geographical impositions like the formulaic grid of the Northwest Land Ordinance of 1785 in the US.\(^{21}\)


Africans and settlers alike would make their own understandings of space and
place heard and felt, even if those ideas were not quite understood by the settlers who
sought to dislodge the majority and the states that sought ways to govern and mobilize
that same majority to extract their labor. Exploitation required first a body of knowledge
regarding who occupied the land but also where they were, and colonial geography
progressed seamlessly from exploration (description) to empire (prescription) throughout
the nineteenth century.22

Mythology and Territoriality in South Africa

It is not surprising to learn that South Africa has no shortage of historiography
that discusses land, in both English and Afrikaans. It is less well-known that the writing
of history followed much the same trajectory as contemporary writing in other colonies
of settlement during the late nineteenth and early twentieth centuries. The South African
narratives, especially those surrounding the inland migration of the Boers, placed a
stronger emphasis on conquest and struggle than one finds in the analogous words of
Frederick Jackson Turner regarding the American West.23 The Boers, like the colonists
of the New World, recast themselves as intrepid pioneers seeking freedom in what was
either empty land (provided by God, as He provided Eden) or rightly conquered (by the
same proviso, only recalling Israel), and produced a similar narrative of civilization and

23 Stefansson, Manifest Destiny, 74-75; Frederick Jackson Turner, “The Significance of the Frontier in
Christianity replacing savagery.24 Ardent British colonialists in London and Cape Town alike were similarly eager to anoint themselves with the mantle of civilization and Christianity, whether advocating European settlement or rationalizing schemes for dividing African lands on the basis of disuse, misuse, or forfeiture, selecting maps and testimonies that would underscore their preferred beliefs.25 Turner’s own idea of the frontier as a distinct place or a capsule divorced from its parent society was overturned in the 1970s by the work of Martin Legassick and others, but despite their recasting of the frontier as something like an *agora* of cross-cultural exchange, the idea that the frontier was a moving boundary or zone was unaffected.26 In either case settlers, administrators, and historians alike considered the land effectively neutral space to be appropriated, whether they believed it to be truly vacant or merely chaotic.27

Norman Etherington has pointed out that the mythology of the advancing frontier long sought to efface the fundamental contributions made to South African society by writing their contributions out of the general history by means of geographical erasure and the subordination of knowledge. In colonies of settlement, this meant a tracing back


of key elements of the national character to particular idealized embryonic settlements: Plymouth for the United States, Botany Bay for Australia, and Cape Town—colloquially known as the “mother city”—in South Africa. These points of colonial entry tended to underscore the binary between an advancing “us” and retreating “others” so that, as Etherington describes, language itself provided reinforcement: “[w]e have events, they have ways of life. We have history, [t]hey have culture. ... Boers ‘trekked’ to escape the control of the Cape Government while Africans invariably ‘fled’ from King Shaka’s rule.”

The perception held whether or not one was sympathetic to Africans’ rights. Africans’ backwardness, lack of sophistication, and general indolence and ignorance were commonly accepted as proven by their lack of a recognizably European scientific and technological tradition. Europeans therefore imagined the colonial state to be both the fitting overlord over, and the ideal vehicle for the improvement of, non-Europeans toward European cultural and social norms (including land use and tenure), and its failures were ascribed to poor implementation or the failings of Africans themselves rather than the conceptual bankruptcy of the colonial project itself.

The rise of the liberal school of South African historiography after the First World War, embodied particularly in W. M. Macmillan’s 1919 *The South African Agrarian Problem* and his 1929 *Bantu, Boer, and Briton: the Making of the South African Native Problem*, cast a more sympathetic light upon the interactions between settlers and

---


Africans in the zone of rural interaction.\textsuperscript{30} But as Ken Smith has noted, the interests of these historians were in inverting an earlier narrative of frontier conquest and replacing an image of African barbarism with one of colonial theft in the name of an advancing capitalist order without actually changing the narrative framework of the frontier thesis.\textsuperscript{31} The narrative remained one of an advancing frontier, with implicit undertones of modern industrial, capitalist society replacing a primitive, subsistence agrarian one, with only the levels of moral rectitude ascribed to each party changing.\textsuperscript{32} Indeed, racially-rooted presumptions of African small-scale agriculture as somehow more primitive, of Africans’ interests as naturally non-commercial, and the consequent privileging of large-scale commercial farming, persist and still vex land restitution and reform efforts today.\textsuperscript{33}

The historical concept of a frontier zone is therefore something that I view with a great deal of skepticism. Even when recognizing the complexity of cross-cultural interactions, historians typically use it to refer to a region of nebulous political control and conflict. Geographically, the South African case (and, I would argue, all cases of colonial frontiers) shares a great deal with the concept of borderlands when one looks below the administrative level; the frontier differs only by dint of its future integration into and domination by a colonizing state. Legassick himself noticed the peculiar application of the term “frontier” to regions of encounter and exchange between


\textsuperscript{32} For the history of this concept’s development in anthropological circles, see Adam Kuper, \textit{The Invention of Primitive Society: Transformations of an Illusion} (London: Routledge, 1988).

\textsuperscript{33} Ben Cousins, “Agrarian Reform and the ‘Two Economies’,” 227-29.
European settlers and non-Europeans in his initial 1970 essay.\textsuperscript{34} Legassick and others have recognized the multivariate nature of cross-cultural interaction in regions of open contestation over land, but authors still unconsciously maintain the concept of the frontier as being descriptive of a moving zone of interaction between semi-autonomous parties from different cultural ecumenes.\textsuperscript{35} The idea of a binary opposition between settler and native inherited from frontier mythology and historiography has been irredeemably damaged by the recognition of complex interactions and webs of dependency on the edges of the colony, though the idea of geographical progression remains strangely intact.

The term “frontier” itself is emotionally charged, visually evocative, and deeply rooted in the national psyches of the settler societies that are the putative heirs to frontier traditions—even if the concept of a frontier tradition is itself a chimera and most of their ancestors took no part in those founding myths. Furthermore, the frontier is a thing of the past to those societies; it is considered a phase in the creation of a modern state with a capitalist economy and no longer a relevant term once the modern polity came to be. The frontier has been seen historically less as a region of social and cultural encounter and more as a geographical area, though as Legassick (again) pointed out, the reality was reversed.\textsuperscript{36} I would like to carry his point a bit further, to suggest that the frontier as a concept is virtually irrelevant in that it suggests a uniformity of culture and a lack of hybridization and ongoing encounter far beyond the political acquisition of territory.

Finally, I contend that the idea of the frontier presupposes that the land was not inscribed with meanings before the passage of the new order, which was emphatically not the case.

\textsuperscript{34} Legassick, “Frontier Tradition,” 56; Penn, Forgotten Frontier, 30-31.

\textsuperscript{35} See Penn, Forgotten Frontier, 9-14; Elphick and Giliomee, The Shaping of South African Society, esp. chapters 1, 2, 4, 8, and 9.

\textsuperscript{36} Legassick, “Frontier Tradition,” 68.
We must rather look at the frontier as a zone of interaction—a borderland—albeit one in which vertical social divisions between states were replaced in importance by horizontal integration and class- and race-based stratification (for example, in the spread of black migrant workers and white prospectors alike). It is also worth noting that the presence of political boundaries between colonies rarely stopped this horizontal movement; the Transvaal Labor Commission of 1903, to cite just one example, deliberated at length over possible sources of labor from throughout Africa—not just the British Empire—and considered the ramifications of importing labor from outside Africa as well.\(^37\) The frontier was clearly a social and cultural space of interaction before it was a geographical one, and it did not cease to be once lines were drawn on paper, given that large numbers of Africans lived on cadastrally “white” farms throughout the apartheid era in defiance of laws designed to regulate them.\(^38\)

The title deeds describing the geographical spaces between those lines nevertheless have power. The ownership of those deeds may be under discussion and revision now, but the fundamental spatial framework imposed on the land by the colonizer in the original process of expropriation—and the assumptions about its proper use—has never been picked apart. Rodney Davenport and K. S. Hunt observed in 1974 that “the ownership and occupation of land. ... is a problem which has not always received


adequate attention because it falls on the borderline between social, economic, and political history, and yet it is of fundamental importance to all of them." An extension of this quotation might be applied to the history of surveying and cartography within that broader subject of landscapes and territories, that it is (fittingly) the foundation under the borderline Davenport and Hunt identify. The official enumeration of property lines, lines of travel, and even geographical features, is buried beneath that intersection between subjects, utterly transparent in discussions about land yet absolutely crucial to common understanding between parties.

As something so transparent, the divisions and characterizations laid upon territory have escaped too much scrutiny of their origins and the specific mechanics of their creation. Legislation and political intent were less relevant; what actually played out on the ground was more important and far different. For that reason, the agents charged with carrying out the geographical directives of the colonial state (surveyors) and compiling that information (cartographers and other geographers) had a vital role in the extension of colonial rule and the production of colonial space during the critical formative period between 1850 and 1920. The landscape they entered, and the limitations that local concerns placed upon their activities, spoke directly to the limits of state power and state knowledge. The Natives Land Act in 1913 represented the nadir of state recognition of African landownership in law, and it was pushed into legislative existence by the persistence of older patterns of African agriculture on the ground as well as sharecropping arrangements brought into being during the period of land alienation.

---


and atomization of African political power in the last half of the nineteenth century. Yet even that measure was imperfect, and its circumvention spurred the colonial state to further legal action setting it on the road toward the apartheid state. Those further measures also required the lines and signs created by survey and mapping.

Some studies of cross-cultural interaction in Africa during the late nineteenth and early twentieth centuries have addressed aspects of the cosmographical shift the colonial encounter wrought and that I approach through surveying and cartography. In particular, studies of the colonization of other major categories of knowledge or perception, such as time and work (as exemplified by Frederick Cooper and Keletso Atkins), perform the task of horizontal integration of cross-cultural exchange, treating actors judiciously and fairly. Spatially, recent studies on colonization and colonial society have provided insight into the process of redefinition; the studies of Bône in Algeria by David Prochaska and of Cape Town by Vivian Bickford-Smith are particularly effective examples, though their works deal with the limited milieu of urban centers and their immediate littorals. The works that do give us an impression of large-scale negotiation over wide swaths of space and place instead tend to focus on modern problems and their development in the period well after surveyors and cartographers first rendered the landscape legible. Such works

41 The corpus of work on African cities and spatial organization in homes and private and public spaces is continuously growing and too voluminous to list here. See, for example, David Prochaska, Making Algeria French: Colonialism in Bône, 1870-1920 (Cambridge: Cambridge University Press, 1990); and Vivian Bickford-Smith, Ethnic Pride and Racial Prejudice in Victorian Cape Town (Cambridge: Cambridge University Press, 1995).

address important issues regarding space (usually under the rubric of environmental history), but they rarely question the system of signs created by the surveyor and the cartographer or the process by which it was applied. Geography and cartography were central to making the invasive colonialism of the nineteenth and twentieth centuries possible, but it was a long gestation.

**History, Geography, Cartography, and Colonialism**

The sixteenth and seventeenth century evolution of cartography into a scientific, pragmatic, and positivistic practice was a component of the drive for legibility in early modern empires globally, though each state and society had its own culturally-determined ideas of what kinds of data maps should portray, how they should portray them, and who should have access to cartographic knowledge. A surge of interest in cartography and classification has long been traced to the sixteenth and seventeenth centuries in England and Europe more widely, but it was also evident in centralizing Russia and in Qing China where the scholar-gentry also devised cartographic and scientific refinements in the service of westward colonial expansion. But the crucial period of the late nineteenth

---


century, when European surveying and cartography became remarkably pervasive, is
ironically one of the most poorly understood in the history of colonial surveying and
cartography. Histories of geographical enterprises—“exploration” as it was once
called—have flourished, as have discussions of European literature in creating the
conceptual space of the colony, discussions sometimes extended to cartographic
themes. Yet in only the last decade have works devoted to issues around cartography
and surveying in colonial and quasi-colonial settings during the late nineteenth and early
twentieth centuries begun to appear, with perhaps the most important intervention on the
subject to date still in press as of July 2008.

The last thirty years have witnessed a revolution in the history both of
cartography and of the geographical culture of European high imperialism, and the
linkage between the two has been explicitly cited by an ever-increasing chorus of
historians of cartography and geography. A number of volumes in the 1990s were

45 Driver, Geography Militant; Mary Louise Pratt, Imperial Eyes: Travel Writing and Transculturation
(London: Routledge, 1992), esp. 201-227; Itala Vivan, “Geography, Literature, and the African Territory:
Some Observations on the Western Map and the Representation of Territory in the South African Literary
Imagination,” Research in African Literatures 31 (2000): 49-69; Michelle Adler, ”‘Skirting the Edges of
Civilization’: Two Victorian Women Travelers and ‘Colonial Spaces’ in South Africa,” in Text, Theory,
Space: Land, Literature and History in South Africa and Australia, ed. K. Darian-Smith, Liz Gunner, and

46 Katherine Morrissey, Mental Territories: Mapping the Inland Empire (Ithaca: Cornell University Press,
1997); Cole Harris, Making Native Space: Colonialism, Resistance, and Reserves in British Columbia
(Vancouver: UBC Press, 2002); Ian J. Barrow, Making History, Drawing Territory: British Mapping in
India, c.1763-1905 (Oxford: Oxford University Press, 2003); Raymond B. Craib, Cartographic Mexico: A
History of State Fixations and Fugitive Landscapes (Durham: Duke University Press, 2004); James
Akerman, ed., The Imperial Map: Cartography and the Mastery of Empire (Chicago: University of
Chicago Press, forthcoming [2009]).

47 J. B. Harley, “Maps, Knowledge, and Power,” in The Iconography of Landscape, ed. Denis Cosgrove and
Stephen Daniels (Cambridge: Cambridge University Press, 1988), 282-83; David N. Livingstone,
“Climate’s Moral Economy: Science, Race and Place in Post-Darwinian British and American Geography,”
Thongchai Winichakul, Siam Mapped: A History of the Geo-Body of a Nation (Honolulu: University of
Hawai’i Press, 1994); Nigel Penn, “Mapping the Cape: John Barrow and the First British Occupation of the
108-127; Geoff King, Mapping Reality: An Exploration of Cultural Cartographies (Basingstoke:
devoted to examining the role of European geographers and travelers in creating and disseminating the imperial vision of the world in the nineteenth and early twentieth centuries.48 But historians of cartography have been comparatively shy about engaging late nineteenth-century colonialism for a variety of reasons, among them the map-trade bias in favor of earlier maps, the great geopolitical (and epistolary) messiness of the period, and the sheer confusion attendant upon the introduction of cheap lithography and pulp paper by the mid-nineteenth century and the subsequent deluge of printed maps of every description.49 Historians of cartography in particular have long operated in the Europe-oriented milieu of the art and map trades and therefore tend towards the pragmatism and temporal scope concordant with them. Maps significantly more recent than the mid-nineteenth century (not to mention those not in the Western cartographic tradition) thus have long escaped much of the scrutiny that historians of geography have given the organizations and individuals that provided their data. The aggregate works on the cartography of empire thus tend to be weighted toward the pre-1850 period. The


49 The methodology of “classic” cartographic history begins to break down under these conditions, when maps became widespread, mass-produced, and often ephemeral tools instead of the durable creations of artisans. A few scholars have explored nineteenth-century map production, but the period remains relatively unstudied. On the privileging of earlier cartography, see Jeffrey C. Stone, A Short History of the Cartography of Africa (Lewiston: Edwin Mellen, 1995), 47-48; on lithography, see Ian Mumford, “Milestones in Nineteenth-Century Lithography” (Ph.D. diss., University of Reading, 1999). Perhaps the most telling indicator of the nineteenth century’s relative neglect is the monumental History of Cartography project of the University of Wisconsin at Madison, which only in June 2008 named Roger J. P. Kain as editor for volume five (dedicated to the nineteenth century) despite volume six (concerning the twentieth) already being at an advanced stage of compilation.
research that has been conducted on mapping in Africa in the late nineteenth century has consequently tended to focus on narrow episodes rather than broad and integrative studies.\textsuperscript{50}

In the context of southern Africa, the body of work dealing with the explorers of the “classic period of exploration” between 1856 and 1876, particularly explorer/artist Thomas Baines, addresses their cartographic work.\textsuperscript{51} The broader cartography of southern Africa during the second half of the nineteenth century has however received attention from only a few researchers.\textsuperscript{52} The cartography of the nineteenth-century Transvaal specifically may be a peripheral victim of the backlash against settler-centered history du Bruyn pointed out in 1997, but the past few years have seen a notable uptick in work on the history of southern Africa’s cartography which has included that of the Transvaal and


to a lesser extent the Transkei.\textsuperscript{53} In any case, the bulk of the attention that has accrued to mapping in nineteenth-century South Africa has centered upon the published maps and their role in creating certain impressions of the large-scale entities thus represented.

The information used in the compilation of the maps—not only cadastral data but also spot-coordinates, trigonometrical frameworks, and sketch maps—and the creation of those sources themselves are far less well-known. The South African surveyor, for example, has figured prominently in only five published volumes and a few papers outside the now-defunct journal of the profession.\textsuperscript{54} The inspectors and surveyors who generated most of that information were however the primary agents between the colonial authority and those living on the land, and the imposition of conceptual order in preparation for effective colonization was of prime importance.\textsuperscript{55} Just as the explorer from the metropole (be it London, Paris, or Berlin) contributed information to further the imperial geographical archive’s knowledge of the world, the colonial surveyor retrieved data to aid the state’s sense of knowledge and entitlement.\textsuperscript{56} The diagrams and sketches of inspectors and surveyors, like the larger general plans and maps compiled from them and corrected by trigonometrical survey, were thus both a reflection of and a prescription for the environment represented in the colonial period. Some of this may be attributable

\begin{footnotes}


\footnote{\textsuperscript{55} Kain and Baigent, \textit{The Cadastral Map}, 329.}

\footnote{\textsuperscript{56} Edney, \textit{Mapping an Empire}, 39-41 et passim; Richards, \textit{The Imperial Archive}, 13-22.}
\end{footnotes}
to the technical nature of the subject, but some surely stems from the presumption that its highly precise mathematical nature is relatively neutral.

Indeed, discussions of mapping in Africa have generally followed a variant of the positivist, hagiographical narrative of Western scientific progress and technological achievement so persistent in historical overviews of surveying and cartography. In that narrative, Africa starts with no maps or geographical awareness. Europeans arrive and map the coast, and incorporate information solicited from informants and explorers into crude interior maps. Europeans then parcel out “empty” land (where applicable) and survey on a small scale. Finally, Europeans perform high-level geodetic triangulations to correct older surveys and produce authoritative and unimpeachably accurate maps of Africa, linking local colonial orders to the broader European global order. So transparent is this narrative of progress and discovery that it was only first articulated as a series of overlapping “stages” in Jeffrey Stone’s 1995 *A Short History of the Cartography of Africa*. But even in more critical discussions of the place of survey and mapping within the imperial project, the agency has remained almost completely European. The act of division is left squarely in the realm of settler politics and in the hands of European technicians, even though Africans influencing boundary-drawing on an intercolonial scale and provided critical information for European mapmakers.

---


58 Jeffrey Stone, *A Short History*, 109-36. Stone’s formulation is different than the older “phase” theory in that it dissects the process rather than the production.

Most studies on colonization and resistance in Africa provide part of the story of land alienation and dispossession, but there is no sustained discussion of how divided space was rationalized or realized. Africans themselves occupy only the negative in cartographic history; their information and understandings only exist insofar as they are absent, rendered through, or confirmed by Europeans because there is little evidence of nonliterate Africans’ geographical awareness as expressed through maps. Some, such as Jeffrey Stone, Thomas Bassett, and Charles Hunt, make the point about the physical absence of African maps very clear and they allow that the problem may be in what evidence we accept rather than what evidence exists, a sentiment that echoes Ivor Wilks’s observations on Asante spatial awareness. But the critical point in all of these writings is that the African map is absent. By demanding that only a direct analogue of the European map can be considered as evidence of sophisticated metageography among Africans, the progressive narrative of European cartography suggests the classic colonial opposition: that Africans represent timeless superstition and primitive ignorance, while Europe represents progressive science and worldly modernity. In this reading, maps serve as a means of control only in their intended logistical sense; the map’s hidden assumptions and implications are only queried as European reflections of or

---

60 Historians of geography and cartography do of course allow for the existence of geographical awareness among Africans, but they still prioritize direct analogues.

commentaries on an African reality, even though historians actively seek to work around that conception. This tendency to focus on the European side of the encounter between cosmographical models in Africa is not intentional, but reflects the institutional Eurocentrism that still affects much of the study of scientific history.  

The addition of postmodern textual analysis to the history of cartography by Brian Harley, Denis Wood, and others in the last thirty years has encouraged historians to decode the silences of maps and the power relations inherent in their construction. In this way, the map might be understood both as a distorted representation of a spatial arrangement and as a prescription for a future spatial order. Decoding the map, therefore, meant discovering the implicit meanings and the unarticulated agencies in its construction. Ironically, the Foucauldian textual analysis Harley added to the discussion of cartography at large often serves in the colonial case—however inadvertently—to occlude the comparative lack of inquiry into the motives, goals, and strategies of non-Europeans and an appraisal of the effects of their actions upon the creation of colonial space and mapped reality. Studies of colonial geography and cartography tend therefore to be about the actions of the colonizer based on perception of the colonized (or of colonial territory) by the colonizer, instead of being about cross-cultural negotiation over the creation of territorial images.

---


64 For an example of the former, see Noyes, *Colonial Space*. Harley himself began to seek the voice of the colonized within the map in his last works before his death in 1991; see Edney, “Origins and Development,” 109.
Studies of colonial survey operations published in the last ten years have already begun to link survey and mapping as parts of a single representational process in the service of rendering territory legible to the colonizer. Studies of India by Matthew Edney, the US-Mexico boundary by Paula Rebert, and Guiana by Graham Burnett are particularly notable recent examples that follow a survey process from beginning to eventual map (and text) production, in geodetic triangulations, boundary commissions, and traverse surveys respectively. Those studies, however, focus primarily on European surveyors and the imperial geography of Britain; those who actually inhabit the colony or exist at its margins are a vaporous and intangible presence and rarely exert any sort of agency. That focus—abetted by a heavy reliance upon metropolitan archives—allows for an excellent examination of the creation of imperial and colonial space through geographical performance and production, and offers a number of different and illuminating ways of framing the discourse over colonized space. But it does not allow for much negotiation by non-European agents and therefore gives us only a partial impression of the overall process of colonization.

Paul Carter touches upon the reason behind the absence of the colonized in his 1987 spatial history, *The Road to Botany Bay*. History is written “entirely within language,” which pairs it, by extension, with the systems of knowledge that accompany

---

65 All three authors however end the cores of their studies around the mid-nineteenth century, before most of the period I intend to focus upon. See Edney, *Mapping an Empire*; Paula Rebert, *La Gran Línea: Mapping the United States-Mexico Boundary, 1849-1857* (Austin: University of Texas Press, 2001); Burnett, *Masters of All They Surveyed*.

66 It is worth noting that Burnett’s focus on traverse is specifically placed in opposition to Edney’s goals in *Mapping an Empire*. Burnett highlights the traveling surveyor’s solitary gaze, whereas Edney’s work deals with the organizational structure and “governmentality” of a large, formal survey operation; see Burnett, *Masters of All They Surveyed*, 9-10. This study falls somewhere in between.

67 Carter, *Road to Botany Bay*. Carter is very clear about differentiating “spatial history” from traditional “imperial history”; Carter believes the former to be about space as a cultural object, not as an immutable, physical one (p.xxii) which parallels the reconceptualization Legassick proposed for frontier studies.
that language. Therefore, when the colonized appear, it is because of their adherence to (or deviance from) European modes of thought and speech—in short, their ability to hew to European cosmography, in which terms their actions are evaluated. But if the European cosmography is not assumed to be objective, different intentions behind the actions of Africans and others in the colonial state become conceivable and the history of their interactions can be better understood, as Greg Dening showed in his 1980 study *Islands and Beaches*. But most of the studies that hearken back to Carter’s work do not generally attempt to include alternate spatial orders as contributors to a new spatial synthesis. The articulation of those non-European orders is instead only read where it becomes “resistance,” and accorded no effect upon the portrayed reality of the map. Only upon the attempt to reapply that knowledge to the ground portrayed does incongruency come into account.

My consideration of survey and mapping in colonial South Africa as a cross-cultural process between two radically differing spatial orders owes much to the work of Walter Mignolo and Thongchai Winichakul on territorial representation and knowledge. Those studies make the point that, like all culturally determined practices, geography is co-evolutionary and adapts when confronted with alternate formulations even in the process of favoring one form of knowledge over another. Although both Mignolo and Winichakul deal with images of territory that, by being graphical representations, have much greater congruence to European metageography than their African equivalents, I

---

68 Ibid., 325-27.
feel that their basic observations about the rendering of space are salient to the South African case as well. Winichakul in particular includes the performative act of surveying in his analysis, which I believe is critical to developing a complete picture of the interaction between Africans and Europeans. Survey was the scientific practice that provided the data through which authenticity, and thereby power and authority, was given to the finished map, and therefore it is inseparable from the map itself as an articulation of cosmography. Survey and mapping, taken together, constitute a single broad mechanism of spatial reorganization and appropriation that involves an encounter between fundamentally different orderings of space. Surveyors’ and cartographers’ own intentions sometimes differed, given that many of the latter never took to the field if they even visited Africa at all. But each was bound by a mutual investment in respecting the scientific authority and technical expertise of the other. They may have argued the best means, and elided the subjectivities of the map’s construction in different ways, but the end of portraying imperial or colonial space was never in question.72

The closest approximation to the present work in historical writing is Raymond Craib’s 2004 study of cartography, surveying, and power in Mexico, in which he actively seeks the nebulous boundaries of history and culture as experienced by those living on the land. Craib, however, deals with a landscape already within the territorial state in some way, and one that had strong though incomplete cultural connections to the dominant order. Craib’s short discussion of the fraught encounter between state policy, surveyors, and the largely independent Native American peoples in the state of Sonora

72 On surveyors’ omissions versus cartographers’ commissions, see Burnett, Masters of All They Surveyed, 10-12.
over land in the 1880s and 1890s stands out as the perigee between our studies. The South African case is by comparison one of far greater plurality and a struggle between a number of state actors and authorities, and therefore makes a useful counterpoint to Craib’s study.

Spatial histories such as those of Carter and Dening, together with the insightful cartographic analyses of authors like Craib, Mignolo, and Winichakul, promise a solution to the problem of accounting for non-European metageography and agency. If we consider spiritual or cultural meanings that were not normally, or at least openly, incorporated into European geographical science in the nineteenth and early twentieth centuries, the realm of discourse that can be considered geographical and cartographic grows immensely. Martin Lewis and Kären Wigen’s admonition to “produce further assessments of metageographical visions from different times and places, including those expressed in discursive as well as pictoral form” is a direct appeal to such an expansion of the concept of geography to include other cultural norms, including nonliterate ones. Furthermore, we can gain analytical insight by accepting logics of understanding and culturally-determined behaviors as being part of a synthesis, following on the work of scholars such as Helen Verran and Lyn Schumaker on the interface between the abstract concepts and scientific disciplines of European cultures and African structures of knowledge and practice.

73 Craib, *Cartographic Mexico*, 165-71.


The observation that correspondence between European and African systems of spatial knowledge are not usually considered as equivalents is not meant to imply that African spatial systems are unknown to historians, or that the difference between ways of thinking about space in nonliterate societies is unknowable. The history of European cartography itself has many recent studies that broaden the way we think about maps, the myriad ways literate and nonliterate cultures considered their worlds, and even the transition between modes of thought primarily between 1300 and 1800.\textsuperscript{76} But the different arrangements of spatial, social, spiritual, and temporal forces that informed the cosmography of Africans were not retrograde even if some characteristics of the transformation to written sources in the European colonial period were similar. Systems of geographical knowledge involving time, space, and power expressed orally, and sometimes graphically, are well known for states across West Africa, and allowed centralized state administration on the same scale European states enjoyed but with different levels of interpretation based on the individual.\textsuperscript{77} Complex geographies with cartographic output existed in literate areas of the Horn of Africa, the Swahili Coast, and the Sahel as well.\textsuperscript{78} None of these systems corresponded precisely to the totalizing and


precise geography of scientific Europe at the time, a fact that has tended to prolong the colonial myopia in evaluating them on their own terms.

I am arguing therefore in favor of a horizontal integration of the process of spatial reordering and rendering ascribed to survey and mapping. By horizontal integration, I mean integration of the actions of all groups and individuals affected by the colonial project, even those not normally in direct dialogue or even contact. The number of actors relevant to this process of creating legibility on the ground is therefore far greater than merely the surveyors and those they survey, but includes virtually every category of what Leroy Vail called “culture brokers”—people who moved between cultural milieus, such as missionaries, magistrates, traders, and travelers, all of whom catalyzed the broader encounter between colonizer and colonized.79

Settlers, States, and Systems of Spatial Construction

The use of the surveyor in the colony turned on the desire of colonial governments for legibility through modalities of survey, enumeration, and ultimately surveillance expressed geographically.80 The desire to understand and control the resources of the state drove a great deal of the rationalization that colonial powers


undertook between the eighteenth and twentieth centuries, and European science provided the window through which colonial societies framed the landscape of colonial knowledge. In the colony, the major obstacles to divining and devising that sort of knowledge were two related lacunae: unknown territory and unknown people. The absence of colonial control over those two assets naturally suggested the remedy, though there was no sudden moment when knowledge was rendered “complete.” The successor government in South Africa is still trying to perfect knowledge of and control over land and people today, though the reform-conscious ANC that succeeded the apartheid state would be loath to describe it in such undemocratic terms.81

The central method of asserting state power over colonial territory was the system of land inspection, survey, and registration, which required and enabled the creation what Matthew Edney has termed a ‘geographical archive’ of the colony.82 The geographical archive comprises the body of knowledge collected to enable a reconstruction of territory for any of a myriad of exploitative purposes, be they pragmatic (settlement, taxation, mining, and so forth) or vain (personal or imperial glory, among others)—in short, the ‘territorial imperatives of a particular political system.’83 The use of knowledge-collection for purposes of identity is especially evident in explorers’ works, in which the archive was often rewritten as well as recapitulated for that purpose; furthermore, the collection and deployment of geographical knowledge played an important role in myths

81 One good index for the limit of control is the ongoing tussle over the power to allocate land. Although it falls outside the scope of this study, the modern South African state has tremendous problems with the legacy of apartheid-era colonial tribalism and the ranks of the reified chiefdom especially in the former “bantustans.” See Lungisile Ntsebeza, Democracy Compromised: Chiefs and the Politics of the Land in South Africa (Leiden: Brill, 2004), 256-94.
82 Matthew Edney, Mapping an Empire, 39-41 et passim.
of European superiority and legitimated its imperial expansion.\textsuperscript{84} The presumption of the archive’s fidelity was also a widespread feature of European scientific thought in the nineteenth century, but there was a distinctly darker set of implications that stemmed from it. The information in the archive’s representation being assumed correct and accurate, any data \textit{not} explicitly recorded was suspect at best and evidence of malice at worst when the miscompare was finally detected—rarely, of course, presumed malice or oversight on the part of the archive’s collectors, who were precision instruments by dint of their scientific, male, and European status. But beyond that, the geographical archive provided the fiction of knowledge and thereby entitlement; the fundamental building blocks of the imagined state, the cadastres, were official information used to create or secure title to the land ostensibly described in graphical, textual, and numerical form. The cadastres within the state’s geographical archive therefore had a special immediacy to the project of colonial rationalization, as maps of the most fundamental and utilitarian, if initially limited, sort.\textsuperscript{85} That the archive consisted entirely of European documents doubtless aided the positivistic view of their right to claim all land as state property (grandly dubbed \textit{Crown Lands} in the British case, \textit{Gouvernments Grond} in the Boer) unless deliberately alienated.

But those documents themselves were the result of encounters and negotiations. In the space of the colony, various African understandings of space and place came into contact with imperial cartographic vision both directly and indirectly. African realities altered the way that Europeans surveyed and mapped southern Africa, even as European

\textsuperscript{84} See, respectively, Burnett, \textit{Masters of All They Surveyed}, 37-46; Anne Godlewska, “Napoleon’s Geographers (1797-1815): Imperialists and Soldiers of Modernity,” in Godlewska and Smith, \textit{Geography and Empire}, 31-53; Bassett, “Cartography and Empire Building,” 316-35.

\textsuperscript{85} Scott, \textit{Seeing Like a State}, 44-52.
science worked to discredit African systems of knowledge as primitive vestiges. By approaching African cosmographies as occupying a level of parity with the position that European scientific methods did for their colonial and imperial imperatives, it is possible to reconceptualize the history of the creation of colonial territory. In effect, I am following the lead of anthropologists and raising the question by one level of abstraction, from “why are there so few (or no) African maps?” to “how did African ideas about land interact with colonial and imperial surveying and mapping to create the spatial order of modern South Africa?” The effects of colonialism in appropriating, altering, and even creating traditional or communal tenure outright, not to mention the effects of its ultimate monopoly on land use and disposal, are well known and by necessity interacted strongly with the colonial cartographic enterprise.86

Despite a suitably muddied picture, we must still find some way to characterize the fundamental elements of these cross-cultural interactions from some kind of initial point. Each of the two regions under consideration in this study had its own specific constellation of power and practice (European and African alike), but we can make a few useful generalizations about European imperial, colonial, and settler geographies, as well as those of African individuals and polities. This is not to suggest that various Europeans and southern Africans (both Khoisan and Bantu-speaking) encountered one another suddenly and out of hermetically-sealed pasts; since the Portuguese voyages at the end of

---

the 1400s there had been limited contacts between them, generally encounters on the shore for raiding, trading, or occasionally because of shipwreck. Nor is this generalization meant to assert that any of these groups was or was not uniform or at equilibrium before such encounters began; to do so is problematic given the enormous difficulties in ascribing identifications to precolonial South African groups. Rather, I hope to create a picture of the basic conceptual differences in the way African societies and European societies generally thought about spaces before the direct confrontations of the colonial era.

One of the great uncertainties that exists in the study of South Africa’s history is African spatial organization (on the macro and micro levels) before the arrival of European settlers and before the various treks (the so-called mfecane) that accompanied the formation of powerful polities in the South African interior. In African history generally, John Iliffe has noted the historic underpopulation of Africa—an underpopulation that meant land was a widespread resource, and relations between kin and bonds of personal loyalty meant that land rights were not generally vested in an individual owner, though the actual rights of the individual over the land could vary so greatly as to sometimes allow the effective sale of land through barter or bridewealth. The abundance of land however meant that wealth in people or animals was far more

---


important and exit was a viable alternative to conflict, a point John Thornton has also
made in connection with the peculiar nature of slavery as a source of wealth and control
in Africa.⁹⁰ In southern Africa slavery appears to have been a less common state, though
unequal absorption and systems of hierarchical obligation were far more common.⁹¹ That
uneven absorption is reflected in the variable lifestyles and adaptation to environment, as
well as the clear presence of click consonants in the Bantu languages of South Africa and
a number of key words borrowed directly from Khoisan.⁹²

Outside the zone of the trypanosomiasis-carrying *tsetse* fly and widespread
malaria that suppressed populations of people and livestock, wealth in large families to
work larger areas of land, with herds of cattle, sheep, and goats, was easier to build and
maintain. That growth governed the increasing expansion of African societies on the
subcontinent, but only occasionally entailed conflicts over water and other localized
resources. Wealth flourished on the high plains and well-watered coastal strips beyond
the reach of disease vectors, as did large wild game, allowing not only Bantu-speaking
Africans but also Khoisan herders and hunters to prosper, specialize, interact, and transfer
people, goods, and knowledge.⁹³ Although many groups remained relatively
decentralized chiefdoms under loose paramountcies, a number of centralized trading

⁹⁰ John K. Thornton, *Africa and Africans in the Making of the Atlantic World* 2d ed. (Cambridge:
⁹¹ B. Morton, “Servitude, Slave Trading, and Slavery in the Kalahari,” in *Slavery in South Africa: Captive
⁹² Pieter Jolly, “Interaction Between South-Eastern San and Southern Nguni and Sotho Communities,
states (such as the cattle-rich Sotho-Tswana trading state of Ingombe Ilede) developed on a cooperative basis and segmented when advantage no longer existed.  

The system of land occupation on the Eastern Cape under various groups of Nguni-speakers and others shared certain common features in the period immediately before trekboer raids and settlements first provoked conflict in 1779. These were in line with the features described above: clan structures, strong kinship networks with widely-distributed connections, and the vital importance of cattle as a means of wealth and the structuring of their mixed-farming chiefdoms around these structures and priorities. The chief—sometimes with consultation from powerful men and women—would parcel out resources, particularly land, to clan members. This central clan was surrounded by tributary or subordinate clans, all linked by kinship or original fealty to that central group; beyond those interior cells was “open” land, where cattle could be grazed, animals could be hunted, and peace could generally be maintained through judicious distance. Furthermore, it was possible for chiefdoms to move in entirety if the land proved untenable, environmental conditions changed, conflict threatened, or a member of the chief’s household wished to colonize a new area and start a new settlement. Polities composed in this way understandably tended towards fission and recombination, meaning that not only the arrangement but also the composition of the chiefdoms could change markedly over time, and that boundaries and the cultivation of particular lands were impermanent and contingent on short-term needs and arability.

---


The reading by VOC and, later, British authorities of such a state of affairs was bound to be chaos. On maps of the period, multiple names referring to the same group of people appear repeatedly, depending on which traveler had asked which group of Africans (or missionaries!) for names and characterizations of themselves and their neighbors, and what other authorities a cartographer had tried to integrate. Additionally, the precise location of any group of people was not known, because the knowledge of South Africa’s topography away from the coast was so poor and individual groups might move seasonally or permanently, thus leading to imprecise labels and only a vague sense of occupation. As a result, large areas were effectively “invented” as open land, the occupants not sufficiently permanent enough to be considered owners, or at least to dissuade colonists seeking land.\textsuperscript{96} Likewise, the colonial authorities did not help matters by claiming the power to dispose of all land within the titular boundaries; even when chiefs’ occupation of lands was recognized it was in a distinctly subordinate manner to the Government in Cape Town and its imperial masters in London.\textsuperscript{97}

The European settlers who arrived from 1657 onward, on the other hand, came from a society where arable land was in short supply and ownership was based on commodity and title, with permanent boundaries rigidly defined and assiduously taxed.\textsuperscript{98} Indeed, the promise of obtaining cheap land easily was a great part of the lure for poor Europeans to seek passage to colonies of settlement. In the early Cape Colony, a landless

\textsuperscript{96} Etherington, “A False Emptiness”, 67-86.

\textsuperscript{97} This is particularly true of the South African Republic and the Orange Free State; both were treated like territorial wards in all but name—despite the concerted efforts of those two states to behave as equals with the Cape and the British Empire. Similar problems attended the existence of powerful indigenous kingdoms by the late 1870s.

\textsuperscript{98} Though the Dutch East India Company (VOC) established the Cape station in 1652, the first grants of land to settlers took place in 1657. See Leonard Guelke, “Land Tenure and Settlement at the Cape,” in Martin and Friedlaender, \textit{History of Surveying and Land Tenure Volume 1}, 9. On the intense cadastral cartography in the Netherlands during this period, see Kain and Baigent, \textit{Cadastral Map}, 9-46.
(and possibly persecuted) Dutch or French farmer might obtain a grant of some six
thousand acres, as well as similar grants for male children, though at the expense of the
seasonal range of transhumant Khoisan herders and hunters. The provision of vast
quantities of land available to grantees and relatively loose governance eventually
changed in rural people’s perception from being a stroke of good fortune to being a right,
something that could be taken freely and then recognized by the authorities later. The
provision of this birthright to farmers (known by the Dutch term boer) was expected to
continue even as the arbitrary assumption of land by outward-migrating farmers—known
as trekboers—began to encroach upon the edge of Bantu-speaking Africans’ settlement
then heading westward.

Well to the north of Cape Town, exceptionally sparse populations and dry land
meant that dynamic hybrid societies, built on a combination of raiding, herding, and
farming, developed on a more equal basis farther away from the direct influence of the
colonial state. These groups included those who identified themselves as Bastaards (later
Griqua), Koranna, Kora, and the like, made up of Europeans, Khoikhoi, Tswana-Sotho
speaking Africans, and others of mixed ancestry outside of Cape society.99 They
sometimes formed gangs that raided Khoisan settlements and outlying trekboer farms, as
outlaws and outcasts.100 But these people also created their own polities under a strong
leader or chief (kaptyn, from which comes the common term “captaincy” applied to later
Griqua states) that shared elements of both African chiefdoms and colonial

99 On the complex interactions between these groups, see Martin Legassick, “The Griqua, the Sotho-
The thesis was a crucial spur to his 1970 intervention on frontier studies in general, attesting to the value of
South African cases for rethinking cross-cultural studies.

100 See Nigel Penn, Rogues, Rebels, and Runaways: Eighteenth Century Cape Characters (Hilversum:
Verloren, 1999), 73-99, 147-66, for the origins of these groups.
These populations and their political autonomy survived until the discovery of diamonds in the late 1860s brought the apparatus of the colonial state down upon them. The socio-cultural development of this distinct creole society, while intriguing in its own right and still understudied, is not part of the present study, but I mention it here to suggest the range of interactions possible.

The Boers who settled with their slaves and Khoikhoi laborers among the interspersed African societies west of the Fish River in the late eighteenth century did not at first create alarm among them. They did not utilize all the land they claimed, and most Africans did not recognize the potential danger for the colonially-recognized proprietor of the land to treat it as his own exclusively in the late eighteenth century because it had no real effect on territorial reality. Despite their horses and guns, the Europeans were few in number, and African groups—particularly the westernmost Xhosa group, the amaGqununkwebe—were more populous. The expectation may well have been that, just as happened with the Khoisan peoples throughout the Bantu colonization of the South African subcontinent, the Europeans would be “absorbed” into a dominant African culture and subject to its norms. The fundamental differences in patterns of settlement and the perception of social position would take only a decade or so before breaking into open conflict in 1779.

With growing competition over rural land, and illegibility of the landscape and the people living upon it, the British who took over the Cape settlement as a result of the

---


Napoleonic Wars were faced with the task of understanding the “who, where, and why” of African societies—tasks that all required travel, enquiry, survey, and description, much of which ended up being cartographic. Indeed, one of the very first major operations undertaken at the Cape after the British first landed was to send an agent, John Barrow, to undertake traverse surveys and journeys meant to produce a substantive evaluation and map of the territory. Once British occupation became permanent in 1815 and British settlers arrived in 1820, the rationalization and extension of colonial space grew progressively more complex and widespread.

Methodology, Summary, and Sources

This recurring ideas and themes within this study surround negotiations over colonial legibility and spatial control, expressed through geographical subdivision and its limitations. For the “colonial geographical mind” I draw heavily on James Scott’s discussion of the goals and failings of the state in micromanagement and social engineering. I inform Scott’s concept of legibility with the processes of collecting and using knowledge that Bernard Cohn describes in his work on colonialism in India. The work of other theorists and historians orients on the margins of this key central pairing, but one key recurring concept is Matthew Edney’s geographical archive—the repository

---

103 Nigel Penn, “Mapping the Cape.” The British erroneously believed the VOC had not mapped the interior, but in fact the maps had been sent back to the Netherlands and were not discovered until 1950. See Tabvlae geographicae qvibvs colonia bonae spei antiqva depingivr, ed. C. Koeman (Amsterdam: NVHA Uitgevers Maatschappij, 1952), 1-4.
104 Scott, Seeing Like a State.
105 Cohn, Colonialism and Its Forms of Knowledge, esp. 3-15; for a contrasting and sometimes opposing view, see C. A. Bayly, Empire and Information: Intelligence Gathering and Social Communication in India, 1780-1870 (Cambridge: Cambridge University Press, 1996), esp. 3-9, 300-314.
of documents, policies, and even organizational technologies that govern the collection and mobilization of that knowledge. Though I spend little time on trigonometrical survey (which is nevertheless important in South Africa) the interface between the belief in absolute mensuration and cadastral survey that Edney explores applies to the drive or lack thereof to survey and define native space.

At the same time, I attribute a great deal of power to African ideas of space and place contra survey and colonial spatial rationalization. The ultimate cadastral settlement usually compromised the colonizer and colonized reached that allowed maximum legibility and control with minimum alienation and anger. Sometimes this opposition was vociferous and direct, and sometimes it took the form of passive resistance and even circumvention of the bureaucratic systems created. The colonizer sometimes also recognized and worked past African opposition and the reality of land occupation. Generating archival knowledge and making territorial claims that were purely notional and vaguely defined allowed multiple claims to exist for extended periods of time. Other times, the colonizer simply worked around Africans’ margins, obstructed certain spaces of passage, or merely titled the land out from underneath smaller groups of people. There is no primary theory I follow in the process of negotiation; rather, I seek to normalize the statements of Africans and the encounters of the surveyors and understand their content in the context of Cohn, Scott, Edney, and those from whom they draw. Though the work of Paul Carter, Simon Ryan, Greg Dening, and others in spatial history is useful and paradigmatically inspiring, I am dealing with a somewhat later phase of the colonial

encounter relative to first contact—one that shares more points of contact with the recent work of Cole Harris and Raymond Craib.\textsuperscript{107}

I have divided this work into two sections to give two general cases. One section deals with the Kei Valley (today in the Eastern Cape province) and the other treats the northern and eastern Transvaal (Mpumalanga and Limpopo today). The colonial encounter in these two areas could not have been much more different. The Kei Valley was a very early arena for colonial conflict between loosely-centralized polities and the British Empire, while the Transvaal example saw powerful African kingdoms oppose a relatively weak settler state and thus become the last region (itself a military term) in South Africa to bend to colonial overrule.\textsuperscript{108} Both areas however experienced significant negotiations over the territorial and spatial forms of colonial rule, specific to their particular circumstances but ultimately determined by African power. Both also came under a single unified system of governance within the Union of South Africa in 1910, but the variations in power and the terms of land settlement were great enough that no single solution could reorganize “native” space. The result was the Natives Land Act of 1913, which effectively created a legal cordon between “white” and “black” lands based on the lines within the geographical archive and did not attempt to alter local systems.

The first section, covering the Kei Valley and various isiXhosa-speaking peoples (abaThembu, Mfengu, amaGcaleka, amaNgqika, and others), considers three phases of colonial survey. Chapter 2 discusses the Cape Colony’s efforts to define and redefine the

\textsuperscript{107} Carter, Road to Botany Bay; Simon Ryan, The Cartographic Eye: How Explorers Saw Australia (Cambridge: Cambridge University Press, 1996); Dening, Islands and Beaches; Harris, Making Colonial Space; Craib, Cartographic Mexico.

\textsuperscript{108} Foucault explicitly noted this point, along with the roots of other geographical terms in words of domination or control; see Foucault, “Questions on Geography,” 68-69.
territorial rights and limits of Africans broadly, while simultaneously attempting to weaken their civil societies. Chapter 2 also describes the practices of the colonial surveyor and the survey hierarchy, which was trapped between landhunting colonists and a parsimonious colonial government. Chapter 3 considers the shift in the way the Cape government sought to define and divide land for nonwhites, and the problems with those systems of survey, title, and tenure, which failed to produce any wholesale social change. Finally, Chapter 4 treats the most invasive phase of the surveyor’s employment in the Kei Valley: surveys for title under the Glen Grey Act of 1894, which sought nothing less than a full-scale reorganization and even proletarianization of African society under the guise of improvement and assimilation. The survey of Glen Grey however did not go as planned, and the surveyors soon became decision-making agents who bent and occasionally rewrote their orders based on their own encounters on the ground. The Glen Grey survey system collapsed before it reached areas where so-called “traditional” authorities still held power, a strong indicator of the limits of colonial dictates regarding African lands.

The second section treats the pre-Union Transvaal, variously the South African Republic (ZAR), Transvaal Colony, and a number of other names depending on the date and the state of unity at the time. In Chapter 5, I deal with the survey and inspection systems of the Boers who first began squatting on the central Highveld. The vast gap between their settler-driven geographical archive’s pretensions and reality figure prominently, as well as the necessity of that gap for the purposes of the state. The difficulty of reforming that system and employing precise survey figures prominently in the chapter and connects directly to the unwillingness and inability of the ZAR to press
its absolute claims against powerful African kingdoms. The final part of Chapter 5 considers the case of the eastern Lowveld, including the Pedi polity, and how the farm and reserve systems’ miscompare after the British defeat of the baPedi in 1880 worked with land speculation to effectively erase large numbers of people from the land. Chapter 6, on the other hand, describes the strongest adversarial encounter in nineteenth-century South Africa: the contest between the western vhaVenda and the colonial state. There, the surveyor was not as prominent a figure, but contests over the land still turned on the same issues. Even after the ZAR’s defeat of the king Mphephu in 1898, the British administration that took over the Transvaal after 1900 had to make significant concessions to gain his acquiescence to their rule.

The overall study concludes with an epilogue which describes a number of developments that strongly dictated the shift to segregationist land policy after Union. The Lagden Commission (SANAC or the South African Native Affairs Commission), took evidence from witnesses all over the future Union of South Africa and beyond on matters of land and administration. SANAC brought together various colonial ideas on African landholding for the first time, along with a number of African protests regarding it, although there were some telling lacunae in the entire conversation. Following SANAC, the judgement of ex parte Tsewu threatened to extend the Cape’s potentially permissive and assimilative land policy to the rest of South Africa, and threw surveyors and survey officials towards a cadastrally-defined segregationist model of African ownership. But the epilogue also shows that final definition of plots by colonial standards, and their entry into the archive, would form (and still form) the basis for subsequent struggles over the land.
A brief note on sources is necessary here. As the products of the colonial archive (and often its geographical archive specifically), the records I have consulted for this study show a bias the same way that colonial ideology privileged its own activities. In particular, I have relied very heavily on the epistolary and cartographic records of survey departments, state offices, and even observatories. Using the geographical archive as a major source for looking critically at the formation of the geographical archive naturally has perils of omission that require very deliberate awareness. Consequently, the testimonies of Africans in that body of knowledge are weak but they are not absent. The contemporaries of the principals in the cases I investigate are all long gone, and oral testimonies for this intermediate period tangle with the territorial traumas of a later era of dispossession or an earlier one of encounter.\textsuperscript{109} The few written records of people on the ground (surveyors or surveyed) are scattered, and only recently have some of the uncatalogued papers become available for consultation.

This issue of sources has the effect of sometimes making statements tentative, in lieu of decisive evidence of what African witnesses or petitioners believed. Any conjecture is therefore grounded as well as possible, with the intent that the preponderance of evidence and its connection to circumstances and known cases will justify my evaluations. The roles of the surveyors, their beliefs, and the arguments about land and spatial control involving them also require conjecture for much the same reason. The body of records dealing with the colonial mind is far larger, but in the case of these particular individuals it requires just as much careful consideration and explanation. Sometimes cartographic evidence provides an important clue, and I have included the

\textsuperscript{109} Fortunately a number of theses, books, and dissertations written in the 1950s, 1960s, and 1970s drew on recollections from direct witnesses, and so I make use of that material whenever possible.
output of the land surveyors where it is directly relevant or exemplary. Ultimately, my
goals are to get at the heart of the difference in the worldviews that animated the various
parties, and show that negotiation and relative power were essential in determining the
character of the cadastres the colonial archive contains.

A Note on Terminology and Usage

I have chosen to use certain Bantu proper nouns in their transliterated forms,
though I use only the roots as adjectives (e.g., “Xhosa strategies”). For example, Pedi
people (plural) are “baPedi,” Pedi language is “sePedi,” and the Pedi heartland is
“boPedi,” a pattern followed by most Sotho-Tswana languages. In Nguni (Xhosa-Zulu)
languages, the prefix “ama-” (or “aba-”) denotes people, “isi-” denotes language, and
“kwa-” denotes territory. Venda varies from this only in the prefixes, with “vha-” and
“tshi-” for people and language respectively. I have sometimes used colonial parlance
(e.g., “Tembuland”) where it appropriately reflects a colonial perception and division. In
the case of the Mfengu, who are a group defined by colonial relationships, terminology is
contentious and so I have not followed the standard use of the prefix “ama” for them as
“Mfengu” is neither an individual nor a clan symbol.110

Using these terms tends to underscore the importance of kinship affiliation and
identity in any case, even though those were not historically static or exclusive. I do not
intend my usage to reify those relationships, useful though collective generalization may

110 Alan Webster, “Unmasking the Fingo: The War of 1835 Revisited,” in The Mfecane Aftermath:
Reconstructive Debates in Southern African History, ed. Carolyn Hamilton (Johannesburg: University of
Witwatersrand Press, 1995), 241-76. Webster goes further, eschewing even the term “Mfengu” as a
“recently ‘Africanised’ word for a people created by British tribalisation” and suggesting the retention of
the colonial term Fingo; see ibid., 241 n. 1.
be for concision, and I avoid retrograde terms such as “tribe” for precisely this reason.\textsuperscript{111}

For example, the amaNgqika and amaNdlambe are but subgroups of amaXhosa, and the paramount of the amaXhosa was in title their chief but in reality had only limited power over all but his own section, the amaGcaleka. The relationship between the Xhosa paramouts and the abaThembu were even less formalized, despite close proximity and similar language. Such cross-cutting relationships and lines of authority at varying levels had great flexibility and even fluidity, and should not be considered utterly rigid in the period under discussion.

Chapter 2

Early Survey and Cadastralization in the Kei Valley

In January 1932, the 67-year-old Presbyterian missionary Tiyo Burnside Soga tendered a plea to the office of the South African Prime Minister, J. B. M. Hertzog, about a parcel of well-watered land then located in the district of Komgha just to the west of the Kei River. Soga, a nephew of the Reverend Tiyo Soga (1829-1871) and the grandson of the Ngqika councilor Soga who had long served the chiefs Ngqika and Tyhali, requested compensation for unfair confiscation of land following the War of Ngcayecibi in 1877-1878.\(^1\) T. B. Soga wrote that his grandfather was, before that war,

... in occupation of certain land in the Gaika [Ngqika] Territory in the District of King-Williamstown, Records and evidence can prove that he took no part in the rebellion but nevertheless after it was over his land was taken from him and sold without compensation.

The property in question was sold as Lot No. 4060 situate in the Division of Kingwilliamstown and in the late Gaika Territory called “SOGA” measuring seven hundred and ninety five morgen, three hundred and eighty seven square roods [about 1650 acres].

Amongst the Gaika Community this piece of land is still referred to as the “Soga’s” farm, and in view of the refusal of my grandfather to join in the rebellion his dispossession can only be regarded as a hasty war measure which cannot be held justifiable when regarded from an unbiased standpoint after the feeling in existence at the time has subsided.\(^2\)

---


\(^2\) T. B. Soga to Hertzog, 12 January 1932, File Stut.5, Office of the Surveyor-General, Cape Town (hereafter SGO-Cape).
To investigate the matter, the Prime Minister’s office forwarded his letter to the Native Affairs Department, which forwarded it in turn to the Surveyor-General of the Cape Province in February 1932. In response, J. H. Holland, the Deputy Surveyor-General, transcribed excerpts from a group of records dealing with the confiscation and survey of Ngqika lands in general and forwarded them to Native Affairs. Holland asserted that he “cannot confirm or disprove that the farm ‘Soga’ is the piece of land which the original Soga was in occupation of, but the point is not material inasmuch as it was definitely the policy of the Government of that day to entirely clear the Gaikas from that territory and people it with Europeans” and that the case must have been “duly considered at that time” and compensation offered in Gcalekaland (Kentani district in particular), where the Colony relocated “loyal” amaNgqika in 1878 on far smaller and less arable plots of land as we shall see in the next chapter.\(^3\) Holland furthermore stated that the land had never been surveyed or granted by the Cape government for Soga’s grandfather, who therefore only held the land at the pleasure of the chief Sandili and so shared the fate of the amaNgqika. By thus mooting the merit of the entire request, Holland obviated any question of the identity of the parcel in Komgha bearing the Soga family name; by setting forth the chronology of survey, he sought to eradicate any claim pertaining to that particular cadastral unit.

Several portions of Reverend Soga’s plea were clearly devised with rhetorical position in mind. Soga characterizes himself as “a native Missionary” resident in the district of Matatiele, Griqualand East, accepting for the purpose of the letter the

---

\(^3\) J. H. Holland to Secretary of Native Affairs, 13 Feb 1932, File Stut.5, SGO-Cape; the lots allowed in Kentani were only about ten acres each; see Cape Parliamentary Papers (hereafter CPP), G.4-’83, Report and Proceedings with Appendices of the Government Commission on Native Laws & Customs, 2:273-75
subordinate position assigned to amaXhosa (and indeed all Africans) within the racial hierarchy of Hertzog’s South Africa.\(^4\) He also emphasizes the loyalty of his grandfather and appeals to a sense of justice for redress, while conceding that “the land cannot now be returned [but] some compensation by the State would be only a fair and just amend and reparation for an injury inflicted in the past” to deny any intent to reclaim the farm. However, the younger Soga also identifies a particular piece of land, providing identifiable cadastral information (name of parcel, size in *morgen*, and number of sale), and claims that his grandfather was sole occupier of that land under a right ultimately traceable to the government of the then-Cape Colony and its successor, the Union of South Africa.\(^5\)

Soga intended this enumeration of cadastral information both to authenticate his specific details and to situate them within an administrative and territorial landscape the authorities of the Union could recognize. However, the claim was also expressive of colonial hegemony in discourse over territory. The data of Soga’s claim were based upon a fiction, one that the colonial government had promoted through its structures of knowledge: that the farm called “Soga” correlated in some necessary way to the land previously occupied in location and extent, and that ownership in 1932 had the same implications as occupancy in 1877. Soga’s invocation further confers absolute authority upon the cadastre, and thus its correlation with a spatial order already on the land.

Furthermore, Soga mentions the sale and quitrent values of the land—as well as its

---


\(^5\) The morgen unit of area was peculiar to South Africa, and represented 2.116539816 acres, 0.008565 km\(^2\), or 0.003307 mi\(^2\). See D. R. Hendrikz, “South African Units of Length and Area,” Special Publication No. 2 (Pretoria: Department of Lands, 1944).
indeterminate “true” value—attesting to the power of the colonial cadastral system to
shift the idea of land from one of a communal resource to that of an alienable commodity
with a monetary value. So great was the infiltration of communal tenures by the principle
of commodity exchange that “native” land law in the Cape Colony and later the Union of
South Africa became obsessed with circumscribing its free-market exchange.

Unfortunately, little further is known about the genesis or the ultimate outcome of
Reverend Soga’s appeal for compensation, except that no land changed hands. We also
cannot say much more about the elder Soga with respect to the land he occupied before
1878, and the farm “Soga” that may or may not have overlapped it, except to note that the
definition of the farm in 1878 was governed not by previous occupation but by
instructions to survey farms of about 1500 acres each for European occupation. We only
know Soga’s request from its referral to the Surveyor-General and the accompanying
limited discussion of property, ownership, and provenance, with references to the radical
reorganization and redistribution of land that took place in the Kei Valley between 1860
and 1913. The metrification and cadastralization of the colonial frontier looked absolute
enough by that time that Reverend Soga presumed the authority of its visual structures,
despite having lived through the period of uncertain colonial power when much of that
framework came into existence. Just as the missionary augured the extension of
European hegemonic social structures to non-European societies, the surveyor
progressively imparted a European hegemony over spatial order through the rendering of
topography and territories, followed by their atomization into units and repurposing into

---

6 “Instructions to a Commission Appointed by H. E. the Governor ... ,” 4 Sep 1878, 2, S.10819, vol. 829C, SGO-Cape.
farms, reserves, townships, outspans, and locations. But like the missionaries, agents of spatial culture like surveyors worked on a contested landscape.7

The data of the surveyor was therefore not only instrumental to the Soga claim, it created the circumstances that led to the grievance. Surveyors possessed great power as extensions of the colonial apparatus, and in the Kei valley they divided confiscated lands as quickly as possible to ensure speedy European occupation to prevent African reoccupation. Colonial surveyors divided Sandili’s pre-1878 lands into 237 large farms, two township commonages, and several reserves for European immigrants by the end of 1879, not only providing revenue to the colonial government and denying amaNgqika land for cultivation and cattle, but adding crucial data to the colonial geographical archive and appendages to the body of the state in the form of diagrams and titles.8 The surveyors who divided and defined those lands turned the territory from supposed chaos under an extracolonial authority into legible, rational, modern colonial space.9

Beyond their centrality to delimitation, surveyors also determined the value of lands surveyed, and ascribed official names to the land being divided—even going so far as appropriating (in the case of Soga) the names of the very families being driven from the land, creating the combined illusion of authenticity and legitimacy. Holland’s words in response to the Soga claim—and the inclusion of transcriptions of the surveyor’s

---

7 See Elizabeth Elbourne, Blood Ground: Colonialism, Missions, and the Contest for Christianity in the Cape Colony and Britain, 1799-1853 (Kingston: McGill-Queens University Press, 2002), 7-22.

8 CPP, G.33-'80, Report of the Surveyor-General for the Year 1879, 11. The orders to begin advertising farms began in January 1879; see W. Laing (Commissioner of Crown Lands & Public Works) to de Smit (Surveyor-General), 20 Jan 1879, S.10819, vol. 829C, SGO-Cape. Memorials requesting grants of land in the Location had already begun arriving in 1878, see Memorial of W. P. Ferriera, [n.d.] 1878, [F40], CO 4198, Cape Archives Depot, Cape Town (hereafter KAB).

Map 2.1: The Kei Valley, as divided into colonial magisterial districts by 1895, showing routes, towns, and mission stations. See map 3.1 for concordance with “Fingoland,” “Tembuland,” and “Gcalekaland.”

instructions from 1878—further show that it was only the act of the surveyor, empowered by government, that created the territory in contention, regardless of any other legal issues surrounding the expulsion of the Ngqika from the western banks of the Kei. The activities of surveyors on the ground, both as agents and as mediators, thus were the immediate loci of discourse between colony, settler, and colonized about land ever eastward in the Kei Valley (see map 2.1), even in cases where those being surveyed were conspicuous by their absence on the ground and on the panoptic of the map.

Surveying and mapping operations in the Kei Valley intersected with a number of other interrelated colonizing processes, most of which were not unique to the Cape. These included increasing settler hunger for land (a global phenomenon), a concomitant demand for increased labor, and the extension of colonial rule, law, and economy over previously-independent polities, which in turn entailed the reorganization, rationalization, and simplification of political and social economies to facilitate rule as well as the extraction of labor, land, and resources.10 Surveyors were first and foremost technicians, so their work addressed specific tasks or problems in the mechanics of the colonial land system, employing knowledge fundamental to European ideas of territory and ownership.

Compared to magistrates, missionaries, and other agents of cultural transfer and colonial authority, the surveyor has generally been treated as a simple executor of policies set at the imperial or colonial metropole, performing a technical act of objective clarity given meaning only through policy. There are other reasons that surveyors’ work has gone largely unexamined: surveyors ranged across wide swathes of territory,

interacted only sporadically with local people, their stay in any particular locale tended to
be rather short, and the vast majority of their records are completely technical and
therefore have little qualitative explanatory power for the historian. C. A. Bayly’s
remarks on geography in general apply to surveying as well: their work “threw up less
highly charged dialogues [than other subjects], but it lay nearer the heart of British
colonial information collection.”11 The surveyor’s work indeed represented the direct
application of European metropolitan science to the ground of the colony.12 Every
question of land indeed returned to the collected knowledge of surveyors in the colonial
state’s geographical archive. The archive was the surveyor’s authority manifest in text,
no matter how far from Cape Town a given question arose.

Survey and mapping in the Transkei have not gone entirely unnoticed, despite the
relative lack of critical examination of their roles in South Africa generally. Clifton Crais
has recently noted the importance of surveying and cartography in the broader culture of
knowledge and categorization that obsessed the colonial state and its bureaucrats, who
“helped sustain the most extraordinary conceptions of how the world worked.”13 But
aside from the basic situation of the mapping enterprise as part of a fetishized empiricism
and surveying as a prescriptive tool of state aims, Crais does not explore the specific
encounter between surveyor and surveyed, nor the particular assumptions and capabilities

11 C. A. Bayly, Information and Empire: Intelligence Gathering and Social Communication in India, 1780-
12 See Matthew Edney, Mapping an Empire: The Geographical Construction of British India, 1765-1843
(Cambridge: Cambridge University Press, 2002), 71-79; 87-95; Clifton C. Crais, “Chiefs and Bureaucrats in
the Making of Empire: A Drama from the Transkei, South Africa, October 1880,” American Historical
the surveying hierarchy carried into the field. The encounters of the surveyors were at least as important as the general philosophy behind their work.

The purpose of this chapter is therefore to describe the operation of colonial surveys through the first stages of the colonization of territorial order in the lands adjoining the Kei River. I will briefly discuss the development of African settlement patterns in the Transkei before the 1860s, and then discuss the particular example of the cadastralization of the Tambookie Location (Glen Grey) in the 1860s and 1870s.¹⁴ Unlike the cases of the powerful, independent chiefdoms in the Transvaal or those closer to the border of Natal, the Kei Valley was the site of many broken states, one where nearly a century of contact and conflict led to a situation where a relatively direct model of colonial rule could exist. Part and parcel of those ideas were the inclusion of non-Europeans in the metricated and cadastralized landscape and ultimately their individual ownership of land on the European model. Surveyors therefore were involved in several interrelated processes: the arrogation of territory to the colony for the enrichment of Europeans, the drive to cadastralize non-Europeans spatially and socially; the related pursuit of the scientific perfection the surveyor’s work was intended to represent; and Africans’ contestation and cooptation of all of these processes.

**Surveyors and Surveying in the Colony of the Cape of Good Hope**

¹⁴ The Kei Valley extends from the area just south of the Qathlamba (Stormberg) Mountains, and follows the territory between the Kei and Mbashe Rivers through the present-day districts of Cacadu (earlier known as Glen Grey), Cala (Xalanga), Cofimvaba (St. Marks), Tsomo, Nqamakwe, Idutywa, Gcuwa (Butterworth), Centane (Kentani), and Gaytana (Willowvale). Although using that conceptual construct privileges the colonial understanding of territorial occupation and normalizes the post-1880 arrangement of territories, it is the framework from which surveyors operated and upon which the archives are organized.
Just as relations changed between Europeans and amaXhosa during the century between Beutler’s expedition and the beginning of colonial surveys there, so too did the profession charged with its conduct. The single Company surveyor of the VOC period gave way, after the British took permanent control of the Cape of Good Hope, to an office of “Government Surveyor” (for a time, merged with other offices during the 1810s in the successive persons of Louis Michel Thibault and John Melvill) and a battery of sworn surveyors. These sworn surveyors, whose credentials consisted of little more than an oath until after 1835, drew no government salary and performed private survey work in their locales as well as the survey of occupied farms and the delineation of new ones from Crown lands under the Cradock land commission system of 1813.\(^\text{15}\)

In 1826, owing to a greatly increased pace of European settlement and investment at the Cape, a Board of Commissioners prescribed the creation of a centralized post of Surveyor-General charged with the superintendence and regulation of surveys within the colony, the promotion of a trigonometrical survey, and the creation of a map of the Colony. The administration of titles to land was added later.\(^\text{16}\) The person who took the post, a Royal Engineer colonel named Charles Cornwallis Michell, clearly intended to push forward on these matters but immediately ran afoul of the limitations of colonial knowledge, finance, and will on triangulation and mapping, and a tremendous backlog of work on approval of diagrams as well. Changes therefore happened slowly, but from 1836 on government required an examination of land surveyors in the Colony before they

\(^{15}\) L. C. Duly, *British Land Policy at the Cape, 1795-1844: A Study of Administrative Procedures in the Empire* (Durham: Duke University Press, 1968), 52-53. The land commission system involved a local landdrost or magistrate, the surveyor, and a third person meant to be drawn from the local governing body (heemraden). This of course did not prevent settlers occupying territory well before any grant was applied for, which was a common settler tactic throughout the upper Kei valley.

could perform lucrative government work.\textsuperscript{17} Those who passed the examination, which appears to have contained sections on drafting, mathematics, and instrumentation, then provided sureties of £400 (repealed in 1890) and received the title of “Government Land Surveyor.”\textsuperscript{18} In theory such control improved the accuracy and efficiency of land surveyors, but in practice it was the opening round of a struggle between survey authorities and surveyors fought until the passage of the Survey Act (No. 9) of 1927.

Nowhere was the potential for geographical confusion and unreliable surveying so great as it was on the eastward-moving frontier of European settlement. The geography of the Kei Valley and points to the northeast was so poorly known before the 1850s that most cartographers did not pretend to show great detail inland north and east of Graaff-Reinet, if they showed territory that far afield at all. What little cartographers did show tended to be taken from the map of J. C. Chase, sometimes through the medium of the large manuscript plan drawn originally in 1830 by L. Hebert for the Colonial Office (CO) in London and updated subsequently as new data—including Chase’s map—was sent to the CO and later the Royal Geographical Society.\textsuperscript{19} Beyond that limited detail, much of


\textsuperscript{19} The large plan was updated at least until the 1840s. E. C. Liebenberg, “Mapping South Africa in the Mid-19th Century: The Cartography of James Centlivres Chase,” \textit{Historia} 52 no. 2 (2007): 1-18; L. Hebert, Sr., “Map of South Africa” [1830], CO 700/Cape of Good Hope 12, National Archives, London (hereafter BNA).
the remainder was filled in with textual notes about the people and character of the

ground in the travelogues that existed at the time.

The immediate obstacle to treating the well-known cartographic lacunae was the
demand from London that the colonies support themselves. In the struggle for scarce
financial resources, long-term cartographic investment lost to short-term expediency at
the Cape just as it did in wealthier India. Efforts by the Royal Engineer detachment at
the Cape under W. C. E. Holloway in the mid-1820s to conduct a military topographical
and trigonometrical survey of the immediate environs of Cape Town independent of any
orders from London ran afoul of this poverty, as the Imperial treasury objected to its
funds and personnel being used for non-military purposes and the Cape was unable to
reimburse the Treasury. A trigonometrical survey and broader mapping operation
envisioned by Colonel Michell upon taking office in 1829 similarly laid fallow for want
of funds, not to mention the expertise necessary to carry out the ambitious scheme. In
fact the only major program of high-level surveying executed before the late 1850s was
that carried out between 1837 and 1841 by Thomas Maclear, the Astronomer Royal at the
Cape of Good Hope. But Maclear was, with his friend and collaborator John Herschel,
answering broader scientific questions of interest to the British Admiralty, which derived

---

20 Edney, Mapping an Empire, 29.

21 Colonial Office to Bourke (Governor, Cape Colony), 24 Jun 1826, 97, CO 49/19, BNA; Bourke to
Colonial Office, 10 Jun 1827, 89, CO 48/149, BNA.

22 R. W. Hay (Colonial Secretary) to W. Hill (Treasury Secretary), 3 Jun 1826, 270-71, CO 49/18, BNA.

23 Thomas Maclear, Verification and Extension of La Caille’s Arc of Meridian at the Cape of Good Hope
vol. 1 (London: HMSO, 1866).
prestige among the international scientific community in Europe from their enterprises in the empire and therefore provided the funds.\textsuperscript{24}

The only detailed maps of the Cape’s western districts for many years were therefore \textit{ad hoc} cadastral compilations. These maps quilted the legal diagrams of individual plots of land together, combined and corroborated with whatever topographical sketches or localized road surveys existed. Though most of these plans were kept in the Surveyor-General’s Office, they were usually acquired from private individuals (or at least surveyors in their capacity as private individuals), and involved the payment of a gratuity based on the highly variable quality of the work. The process of compilation was more of an art than a hard science, as the surveyors’ skills and equipment varied so greatly that the pieces rarely fit neatly. It was generally left to the draftsman, who usually had no acquaintance at all with the territory, to reconcile the diagrams with the vague sketches produced by travelers and military personnel. The resulting maps were skewed and unreliable, and uneven from one district to the next as they were not compiled by any central authority that could control style or check errors.\textsuperscript{25}

The assay of the state of compilation cartography in the Cape Colony delivered to the colonial government in 1860 by Charles Davidson Bell, then Surveyor-General, is instructive on this point. Bell’s overview showed that most districts had been drawn by different surveyors or draftsmen, and some were based on contiguous surveys while others were compilations of diagrams within the office and one, of northern

\begin{itemize}
    \item \textsuperscript{24} Steven Ruskin, \textit{John Herschel’s Cape Voyage: Private Science, Public Imagination and the Ambitions of Empire} (Burlington, Vt.: Ashgate, 2004), 37-73.
\end{itemize}
Namaqualand, was only a rough topographical sketch. The creation of a map of the Colony for lithographic reproduction nevertheless continued to languish, because of the time, money, and personnel that would be needed to fit together the disparate sketch and compilation maps. Though the Cape government permitted the cartographer Henry Hall to use the maps and plans in the possession of the Surveyor-General to compile and correct his own large-scale maps of South Africa that were printed in many editions by Arrowsmith and Stanford in London, the Surveyor-General did not consider his work to be useful for the purposes of government, and an official map was only undertaken in 1875. No base maps at all existed for the banks of the Kei, however, until circumstances permitted first the military and then European settlers to range freely across that land, which ostensibly passed directly into the ownership of the government for disposal as soon as its African inhabitants had been jettisoned.

The growing demand for surveys meant a massive expansion of the surveying community within the Cape Colony. Under the rule of the Dutch East India Company (VOC) and through the Napoleonic Wars, there had been only one Company surveyor at a time, charged with supervising fortifications as well as the laying out of erven in towns and the assay of public works both within and without Cape Town. It is not recorded how many, if any, other surveyors resided in the Colony during the VOC period, though

---

26 C. D. Bell (Surveyor-General) to R. W. Rawson (Colonial Secretary), 11 Aug 1860, No. 189, CO 769, KAB; The heterogeneity of surveyors’ maps and the consequent inability to construct a map of the colony had been a complaint at least since Michell’s early days; see Michell to Colonial Secretary, 6 Dec 1832, SG 2/1/1/1, KAB.

27 In response to Hall’s request for a subsidy to create a new version of his map in 1873, the Surveyor-General opined that “it is not in the power of any one to publish a correct Map of this Colony in the present state of things, and that new Editions, however neatly got up, not only perpetuated existing errors, but tended to mislead the Public, and stand in the way of a Parliamentary Grant for compiling a really reliable and useful map.” See H. Barkly (Governor) to Lord Kimberley (Colonial Office), 11 Jun 1873, Cape No. 56, 164, GH 23/32, KAB.
the number could not have been great as there was little demand for expensive scientific surveys that were not required by law. However, with the requirement from 1813 on that surveyors be involved in the delimitation of new land grants, and with denser settlement meaning that boundaries were a constant source of bickering, both the field across which government demanded survey work as well as the range of disputes requiring expert testimony grew. In 1818, 17 “sworn surveyors” were listed as resident in the Colony. By 1860, a total of 102 had been admitted to practice as Government Land Surveyors (31 of those were admitted between 1855 and 1859). Between 1860 and 1913, 365 more surveyors joined their ranks, though the rate of new admissions stabilized after about 1880.28 At the time of the statutory incorporation of a mandatory Cape Surveyors’ Institute in 1904, 113 surveyors (both active and retired) received information, still a surprisingly small number for a profession charged with the delineation of territorial space in so large an area.29

This small community of land surveyors shared some key characteristics. All were white and male, as was true of most colonial technocrats during the nineteenth century. Africans were deemed incapable of undertaking the work, and women were considered unsuited in temperament, education, and physical capacity.30 This assumption

28 Compiled from Surveyors’ Oaths, File S.8710, volumes 739A-739E, SGOCape.
was hardly unique to land surveying, and was systemic enough in European settler society that so far as is known no female or nonwhite applicants even attempted to enter the surveying profession during the period between 1860 and 1913.\textsuperscript{31} Most land surveyors were also from middle-class backgrounds, which privileged both the technical content of the surveyor’s work as well as the masculine physical exertions it entailed.

Many, if not most, of the land surveyors active before 1900 were also born in Europe, primarily in Great Britain and Germany. The immigrant surveyors received their educations in Europe (including in surveying, for which there was no established curriculum at the Cape until 1874), and came to the Cape with the intent of taking up the profession as their means of support despite a relatively low tariff and no occupational security. The percentage of Cape land surveyors born in Europe exceeded the rural average of 6.8\% (1865) to 4.3\% (1891) European-born whites and very likely the higher (about 15\%) Colony-wide percentage as well.\textsuperscript{32} However, established practitioners existed in most of the older districts (the Cape, Stellenbosch, Swellendam, the Paarl, Graaff-Reinet, and the like), and these were often members of well-connected, multi-generational surveying families such as the Melvills, Greatheads, and Watermeyers. New arrivals tended to settle on the frontiers of European settlement where no established surveyors resided, as the Surveyor-General also tended to give priority to surveyors who resided in a given area when awarding government work. That latter practice reflected a desire to limit delay and travel expenses, but also a belief that the surveyor’s residence

\textsuperscript{31} Indeed, the shadow of white male scientific privilege in South Africa is long enough that the surveying profession is still heavily dominated by white males despite efforts to recruit others since 1999. M. Riba, personal communication, 8 Oct 2004; O. T. Trevor and R. C. Fisher, \textit{Centenary of the Institute of Land Surveyors of the Cape} (Cape Town: IPLSWC, 2004), 53-54.

conferred familiarity with a locality and the people living there that would be conducive to the success and economy of survey work.

It is ironic, then, that many surveyors displayed relatively poor knowledge of the non-Europeans in the areas where they lived and worked, and sometimes even of the Boers and other rural Europeans. Surveyors’ fluency in languages other than English could not be assumed, even in the case of Dutch, as it was never tested in examinations or made a prerequisite for practice well into the twentieth century. Only a few surveyors appear to have known more than a few words of isiXhosa, relying instead upon interpreters, which fostered distrust and increased the perceptual distance between the positivism of the land surveyor and the people actually living on the land. Clifton Crais has recently suggested that many surveyors’ presence on the colonial frontier led them to become magistrates or other officials in the Transkei and Basutoland, but in fact virtually none did, likely because of the limitations of their cultural knowledge. The number of surveyors who took up such positions was dwarfed by the number of missionaries and members of missionary families who took up those posts. Surnames such as Warner, Brownlee, Chalmers, Dugmore, and Ayliff were far more common among magistrates, largely because their families were a part of the political and social economy of the various chiefdoms where they resided. Many had grown up on Xhosa lands, were known to the people and the chiefs, became fluent (or very nearly so) in isiXhosa dialects, and

---

33 For example, the surveyor in charge of location surveys between 1900 and 1920, E. Gilbert Hall, still required an interpreter in 1916 despite over thirty years’ residence in the European settlement at Cala in the Transkei; at the same time, Hall decried the lack of surveyors who understood the “Natives & their Ways.” See G. R. Hughes (Secretary of Lands) to A. H. Cornish-Bowden (Surveyor-General), 13 Sep 1916; Hall to Bowden, 23 Mar 1916; both S.8676, SGO-Cape.

34 Crais, Politics of Evil, 74.
therefore enjoyed both entry to and relative safety within Xhosa societies, even when they served as representatives of the colonial administration.

This point that missionaries enjoyed special status that surveyors did not is amply illustrated in the often-referenced killing of the magistrate Hamilton Hope in Qumbu on the orders of the Mpondomise chief Mlhontlo at the outset of the Transkeian Rebellion of 1880-1881, where Hope’s clerk A. E. Davis, the brother of missionary W. S. Davis, was the only European spared, specifically because of that kinship.35 More than the unfortunate Hope, most land surveyors did not possess this indispensable administrative advantage in mediating Colonial rule unless they were also the children of missionaries. Though it is true that the connection between missionaries such as David Livingstone and Mary Slessor and Victorian geographical science on Africa is well established, the number of missionaries and missionaries’ offspring who were also qualified to survey colonial land for title was exceedingly small.36 Magistrate-surveyors like Joseph Millerd Orpen and Charles Lennox Stretch were similarly exceptional. Many surveyors did qualify as justices of the peace (the better to settle land disputes and perhaps earn additional fees), and a few like Orpen became prominent in more urban sections of the colonial governments including one Prime Minister, John X. Merriman.37

36 The clearest case of a missionary-surveyor connection is that of Robert Moffat, Jr., who became a surveyor in 1848 and was active in the Orange River Sovereignty during the early 1850s; see S.8710, vol. 739A, SGO-Cape. On Livingstone and Slessor, see Felix Driver, Geography Militant: Cultures of Exploration and Empire (London: Blackwell, 2001), ch. 4 passim; Cheryl McEwan, “‘The Mother of the Peoples’: Geographical Knowledge and the Empowering of Mary Slessor,” in Geography and Imperialism, ed. John M. MacKenzie (Manchester: Manchester University Press, 1995): 125-150.
Surveyors on the Eastern Cape were not cross-cultural agents in quite the way that missionaries and settlers in the zone of interaction tended to be, but they were still agents of cultural hegemony, attempting to translate a cadastral system created in Europe to a reality that extended out across unmarked yet inhabited land. The matter was difficult enough, and the disjuncture between European and African systems of landholding sharp enough, that few attempts were made until quite late to institute quasi-European models of ownership and survey into lands occupied by non-Europeans—and even then, surveys were long carried out only in “pacified” areas and for individuals clearly co-opted by the Colony. That language skills and cultural knowledge were long considered optional to survey work underscores the presumptions of absolute objectivity that suffused the surveyors’ assignments and attended the vetting of their mathematical work. The drive for precision and accuracy—and the belief that they could be reasonably approached—obsessed the Surveyor-General and the colonial authorities, just as that drive obsessed other fields of colonial scientific endeavor during the nineteenth century.38

Given the obsession with scientific rigor, it is not surprising that there were gradations in the technical ability of surveyors and the amount of trust survey authorities would put in their work. The class of work most of the surveyors performed—cadastral surveys for purposes of title—was considered not to be especially rigorous in terms of precision. The cartography of the country and the highly precise surveying executed for the purpose of fixing landforms against absolute points on the Earth’s surface, both of which required complex mathematics and astronomical observations, represented a far

higher level of complexity—one that few land surveyors possessed before the end of the
nineteenth century, and virtually none before the opening of the surveying program at the
South African College in 1874. A Board of Enquiry convened in 1827 to settle on an
examination as well as an official surveying authority for the colony in fact sought to test
candidates at two levels, and despaired that none of the practicing land surveyors would
possess the education or the acumen for the more complex mathematical work needed to
map the colony precisely.39

That more precise class of work therefore generally passed into the hands of
imperial technicians, most often the Royal Engineers (REs) who were also relied upon in
the early “sketching” phases of frontier cartography.40 Such metropolitan military
officers and the European scientists—astronomers and geologists—who later consulted
with them possessed the educations, the infrastructure, and the instrumentation necessary
to deal with coordinating complex surveying operations across a wide territory—so wide,
in fact, that local permutations of the composition and shape of the Earth became relevant
to the precision ultimately sought (see ch. 6). Employing imperial personnel in survey
detachments was however expensive compared to the immediate benefits realized, and
the War Office in London was unwilling to pay for surveys used in colonial
administration with imperial funds. As a result, REs and other imperial officers engaged
on survey duties either when British forces were in the field or when their assignment and
pay were agreed between colony and metropole. The division of labor thus
engendered—cadastral work by Government Land Surveyors and high-level surveying
by Royal Engineers—tended to be the rule until around the end of the nineteenth century,

40 P. van Bijlon, Grensbakens tussen Blank en Swart (Cape Town: Juta, 1947), 304.
the efforts of survey authorities and a few theoretically-minded land surveyors
notwithstanding. By that time, the Geodetic Survey of South Africa had been completed
throughout the subcontinent and survey education in Cape Town had produced a critical
mass of suitably-educated individuals who had been born in South Africa.41

On the eastern frontier of European settlement and African resettlement during
the second half of the nineteenth century, however, Government Land Surveyors worked
across increasingly larger pieces of unsurveyed territory. In many cases, land surveyors
covered hundreds or thousands of square kilometers of territory with networks of
triangulation meant to provide, within the limitations of the available instrumentation,
some kind of basic control of property boundaries that were their primary charge. The
land surveyors however had little concern for precise measurement of topographical
features of the land; their purpose was to define discrete parcels for public sales and to
take care that the boundaries on the ground matched those on the diagram used for title.42
After the Land Beacons Act of 1859, surveyors further provided relative coordinates by
which farm boundaries could be absolutely identified even in the absence of monuments’
survival.43 Such a transcendentally mathematical solution was deemed necessary on land
where neighbors or, more worrisome, the land’s prior occupants might move or destroy a
beacon; by means of science, the colony’s territorial body could effectively transcend the
physical disposition of the ground it claimed. With the massive expansion of European
settlement into areas that had been thickly populated by Africans, the confluence of the

42 This was known as the “Red Line” system, whereby the legally-recognized information was recorded in
black, and accurate geometric information in red, thus creating two sets of data on the same diagram. See
43 Act No. 10, 1859.
1859 and 1860 Beacons Acts, the 1860 Crown Lands Act, attempts to catalogue compilation maps of the frontier, the push to standardize units of measure in the Cape Colony, and the massive growth of large-scale survey operations was no accident.44

Surveys conducted in the Kei Valley may best be understood in three phases, proceeding from large to small, progressively atomizing the land while altering people’s relationship to it. First, imperial military personnel conducted rapid surveys or sketch traverses, meant to fill the need for basic topographical maps, a phase that did not exist systemically in the Transvaal far to the north. Second, basic land surveys were designed either to generate revenue from lands taken by the state from non-Europeans by creating farms for European settlers, to compensate and co-opt African chiefs whose authority was under attack by the Colony, or to facilitate administration through the creation of subdivisions (“locations”) within non-European lands, though in the last case careful surveys were not always necessary. Finally, the colonial authorities sometimes conducted a second phase of land surveys to create particular spatial orders within areas remaining in non-European hands, usually through individual tenure. These three major phases overlapped in time but on any one piece of land they happened sequentially.

---

44 Scott, Seeing Like a State, 30-33; Act No. 3, 1860 (amendment to Act No. 10, 1859); Act No. 2, 1860; CPP, G.1-’59, Report of the Commissioners Appointed by His Excellency the Governor for the Purpose of Determining the Unit of Land Measure Within the Colony, and of Providing for its Uniform Adoption in Future (Cape Town: Solomon, 1859), following on Act No. 11, 1858; T. Zakiewicz, “Units of Length Measure and Geodetic Standards at the Cape, 1813-1912,” in Fisher, History of Surveying and Land Tenure Volume 2, esp. 188-94.
The Kei River is historically significant for a number of reasons. The Kei formed a useful and defensible boundary for the colonial state in the mid-nineteenth century, and afterward as a boundary between Colony proper and Territory. Furthermore, when taken with the point of European entry—the sub-metropole of Cape Town—the Kei also became an ordinal for territorial designation, separating “Ciskei” and “Transkei” in a metageography of colonial expansion peculiar to South Africa.45 Before the arrival of European settlers in the vicinity, the Kei formed the dividing line between the authority of the two sons of the Xhosa paramount Phalo, Gcaleka and Rharhabe, and thus marked the primary division among amaXhosa as of the 1820s.46 Other groups and subgroups, most notably the abaThembu, also lived in the region just northeast of the Kei. Though it was passable, European settlers and explorers knew the river as the Great Kei or Kye—a redundant name because the Khoisan root already implies great size.

By its very status as a boundary the Kei was rendered porous. The river did not form itself an interface, but defined the center of an interface zone on either side that used the river as an obstacle and a marker for crossings of people relative to the colonial state. European colonialism was however only one element affecting cross-Kei movements; indeed, the entire debate over the so-called mfecane (or difaqane or lifaqane) centers on the westward and northward movements of people away from modern KwaZulu-Natal in

45 That metageography also applies to the Gariep (Orange) and Vaal Rivers where similar abrupt disjoints in the colonial structure existed. It is worth noting that other rivers that more temporarily served as eastern boundaries, such as the Great Fish River and the Keiskamma River, did not receive this treatment to nearly such an extent.

46 Alan Lester, *Imperial Networks: Creating Identities in Nineteenth-Century South Africa and Britain* (London: Routledge, 2001), 11-12. Gcaleka however remained the titular paramount of the Xhosa, and he passed that standing to his son, Sarhili.
the early nineteenth century and their causes. Given that most Nguni-speaking groups in the Kei valley experienced such motion, aside possibly from the powerful Gcaleka and Ngqika amaXhosa, it is not surprising that the provision of land and the means of livelihood was vested in human structures—chief, elders, and kin—and not in particular defined and deeded territory in the European sense.

It is not within the scope of this study to recapitulate the history of colonial efforts to break down sources of African authority, arrange subject peoples, and organize colonial surveillance before the 1860s. Indeed, land surveyors were rarely involved in those acts, and even military surveyors operated in a sort of vacuum with little or no reference to the inhabitants of the land. Indeed, most military surveys occurred at times of people’s absence from the land. The necessity of military domination to early surveying is shown most starkly by the fact that the first two extensive surveys of the Kei valley happened during or immediately following military conflict, and largely in areas evacuated of significant human presence: 1847-1848 for large sections of the Ciskei (then created the Colony of British Kaffraria) and 1859-1862 for the remainder of the Ciskei and portions of the Transkei. Those surveys were extended military-sketching operations, designed to give a general representation of the rise and fall of the land as a foundation for future military operations or detailed surveys for territorial appropriation.

The first of these military sketching operations, carried out in the late stages of the War of the Axe (1846-1847) by Captain W. F. D. Jervois of the Royal Engineers, is typical of this early phase of surveying in its conduct and its cartographic output. Jervois

---

covered by his reckoning around 2000 square miles, which he compiled with another 350
taken from the smaller-scale sketches of three others, including another RE and the
“Diplomatic Agent” Charles Lennox Stretch, who had been trained as a land surveyor
and who had accompanied the original boundary commission for Queen Adelaide
Province. The area covered ran in a strip from just north of King William’s Town to
the lands between the Buffalo and Kei rivers of the Ndlambe and Gqunukhwebe
amaXhosa. Jervois drew some of the sketches as British units moved across those areas
in the war’s later stages, and people had taken to flight, and completed other areas in
1848 after the end of hostilities. Jervois’s manuscript maps went to the War Office,
which had a compilation engraved and printed by the mapmaker John Arrowsmith. It is
difficult to tell how much of the detail was Jervois’s and how much was added later by
the War Office or even Arrowsmith, because the original manuscripts are not extant.
Aside from the indications that chain and compass measurement were used, and roughly
where, there is little indication on the map of Jervois’s methods.

The finished product was nevertheless fairly standard for nineteenth-century
colonial maps of conflict areas. Rivers, roads, and topography were juxtaposed with
large blank areas in still-occupied lands as well as those he did not visit, in line with the
cartographic positivism of the nineteenth century. In the blank areas, an occasional
river appears without topographical relief, likely added by Arrowsmith from Colonial

---

example at CO 700/Cape of Good Hope 16/1, BNA.
49 Diary of W. F. D. Jervois, Apr 1847-Jun 1848 *passim*, transcription in possession of Mr. William Jervois,
Port Elizabeth, South Africa.
50 The blank spaces on maps like Jervois’s served the purpose of accentuating the perceived reliability of
the visible details; see T. J. Bassett and P. W. Porter, “From the Best Authorities': The Mountains of Kong
to indicate with written labels when blank areas were actually intended to reflect the topography.
Office maps given his longstanding freedom of their map collection for a variety of personal and government purposes.\textsuperscript{51} Other details belie the map’s military origins and purpose: indications of timber quantity and quality, character of terrain, known extant settlements (though the map’s key explicitly disavowed complete knowledge of kraal sites), battle sites, and a commemorative feature common to frontier cartography that showed virtually every known position where European officers and civilians died or were buried during the war, sanctifying the space with European memory. The primary intention of such topographical sketch maps, however, was to serve as a base for the overlay of other qualitative data that could be depicted graphically.\textsuperscript{52}

Jervois’s map was certainly put to prescriptive use. The Colonial Office’s own copy of the map (see map 2.2) bears manuscript marks and colored washes showing reserved areas, new settlements, areas of control along roads. It also shows plans for colonial surveillance in the area of the defensible Amathole mountains, from which the independent amaNgqika of Sandili and Maqoma were dislodged after the War of Mlanjeni (1850-1853). The British dubbed this cleared area the “Crown Reserve” and filled it with military posts and villages of Mfengu, the latter being isiXhosa-speaking refugees invited into the colony after 1835, given special citizenship, and employed as laborers and soldiers.\textsuperscript{53} Jervois himself went to work immediately after the War on other tasks related to imagining the new territory, such as the assay of the “Kaffre Locations”

\textsuperscript{51} Arrowsmith was not unusual in this regard; other established cartographers likely received similar favors, such as James Wyld, whose 1844 map was the most recent in circulation at the time Arrowsmith was engraving the Jervois map. See Liebenberg, “Mapping South Africa,” 6-8.

\textsuperscript{52} Driver, \textit{Geography Militant}, 35-36.

\textsuperscript{53} The origin of Mfengu identity is contentious, but its connection to British colonialism is not. See Van Bijlon, \textit{Grensbakens}, 141; Lester, \textit{Imperial Networks}, 89-94; Alan Webster, “Unmasking the Fingo: The War of 1835 Revisited,” in Hamilton, \textit{The Mfecane Aftermath}, 241-76.
and the construction of an outline map depicting graphically the ludicrously English-named “counties” into which the British initially divided the local chiefdoms.\textsuperscript{54}

A further purpose plotted on the Colonial Office’s copy of Jervois’s map was the detachment of a piece of land seized from the Thembu for European settlement, in keeping with colonial policy that nonwhites were to be expelled or held at arm’s length rather than accommodated within the Cape Colony’s own structure.\textsuperscript{55} The British adjudged the confiscated territory to be that of the chief Maphasa (who was no longer alive to defend himself), duly created it the “District of Queenstown,” and had it surveyed

\textsuperscript{54} Diary of W. F. D. Jervois, 27-28 Dec 1847, transcription in possession of Mr. William Jervois, Port Elizabeth, South Africa.

\textsuperscript{55} CO 700/Cape of Good Hope16/1, BNA.
and granted to settlers willing to occupy the land on military tenure. There was no shortage of applicants, and requests exceeded available grants by a factor of nearly three.\textsuperscript{56} The remaining “loyal” abaThembu settled in the fertile triangle of land between the Black Kei and Indwe rivers that became known as the Tambookie Location, under the chieftainess Nonesi.\textsuperscript{57} Despite a number of efforts to sketch the Location’s topography in the 1850s, it was not surveyed until the 1870s as we will see in the next section.\textsuperscript{58}

The second group of military surveys occurred in the wake the Cattle-Killing of 1856-1857, a signal event in South African history that arose in part from the continuously increasing pressure on Xhosa lands and livelihoods. A number of prophets had already arisen in western Xhosa lands during the first half of the 19\textsuperscript{th} century, and fused millennarian ideas in Xhosa society with new influences from mission Christianity, seeking an answer to a cross-cultural problem using syncretic knowledge.\textsuperscript{59} But the colonial body created in 1847 as “British Kaffraria” was beholden to white settler interests under the stewardship of an expansionist Cape governor, Sir George Grey.\textsuperscript{60} In the words of J. B. Peires, amaXhosa found British Kaffraria and its laws to be “a monster which swallowed them up, tore them from their children, and squeezed them off their

\textsuperscript{56} Christopher, \textit{Crown Lands}, 30.

\textsuperscript{57} E. J. C. Wagenaar, “A History of the Thembu and Their Relationship with the Cape Colony, 1850-1900” (Ph.D. diss., Rhodes University, 1990), 25.

\textsuperscript{58} See, for example, R. Tylden and C. Cole, “Kaffraria, South Africa. Map of the Districts about the Great Kei River and its Tributaries ...” dated 15 Mar 1854, MR 1/1277 [ex WO 78/517], BNA. For an earlier partial depiction, see M. R. Robinson (Assistant Surveyor-General, Eastern Province), “Sketch from Recollection of Part of Tambookie Land to Accompany Report dated 30\textsuperscript{th} August 1853”, MPG 1/1167/2, BNA. The colonial obsession with location can be seen in the untitled sketch of native locations in the eastern Cape, ca. 1856, in DSGBK 56, KAB.


land onto the labour market.” The people’s difficulty subsisting through kinship networks, already strained by the atomization of African authority, suffered further when a horrific and unprecedented epizootic of lungsickness spread through their herds after infected Frisian bulls arrived in Cape Town from Europe in 1853.

Grey’s plans for the destruction of chiefly authority through spatial and legal intervention, white settlers’ land-hunger, and the sudden loss of cattle that underlay networks of wealth, kinship, and control combined to generate a fundamental crisis from 1855 onward. That crisis was crucial to the appeal of particular prophets. The millennarian prophecies of Nongqawuse, mediated through her uncle Mhlakaza who had a mission background and whose father had been one of Sarhili’s advisors, ultimately gained the Gcaleka paramount’s ear. They claimed that the destruction of living cattle and crops along with seed would bring new, purified animals and seed, along with “new people” and the return of the land to a pristine state—in short, a resurrection, which made logical sense in the Xhosa worldview. The deaths of so many cattle from lungsickness undermined systems of patronage and led some chiefs and commoners alike to support Nongqawuse’s prophecies in order to retain their standing. There were certainly other strategies possible. The Ngqika chief Maqoma first tried to use his authority and loyalty

---

64 Peires, *The Dead Will Arise*, 33-36, 79-81, 87.
66 Crais, *White Supremacy and Black Resistance*, 204-5.
to the colony as leverage to reoccupy the Amathole mountains so as to insulate his people and wealth from prophecies and lungsickness alike.67

The failure of the prophecies led first to their more extreme pursuit, and then to utter collapse and disaster. That collapse led to the death of tens of thousands of amaXhosa by starvation and the departure of many more who left the land in search of work and food or were forcibly dispersed.68 Some 400,000 cattle were slaughtered and some 85% of western amaXhosa took part, but the abaThembu, Mfengu, and Christian amaXhosa under stronger British influence were far less often swayed. Grey seized upon the depopulation of chiefdoms caused by starvation and dislocation as a pretext for taking over the lands of those who had suffered most greatly—the amaNgqika, amaNdlambe, and amaGqunukhwebe—and selling them to land-hungry settlers and other pliant subjects of the colonial state.69 The remaining amaNdlambe were sent either into the rump Ngqika reserve, reduced in size after the deportation of Maqoma as a rebel, or well across the Kei to a new settlement at Idutywa on the Mbashe River, and the amaGqunukhwebe simply scattered, aside from those under the Christian chief Kama.70

Many amaXhosa also joined the mission stations and villages in search of relief, particularly after Grey in 1858 jailed a number of prominent Xhosa chiefs who had either promoted or acquiesced to the cattle-killing movement. These amaXhosa, from a wide range of chiefdoms, soon became wholly dependent upon and subordinate within the colonial economy in a process of atomization and villagization Timothy Stapleton has

68 According to Alan Lester, the Xhosa population of British Kaffraria fell by 65% (105,000 to 37,000), and the overall number of displaced people was about 150,000. See Lester, *Imperial Networks*, 183.
69 Lester puts the number of 1500-acre farms created at about 300. See Lester, *Imperial Networks*, 184.
termed “Fingoization.” That Fingoization included those who embraced an Mfengu identity for its protection and benefits in Grey’s more direct colonial system.\textsuperscript{71} Those not in the reduced reserves, Fingoized, or moved across the Kei were created squatters, dependent upon the forbearance and employment of Europeans who soon occupied their lands with the legal sanction of a surveyor’s diagram and a colonial title.

In the wake of the Cattle-Killing, Governor Grey sent a force under Sir Walter Currie and Major J. C. Gawler to attack Sarhili for purportedly masterminding it.\textsuperscript{72} Sarhili, Grey believed, had been behind the cattle-killing movement as part of a grab for land and authority. Sarhili and the weakened amaGcaleka had no hope of mounting any kind of resistance to the colonial military, and retreated with what cattle they could across the Mbashe river so quickly that the military forces could barely capture enough cattle to support themselves.\textsuperscript{73} To prevent any immediate occupation of the eastern bank of the Kei, Gawler’s Mfengu soldiers and their families moved permanently in late winter 1858 from British Kaffraria to Idutywa, on the Mbashe River and settled in eight villages where they were later joined by the relocated amaNdlambe.\textsuperscript{74} Governor Grey in Cape Town and the Colonial Office in London alike considered this Idutywa settlement as a precursor to the permanent occupation of the area with “Europeans and friendly

\textsuperscript{71} Stapleton, \textit{Magoma}, 201; Timothy Stapleton, “The Expansion of a Pseudo-Ethnicity on the Eastern Cape: Reconsidering the Fingo ‘Exodus’ of 1865,” \textit{International Journal of African Historical Studies} 29 (1996): 233-250. The term “Fingoization” is useful when talking about social or cultural reorientation from independent chiefdoms to the colonial apparatus, but less so when considering the relative prosperity of the Mfengu peasantry, who did not take part in the cattle-killing.


\textsuperscript{73} Sir Walter Currie to Maclean, 1 March 1858, 1-2, BK 78, KAB.

Natives.” Colonial and imperial officials however knew very little about the geography of this area, dubbed “the Transkeian Territory,” and so asked Gawler’s officers in the area for information on the physical character of the land, crops found growing there, and the potential of various sections for European colonization.

One of Gawler’s officers was Captain George Pomeroy Colley, who already had specific orders to “make a rough survey of the country, and report on its capabilities for agriculture, sheep farming, &c., the direction in which roads should be made, and whether any of the mouths of the rivers could be made into harbours.” Colley was not a Royal Engineer, but he had attended the Royal Military Academy at Sandhurst and thus possessed the skill set of a 19th-century military officer, including an education in military sketching and traverse survey. Colley had already produced a number of local topographical sketches that he sent to Maclean. The expulsion of the amaGcaleka across the Mbashe in early 1858 provided the colonizers an open field for survey operations on the eastern bank of the Kei for the first time, so Colley took the primary responsibility for a wide-ranging survey of the eastern half of the Kei Valley.

Officials in British Kaffraria and at the Cape unsurprisingly put a high value on collecting cartographic information on the territory, and Colley’s assignment to Currie’s

---

75 Wynyard to Newcastle, No. 45, 12 Mar 1860, GH 23/28, KAB; Newcastle to Grey, Cape No. 115, 23 Apr 1860, CO 49/55, BNA; Newcastle (Colonial Secretary) to Grey, Cape No. 139, 18 May 1860, GH 1/277, KAB.

76 See, for example, Gawler to Maclean, 31 Aug 1858, BK 79, KAB.


79 See Gawler to Maclean, 17 Mar 1858, BK 78, KAB; for sketches, see Colley, “Memo. on the Country along the River Bashee (to accompany sketch)”, 27 Aug 1858, BK 79, KAB; Colley, “Sketch of the Country Around Butterworth”, 10 Sep 1858, BK 79, KAB.
force was but one manifestation. This emphasis was especially strong when it came to Grey, whose own career had begun with exploration and surveying in Australia, and who therefore was keenly aware of the value of survey and mapping for his type of detail-oriented colonial administration. One small color tracing map, probably drawn during 1858, divided the territory by “suitability” for Europeans and “Natives” as well as particular areas thought “good for sheep” and showing areas already inhabited (see map

---

Map 2.3: Sketch of the Transkeian Territory with Occupation Notes [1858]. Source: DSGBK 56, KAB.

Those who had seen the land conversely objected to sweeping characterizations. While serving as Transkeian Magistrate in late 1858, Colley raised significant professional objections to the characterization of certain lands as “Adapted for Europeans” on the basis that large arable farms could not be assembled there and only “the native” might be satisfied with farming irregular lots on rocky ground.

New surveys were clearly necessary to render the territory legible to the colonial state. But only in early 1861 could Colley return to the field in the still-empty lands in the Transkei to compile his “military sketch of the Transkeian District” with an assistant (and his ultimate successor), Lieutenant James Murray Grant of the F.A.M.P. But annoyed by the low rate of pay, Grant quit the survey in November 1862 and handed his sketches over to the Deputy Surveyor-General along with notes “to facilitate the resumption of the work” if desired. Much of the region’s topography thus remained completely unknown and unsurveyed until after 1878. Cartographers only had Colley’s military plan of the Transkei, drawn at the end of 1861 (see map 2.4), a few drawings of mission lands, and Grant’s rough sketch plans to compile maps.

---

81 “Between Kei & Bashee, Police Stations &c” [Mar-Apr 1858], DSGBK 56, KAB. It is an unusual map for having no textual orientation. A modified print version of this map appeared in papers relative to the European settlement scheme in 1861; see C. N. Thomas, “Sketch Referred to in Sir Walter Currie’s Report”, [1861], MPG 1/936/3-4, BNA; A.102-’61, “Further Papers on the Subject of the Occupation of the Transkeian Territory” (Cape Town, 1861).

82 Butler, Life of Sir George Pomeroy-Colley, 45; Colley to Maclean, 8 July 1859, BK 79, KAB.

83 Colley to Maclean, 22 Mar 1861, BK 78, KAB; Colley to Maclean, 9 Jul 1861, BK 78, KAB.

84 See Grant to Brownlow, 30 Jun 1862, BK 79, KAB; Grant to Brownlow, 16 Jul 1862, BK 79, KAB; Grant to Brownlow, 30 Oct 1862, BK 79, KAB; Grant to Brownlow, 17 Nov 1862, BK 79, KAB; J. H. Bryant note on verso of Grant to Brownlow, 17 Nov 1862, BK 79, KAB.

85 Colley to Maclean, 1 Jan 1862, BK 79, KAB. The original of Colley’s plan was later destroyed owing to extreme wear, but it was copied precisely in 1921. The copy remains in the SG office in Cape Town. See copy of G. P. Colley, “Outline Map of the Country Between the Kei and Bashee Commonly Known as the Transkeian Territory”, Plan 5614, SGO-Cape. A manuscript copy of Colley’s plan of the Butterworth mission grounds’ topography dated 10 Sep 1858 is present in BK 79, KAB.
Map 2.4: Reproduction of Colley’s 1861 sketch map. Source: Transkei Plan 5614, SGO-Cape.
Given the limited detail and error in these early military maps and plans, it is not surprising that the only important feature that carried over to later maps of the Transkei was orientation. In maps specifically of the territory, most cartographers rotated the region about forty degrees clockwise, to bring the Indian Ocean coast parallel to the southern limit of the map sheet. This approach made sense because it fit the largest image onto the smallest possible sheet, but it also generated a legible image of the territory whereby a map reader or colonial official could truly treat the Transkei as a narrative text, read from left to right as a progressing frontier in both time and space. Indeed this depiction of the Transkei on small-scale maps predominated into the 20th century, with the exception of one base map produced in the 1870s and oriented north.

Even if the geographical archive was blank, the Transkeian Territory itself could not remain empty, nor would Africans allow it to lie unused. Indeed, abaThembu, amaGcaleka, amaNgqika, and others all increasingly grazed animals or hunted in the proscribed lands in the years following 1859, and the colonial government ceded some of that land between 1860 and 1864. The Thembu paramount Joyi obtained a section of the northern third of the area, which the Tambookie Agent, the missionary Joseph Cox Warner, had recommended. Sarhili reoccupied the southern third of his former lands, after adamantly expressing in 1862 that a colonial land grant further east would place him

---

86 Waters to W. B. Chalmers (Transkeian Magistrate), 3 Oct 1861, BK 78, KAB; Chalmers to G. Brownlow (Secretary to Lt. Gov., British Kaffraria). 28 Sep 1862, BK 79, KAB; C. Cobbe (Fingo Agent) to J. C. Warner (British Resident, Transkei), 20 December 1865, in CPP, A.14-'67, Correspondence with Reference to the Principles, Conditions, and Detailed Arrangements on which the Fingo Exodus has Been Carried Out, 10; Colley to Maclean, 8 Jul 1859, BK 79, KAB.

87 J. C. Warner to R. Southey (Secretary to Chief Commissioner), 16 Mar 1858, BK 79, KAB.
“among tribes who would be at enmity” with him, and that government stubbornness to return unoccupied land was a personal affront.88

The effort to settle Europeans in the Transkei also ran afoul of high quitrents and survey fees combined with an onerous three-year occupation requirement, conditions too expensive for poor settlers and too onerous for rich ones.89 The fear that any cost contingent on defending a Transkeian salient would therefore fall on the imperial treasury led London to dictate a retreat of the colonial boundary to the Kei in mid-1864.90 Grey’s successor, Sir Philip Wodehouse, then focused on clearing land to the west of the Kei and Indwe for European settlement by inducing Nonesi’s abaThembu or Sandili’s amaNgqika to cross the Kei.91 But both groups saw more benefit in keeping their relationship with the British than in living outside the colony where they might lose local power to Sarhili, who was the titular paramount chief of all amaXhosa.92 Ultimately London sanctioned the concession of the central portion of the Transkei to some 40,000 landless Mfengu living in crowded locations in the districts of Peddie, King Williams Town, and Victoria

---

88 “Statement made by Kreli,” trans. W. B. Chalmers, 4 Apr 1862, BK 79, KAB.

89 Before the publication of terms, some 600 applications arrived seeking land; after their publication, virtually none did. See British Kaffraria, Government Notice No. 21 of 1864, f. 351, BK 109, KAB; Applications for Farms in Transkei, 1858-1864, BK 417, KAB; Saunders, “Annexation,” 12.

90 Cardwell to Wodehouse, Cape No. 784, 5 Aug 1864, f. 101, GH 1/304, KAB. No European farms were created even tentatively in the Transkei Territory under the occupation scheme, contrary to the statement by A. J. Christopher that “Preliminary planning took place with the division of the Transkei into farms and the demarcation of reserves for the Xhosa inhabitants.” Any such plans were entirely hypothetical and not recorded cartographically. See A. J. Christopher, Crown Lands, 38.


East as a reliably loyal buffer, which did not open any new lands to Europeans at all.93 For their part, the Mfengu had no other avenue for solving their land shortage.

Although a colonial satellite, Fingoland’s external and internal boundaries themselves were at best vague. Sir Walter Currie, commander of the F.A.M.P., reportedly arrayed the Mfengu into 105 “locations” in 1865-1866, but these did not appear on any map (though the headmen’s names occasionally appeared). The later creation of four districts in 1879 and even the survey of those districts into locations after 1900 do not refer to those divisions except as the “wards” of various headmen by name, and not as territorial extents, pointing to the primacy of kinship over geography.94 The permanence of Mfengu occupation of the territory in the Transkei relied upon a “tribal title” of dubious legal power conferred upon the four major emigrant headmen and their people in August 1871.95 The enduring importance the Mfengu placed on this Fingo Title as a guarantee is attested in an 1898 petition from the residents of the Nqamakwe district opposing survey, wherein the petitioners stated that “the Title which we hold to the Territory which we inhabit is a strong Title.”96


94 Information of Matthew Blyth (Chief Magistrate, Transkei), Sept 1878, in CPP, G.4-’83, 1:267; on later terms of reference, see W. G. Cumming (Secretary for Native Affairs) to Undersecretary for Agriculture, 26 Sep 1903, NA 571, KAB, in regard to the division of Butterworth district into locations.

95 See copy of proclamation dated 17 Aug 1871, A.353, NA 516, KAB; Colonial Office to Bell, 22 Aug 1871, f. 342, SG 1/1/3/46, KAB. This “Fingo Title” was similar to titles requested later by other Transkeian chiefs as guarantees, which is ironic given that the Fingo Title was itself declared invalid in 1905 when the colonial government pressed its right to approve trading licenses there.

96 Petition of the Committee of the Native Inhabitants of Nqamakwe, 26 Mar 1898, 2, A.1218, NA 571, KAB.
Beginning in the 1860s, individual Government Land Surveyors and small survey parties were engaged in small-scale metrification and division of land for purposes of revenue, title, and in the case of non-Europeans, control. This smaller-scale surveying however had direct and immediate consequences for the surveyed, meaning that not only were surveyors working closer to the surveyed, but there was more likely to be disagreement between them. Earlier military surveys had deliberately rendered territory without its inhabitants both on paper and in fact, but the new surveys absolutely depended upon them for it was they who were being surveyed and situated. Furthermore, these surveys were prompted by a series of exchanges or anticipated exchanges: exchanges of privilege, exchanges of territory, and finally exchanges of the basis of land tenure itself. The surveyor was therefore at the locus of changes in the status of the land and its occupants, ones that exposed social and economic fractures and informed the strategies of various groups and individuals along the eastern Cape frontier.

Most Africans had only limited direct experience with the Cape Colony’s Government Land Surveyors before the 1860s. Most of those who did were Mfengu who had entered the colony a few decades before at the invitation of the colonial government. One stark recollection came during the evidentiary hearings of the Commission on Native Laws and Customs (also known as the Barry Commission) in September 1881. Several Mfengu chiefs resident in the district of Peddie, well west of the Kei, appeared before the Commission. One of these headmen, Kaulela, made particular reference to the
expropriation of land and the role of the land surveyor prior to the extension of colonial settlement schemes to the Kei Valley:

2915. You have said part of your locations were sold by the Government; when was that?—In 1836, Jonkweni was granted a location, which he was told would extend to the coast. After the war of 1851 [the War of Mlanjeni, 1850-1853], a surveyor came and began to stick little flags about the country. We did not know what it meant. He told us if anyone touched a flag he would eat us up [seize all of their cattle]. Then an order came from the magistrate for the people to move up from the coast to the source of the river here. Jonkweni said “What are we to do with the people here?” He was told “They can build kraals on the top of your head” (on the same place as he was). There were some vacant parts not surveyed in that neighbourhood, and we occupied them; but in course of time they were occupied too. There was a place named Umlenzi (Newcastle commonage), which a few of the people moved by the surveyor occupied. Lately they have been ejected therefrom; they are still building their kraals at other places. That is the case with regard to our location. Similar circumstances have occurred regarding all the others since 1851.97

Kaulela’s testimony clearly identifies the surveyor’s actions directly with dispossession and eviction, and unsurveyed land as safe for their own settlement, a reading supported by his people’s later unwillingness to take up individual titles (see chapter 3) following a survey of garden lots in 1859.98 In the passage, the magistrate’s order follows the surveyor’s initial planting of flags; the eviction is therefore perceived to be a direct consequence of the surveyor’s actions, and the magistrate simply provides the official order. The unnamed surveyor in the testimony is portrayed as being aware of—and using—this perceived power to pass judgment, as evidenced by his blustering threat to take cattle. “All the others since 1851” presumably refers to other Mfengu groups

97 CPP, G. 4-’83, 2:171.
98 See Table 2, Appendix F, in CPP, G. 4-’83, 1:369-70. Africans’ sense of insecurity relative to their tenure on the land was a major obstacle to breaking the power of hereditary chiefs; see C. A. Smith to A. Ross, 15 Sep 1864, in CPP, A.49-’65, Correspondence Relative to the Removal, Location, and Supervision of Native Tribes On and Beyond the Border, 5.
settled between Peddie and the Kei, who would have encountered the surveyors busily marking off territory for European settlement after the colonial state progressively dispossessed, defeated, or dispersed prior inhabitants.

The Mfengu, who held a special quasi-citizenship status in the Cape Colony, were however left in situ and defined subtractively as land was parceled away around—and sometimes, as the passage attests, within—the territories where they actively resided. As the Civil Commissioner of the Queenstown division found in 1867 when he finally undertook a search for the legal definition of the Oxkraal and Kamastone Mfengu locations there, the legal boundary information often did not exist.99 Other Xhosa groups were also aware of the surveyors’ work, even if they did not encounter the surveyors themselves and tended to have some modicum of protection in the form of treaties. The surveyor’s flags, generally tacked to sneezewood posts and later replaced by substantial stone or concrete beacons once Europeans had taken up residence, were a powerful touchpoint in their descriptions of the changing landscape.100

The normal remedy to dispossession and congestion offered by the colonial government during the 1850s and 1860s was to push the affected Africans east into the Kei Valley and beyond, and give the land away to Europeans and pliant non-Europeans. However, once this strategy of voluntary migration was no longer viable the colonial authorities sought instead to extract labor and wealth through the control of land hitherto held communally. This is not to suggest that Africans did not live in numbers on European farms in British Kaffraria and points east, or that some Africans—almost

---

99 Griffith (CC Queenstown) to Bell, 7 Dec 1867, SG 1/1/1/15, KAB.
100 See Peires, *House of Phalo*, 167. The obligation of the landowner to construct durable monuments was also a central goal of the Land Beacons Act (No. 10) of 1859.
exclusively Mfengu, with “citizenship certificates”—were not able to arrange for the lease of farmland, particularly near the frontier where the colonial governments encouraged military and occupation tenures.\textsuperscript{101} Put most simply, agriculture in southern Africa was utterly dependent upon African labor, regardless of the land’s ownership.

Farm workers were however considered migrants or, at most, tenants, who possessed no legal claim to the land they worked, and so the surveyor simply passed them by. The dispossession of Africans laboring on farms for food or money had generally happened some distance away, and many doubtless intended to return to the company of kin and self-sufficiency once the immediate crisis was over. Security of tenure for Africans on settler farms was neither granted nor encouraged by the state, and the farm diagrams used for title ignored the presence of African laborers just as they ignored most buildings, signs of cultivation, and other temporary or transitory features. Most of the land in the southwestern Kei Valley was surveyed as Crown Land \textit{before} its sale, the surveys were carried out \textit{en masse} and on a short schedule, and what squatters and applicants were in occupation at the time tended not to have erected substantial improvements, so the paucity of fine detail is not surprising.

From the 1830s until the 1860s, in fact, surveyors often made massive mathematical errors in these block surveys anyhow, throwing further doubt on the fidelity of their diagrams.\textsuperscript{102} “Cooking” diagrams’ data to ensure mathematical consistency

\textsuperscript{101} In addition to the small lots offered by the Crown during the early 1860s, some pastoralists had the funds to apply for the purchase and lease of larger farms from white ownership. See Bundy, \textit{Rise and Fall}, 54.

\textsuperscript{102} For two signal examples, see CPP, SC-1856, \textit{Proceedings of the Committee of the Legislative Council appointed to Examine and Report on the Papers Laid by His Excellency the Governor upon the Council Table Relative to the 120 Diagrams} (Cape Town, 1856); CPP, G.37-'56, \textit{Correspondence with the Deputy Surveyor-General, Mr. Robinson, on the Subject of the Report of the Special Commissioner, Major Hope, upon the Granting and Occupation of Farms in the Divisions of Victoria and Queen’s Town} (Cape Town, 1856).
rather than returning to the field to track down errors was another common practice among surveyors before the 1880s. Low survey tariffs and pressure to produce results quickly encouraged surveyors to do as little as was required to avoid being sent back to correct boundaries, so little incentive other than a surveyor’s own predilection existed to catalogue features other than topography, wood, and water. The disincentive to detail conveniently allowed a cognitive disconnect between land and people to continue among the administrators of the Cape Colony. After British Kaffraria was annexed to the Cape in 1865, settler covetousness for African land and labor only grew.

Nowhere was that covetousness more openly expressed than in the proceedings around the Tambookie Location between the Black Kei and Indwe Rivers. The Location, defined in Colonial law by Governor Cathcart on 22 November 1852, was one of the first places where the colonial government sought to usurp chiefly power in return for grants of land in perpetuity. However, poor Cape farmers had been squatting within the Location for some time on sufferance, just as many had squatted in Maphasa’s lands before the War of Mlanjeni and presumably profited by being in occupation when granting began at the end of the war. Though the colonial government sometimes recognized African ownership over the large areas they relied upon for transhumance and grazing, the settlers felt any land not in cultivation was free for the taking and could, when colonial inspectors and surveyors came, be registered in their name. Indeed, the comprehensive survey of grants and Crown land in the Districts of Queenstown and Albert between 1853 and 1856 showed the farms but did not depict the actual boundaries of the Locations themselves, suggesting at least a partial redefinition of the Locations as

---

whatever territory the farms were not.\textsuperscript{105} The hope of European settlers, and to a lesser extent the colonial authorities, was that the Thembu might vacate the lands of the Tambookie Location and move to the east or simply forfeit the lands by taking up arms against the Colony. The actual removal of the people was only a secondary object of the settlers, less important than destruction of African economic and social independence.

In the Queenstown division, the requirement of personal occupation for farm ownership meant that there was a limit on how much overt speculation could be done which kept farm prices low. Many of the agricultural lots granted and surveyed in the late 1850s were granted to multiple men of the same family on adjoining plots, and though they were considered too small for grazing the cattle that were crucial to Xhosa wealth, they were adequate for agricultural farms. The relatively high quitrents on the land however encouraged white landowners to hire out portions of their land to Thembu from the Location and Mfengu from the Oenkraal and Kamastone locations to the west of it. A few prosperous Thembu were able to obtain title to farms on quitrent grants themselves, outside of the Location, with modified occupation terms allowing them to reside elsewhere within the division while others worked the land.\textsuperscript{106} In 1861, the Civil Commissioner of Queenstown, C. D. Griffith, sought to eliminate the condition of personal occupation for landholders, so as to allow land prices to rise and to attract wealthier individuals and land companies. After eight years of European occupation, Griffith considered that the district was prosperous and peaceful enough that tenure

\textsuperscript{105} W. Hammond Tooke (Assistant Commissioner of Crown Lands), Historical Précis of the Tambookie Location, 12 Nov 1890, NA 215, KAB.

\textsuperscript{106} See, for example, the case of “the Tambookie Toise” [Toyise], mentioned in R. Southey to Bell, 30 Apr 1860, No. 1352, f. 131, SG 1/1/2/26, KAB; Wagenaar, “A History of the Thembu,” 64.
conditions could be modified safely.\footnote{M. D. Griffith (Civil Commissioner) to Bell, 15 Oct 1861, SG 1/1/1/15, KAB.} The implication was clear: the approximately 16,000 Thembu in the Location (as of 1858) were no longer considered a threat to landholders in the division, and following the Cattle-Killing and the ejection of Sarhili across the Mbashe that threat diminished further.\footnote{Cited in Wagenaar, “A Forgotten Frontier Zone,” Appendix 6, 201.} The condition of occupation was officially eliminated for all grants of land by the Crown Lands Grants Act (Act 24) in 1868, clearing the way for open speculation on lands everywhere.

The change in thinking about land and its occupation heralded greater colonial interference in Thembu affairs that took the form of land grants within the Tambookie Location. These land grants were surveyed after the unsuccessful attempt in 1864 and 1865 to induce the Location Thembu to cross the Indwe and White Kei to the former Gcaleka territory that became known as “Emigrant Tembuland.” That scheme, a favorite of Governor Wodehouse, failed spectacularly in terms of the ultimate aim of clearing the Location. Only some of the Thembu chiefs chose to cross into the Transkei, but Nonesi, the chieftainess and regent recognized as paramount within the Location since 1849, chose to stay as did many of the chiefs who recognized her authority. Only one-third of the Thembu in the Location in 1865 finally emigrated, under four main chiefs—Matanzima, Gecelo, Ndarala, and Sitokwe Ndlela, all of whom saw the benefit of being free of Nonesi and the young Thembu paramount Ngangelizwe while maintaining the protection of the Colony.\footnote{Wagenaar, “A History of the Thembu,” 97-98.} The end result was that the zone of Thembu occupation increased substantially and became a continuous territory, though it was effectively trifurcated in terms of its relationship with the Colony.
The attempt to coerce the Thembu to emigrate in entirety was spearheaded by Warner, the Tambookie Agent, whose efforts turned heavily upon the threat of supplanting chiefly prerogative with the rule of Cape colonial law in the Location, and who in fact created in the 1850s a dual-class system of headmen (with colonial stipends) designed to compete directly with extant Thembu authority in Glen Grey.110 Despite these threats to chiefly authority, and moves made in 1866 and 1867 to push it decisively by unilaterally declaring the end of chiefs’ judicial powers, Nonesi was able to challenge the authority of Griffith over the land and people in the Location. In meetings with Griffith she maintained that, paramountcy of the colonial government notwithstanding, the land was hers.111 The Cape government clearly disagreed, and undertook to survey a number of farms for Thembu chiefs and headmen within the Tambookie Location after 1867, shortly after the passage of the new grant law and the institution of a new pass law (Act 22 of 1867) designed in part to obstruct contact between the Emigrant Thembu and those in the Location.112 Chiefs who relinquished their positions in favor of Colony-approved headmen as well as the influential Africans attracted to the Location and granted lands in the 1850s by Nonesi could receive such grants, which thus formed both a means of co-optation as well as potent weapon towards the institution of direct colonial control of the Location. Some 20 farms were eventually surveyed for specific grantees.

112 Bouch, “Glen Grey before Cecil Rhodes”, 5-6. Thembu who had emigrated from the Location were however able to work around many of the legal strictures for a few years by obtaining Certificates of Citizenship within it; see Judge and Ayliff [with Southey], Report of the Commission, 16 July 1870, f. 26, S.140/26, SGO-Cape.
within the Location by 1880, the bulk of them before 1870. A standing policy also existed, supported by Warner, that encouraged new grants of lands to particularly industrious non-chiefs, though these appear to have been exceptional.

The first two cadastres created in the Location were farms intended for Nonesi and Warner himself, which suggests a certain equivalence of position in the eyes of the colonial government. Nonesi, as the most important chief in the Location, was assigned a grant of 2000 *morgen* shortly after her initial request at the beginning of October 1866, for fear she might change her mind. The exact ground in question was however not specified by her, and she was clearly not in occupation of it when the surveyor, J. H. O. (Henry) Southey, surveyed the designated plots between August and October 1867. Warner, on the other hand, carefully chose his grant to be near the Tylden police post and the main trading road through the territory.

Other African grantees took a more active role in their lands’ survey, because they saw their partial shift from chief to proprietor as an opportunity to gain a guarantee of personal property and prosperity rather than a capitulation and a surrender of territorial authority. Peter Mapassa, the Christianized son of the chief Maphasa, obtained a grant of 1500 morgen, but after Southey had completed his diagrams in November 1867 the

---

113 See C. N. Thomas, “Tracing shewing limits of Glen Grey District and granted farms,” 11 Apr 1881, S.8102, SGO-Cape.
114 Wagenaar, “A History of the Thembu,” 308
115 Memorandum of C. A. Smith (Commissioner of Crown Lands and Public Works), 27 Sep 1873, S.140/26, SGO-Cape. Smith was, further, a member of the Board of Public Examiners for science, charged with certifying practitioners of scientific disciplines in the Colony; see CPP, G. 36-'72, Report of the Board of Public Examiners in Literature and Science.
116 The ground was inspected by Griffith, not Nonesi. Griffith to Bell, 24 Aug 1867, SG 1/1/1/15, KAB; Southey to Griffith, 21 Sep 1867, SG 1/1/1/15, KAB.
117 Griffith to Bell, 12 Oct 1869, SG 1/1/1/5, KAB.
118 The recognition of the Colony as an alternate and more permanent source of land for a new African commercial-peasant class has been commented upon by Bundy; see Bundy, *Rise and Fall*, 96-98.
land was revealed to be only 863 morgen. Mapassa visited Griffith a few weeks later and petitioned successfully for the survey of an adjoining piece of land at his own expense, to ensure his receipt of the maximum possible grant.119 The other grantees approved in 1867 and 1868 also appear to have pointed out their own land to Southey after it had been pointed out to them by the Tambookie Agent or the Civil Commissioner. Southey was the only surveyor active in the Location and conducted the surveys three or more at a time as the Governor in Cape Town approved them on Griffith’s recommendation.120

There is no indication that any grant was rejected outright, but those within the African elite to whom the land grants represented loss were not necessarily silent. On one occasion in 1868, Nonesi—who as the nominally paramount chief was most clearly threatened by the extension of colonial land tenure in the Location—reportedly chased off a land surveyor, presumably Southey, whom Griffith had summoned to lay out a farm. She did so on the grounds that only she could authorize the survey of lands in the Location, keenly indicating her opinion of this particular challenge to her paramount authority there.121 The possibility of another agent assigning land in the Location was a direct challenge to Nonesi, for she had used her power to grant communal lands to build allegiances with influential African farmers and attract them to the Location.122 However, Nonesi’s recalcitrance combined with apparent attempts to leverage her position with her grandson, Matanzima, led in 1869 to her arrest and deportation to her brother in faraway Pondoland—ostensibly for being in the Colony without a pass, in

119 Griffith to Bell, 5 Nov 1867, SG 1/1/1/15, KAB; Griffith to Bell, 9 Jan 1868, SG 1/1/1/15, KAB; Griffith to Bell, 18 Aug 1868, SG 1/1/1/15, KAB.
120 See, for example, L. Adamson (for Col. Sec.) to Bell, 13 Feb 1868, No. 317, f. 57, SG 1/1/3/37, KAB.
121 Wagenaar, “A History of the Thembu,” 107. Wagenaar suggests this was Nonesi’s farm, but that farm was surveyed in August 1867, before the May-September 1868 period of the reports.
violation of the 1867 pass law. The removal of Nonesi confirmed the final primacy of colonial power over the territory of the Location itself. Her farm, without paid quitrent, reverted to communal tenure.123

Despite the power of the Colony to arrogate land in the years after 1865 and their overt efforts to reorganize Thembu social relations, colonial grants for elites neither trumped communal occupation nor incorporated it. The people then living on the land were neither expected to become tenants, nor were they expected to vacate in favor of a grantee from among the chiefs. When arranging for the survey of a 500-morgen farm for the headman Klaas Mokas in late 1869, the new Civil Commissioner of Queenstown, E. A. Judge, noted to the Surveyor-General that “the ground referred to has been occupied by certain Tambookies for many years, and that their removals would, I fear, cause much dissatisfaction” and some “unoccupied ground” should be sought instead.124 Considering the potential for this sort of trouble, it is noteworthy that no map existed of the distribution of Thembu kraals and clans within the Location. All knowledge of the human geography of the area resided with those who possessed personal knowledge, such as the magistrates or headmen, and the surveyors had little choice but to rely upon their statements when making decisions about land. These problems were exacerbated by the many non-headmen who received grants (or were created headmen), the fact that many were non-Thembu, and that many people without chiefly lineage were promoted over Thembu who had such pedigrees and given control over land.125

123 Wagenaar, “A History of the Thembu,” 109; Colonial Secretary to Bell, [n.d.] Apr 1869, f. 117, SG 1/1/3/40, KAB.
124 Judge to Bell, 11 Oct 1869, SG 1/1/1/29, KAB.
The farm grants took place not only in the context of the post-emigration Location and colonial efforts to pry the people from the hereditary chiefs, but also within the wider context of the survey of all Crown lands in the divisions of Queenstown. A number of large areas in fact had not been surveyed by 1865, and the Colony’s need for revenue dictated that the remaining lands in the division of Queenstown should be surveyed and, where possible, auctioned or leased to settlers and speculators.126 Such surveys also served to cordon off lands in the geographical archive and alienate them in name if not in fact, though at least surveyors did cross the land. In one case, Thembu from the Location periodically used a large piece of unsurveyed land adjoining it called the Andries Bergen adjoining it to graze animals, leading the Civil Commissioner to warn that “unless the ground should be surveyed and sold or leased we should probably in two or three years time have some difficulty in persuading them that it never did form part of their Location” and to request a survey.127 The timing of surveys for chiefs in the Location thus makes sense both as a matter of economy—there being enough work at that moment to support at least five surveyors in Queenstown—as well as a matter of increasing the reliance of the Thembu elites upon the Cape Colony while drawing their people even further into reliance on trade with, and wage labor in, the Colony itself.

The case of the Bontebok Flats, just to the south of the Queenstown settlement itself and to the southwest of the Tambookie Location, shows some of the problems inherent with frontier surveying. Two surveyors, F. H. and W. M. Hopley (father and son), surveyed the Flats in 1868 and 1869, with some assistance from Joseph Kennedy,

126 Unsurveyed and unpurposed land, which could not be sold or leased, was regularly the subject of annual grazing licenses sold to farmers. See, for example, Judge to Bell, 4 Jan 1870, SG 1/1/1/29, KAB.
127 Judge to Bell, 11 Dec 1869, SG 1/1/1/29, KAB. Judge thoughtfully resolved, in the same letter, to grant grazing licenses to white farmers so as to keep the land “occupied” until its disposal.
and encountered a problems that could be traced directly to the poor geographical knowledge available of the area. Reports reached the Commissioner, E. A. Judge, from a number of unnamed sources—probably European farmers already squatting in the area—that Hopley and Kennedy had divided the land “in such a way as to render the farms almost useless—and that no care whatever has been shewn for the interests of the Govt in the matter.” Furthermore, the beacons erected were claimed to be “of the frailest description, sods of earth & so on, and that many of them are already undiscoverable.”

Of course, some of this may simply be attributable to F. H. Hopley, who was fairly bad at following directions, and who surveyed a block of farms that were so far within the Tambookie location so as to provoke incredulity from Southey and Judge in 1870. At any rate, it suggests an unevenness in the information available as well as wide variation in the ability of surveyors to use that information judiciously.

The Cape government however considered that the 1865 emigration scheme had legally rendered the Tambookie Location to be Crown land, and the Thembu as illegal squatters upon it. The Cape government maintained this contentious opinion based on the legal fiction that the Thembu were beholden to cross the Indwe, and those who did not were now subject to colonial law and had no right to the land. In reality, of course, magistrates tended to honor what they understood as “native” law, based in large part on the accounts of missionaries and officials published by then-Commissioner John Maclean as the *Compendium of Kaffir Laws and Customs* in 1858 and modified by whatever personal knowledge the individual magistrate possessed, and though the idea of evicting

---

128 Judge to Bell, 12 Oct 1869, SG 1/1/1/29, KAB.
129 Southey to Bell, 26 Nov 1869, SG 1/1/2/22, KAB; Judge and Ayliff [with Southey], Report of the Commission, 16 July 1870, f. 17, S.140/26, SGO-Cape.
the Thembu without their assent was occasionally mentioned, it was never seriously considered. In the case of Thembu settlement patterns within the Location, the Tambookie Agent deferred completely to the judgment of Thembu authorities. But the anomalous position of the Thembu within the Colony prompted the Colonial Secretary in Cape Town to create a commission in May 1870 to inspect the Location.

The Commission consisted of Judge, Southey, and Warner’s replacement as Tambookie Agent, James Ayliff (himself the son of a missionary), and was charged with determining “the location of the Natives and the Administration of justice within the Tambookie Location” as well as where the new administrative boundary should fall within it. The report of the Commission, however, only gave the vaguest sense of where people resided in the Location, and they completely ignored the few Khoisan who still lived in the area and would have been dependent upon unbounded territory for their livelihood. The report gave the total number of men in the Location as 5966, divided into four groups arranged according to the commissioners’ understanding of Thembu clan structure and chiefly power.

These groups—amaGcina (nominally under the emigrant chief Gecelo), amaNdungwana, amaTshatshu (the clan of Maphasa), and amaHala (the ruling clan formerly under Nonesi)—were assayed spatially as potential centers of resistance to colonial control. The deportation of Nonesi the previous year, combined with the

---

131 Judge and Ayliff [with Southey], Report of the Commission, 16 July 1870, f. 1, S.140/26, SGO-Cape. James Ayliff was the son of Rev. John Ayliff, a Methodist missionary.
acceptance of the primary Gcina chief within the Colony of a land grant, led the 
Commission to press in its report for the grant of farms to the remaining two chiefs 
among the headmen: the Tshatshu chief Gungubele and the Ndungwana chief Zenzile. 
The amaTshatshu and amaNdungwana were considered to “inhabit distinct tracts of 
country” in the southern half of the Location whereas the amaHala and amaGcina were 
“much mixed up” together and largely in the north. As the most potentially hazardous 
impediments to the assertion of a new hierarchy, the co-optation of Gungubele and 
Zenzile was critical; in the words of the commissioners, “[t]here seems to be no doubt 
that the acceptance of title deeds to lands by a native Chief, goes a long way towards 
destroying his influence over his people.” The commissioners also wrote favorably of 
giving a large farm grant to Hermanus Mahonga, not on the basis of chieftainship but 
because of service to the Colony and “character”—the same basis upon which other 
Christian outsiders, many members of his family, received preferential headman status 
and grants of land (or the recognition of prior grants) in Glen Grey despite being non-
Thembu in origin and having no community or hereditary claim to chieftainship.

The Commission was nevertheless adamant that caution be exercised in making 
any changes to the spatial order within the Location, lest the appearance of surveyors and 
sudden removals of large numbers of people from some areas create “considerable 
excitement and suspicion.” But the report of the Commission had made clear just how 
little the colonial authorities actually knew about the spaces within it, and their solution

133 Judge and Ayliff [with Southey], Report of the Commission, 16 July 1870, f. 15, S.140/26, SGO-Cape. 
134 Ibid., f. 31. 
135 Ibid., f. 32; Wagenaar, “History of the Thembu,” 216; Richard Bouch, “Glen Grey before Cecil 
Rhodes,” 4, 11-12. The Mahonga family grantees also included many who became advocates of individual 
tenure on the unawarded location farms in later years. 
136 Judge and Ayliff [with Southey], Report of the Commission, 16 July 1870, f. 16, S.140/26, SGO-Cape.
was to engineer them into spaces that could be known.\textsuperscript{137} Southey, Ayliff, and Judge prescribed a conceptual reorganization of the Location, by dividing it in half by means of a band of white-owned farms with the ultimate goal of compressing the Thembu into the northern half of the original Location and freeing up the richest land for European settlement. The commission noted the failure of the 1865 scheme to clear the Location before, and the increasing population density as Thembu returned from afield to seek lands for cultivation. The solution they suggested was a move away from sponsorship of hereditary headmen based on older clans, and towards a system of government-approved and appointed headmen confined territorially to plots based on blocks of standard-sized, surveyed farms.\textsuperscript{138}

There would be perhaps thirty blocks of six to eight farms each, and they could be discontinued as Thembu occupants vacated or were moved. The envisaged headmen would receive an allowance (£12 annually) under the scheme, effectively becoming petty colonial bureaucrats. Judge particularly hoped it would induce the people to govern themselves and intended the headmen to be responsible for law enforcement and the productive use of land.\textsuperscript{139} The Commissioners simultaneously announced the collection of names for hut-tax registers, which was crucial to the Commission’s plotting over land in order to prevent anyone new from occupying land within the communal blocks, and to assure that landholder migration only went in one direction. The net result was a set of radical prescriptions—an “active” Fingoization—aimed at changing the way Thembu occupied the territory with the aim of clearing valuable tracts for alienation to Europeans.

\textsuperscript{137} Scott, \textit{Seeing Like a State}, 36.
\textsuperscript{138} Judge and Ayliff [with Southev], \textit{Report of the Commission}, 16 July 1870, ff. 16-18, 20-21, S.140/26, SGO-Cape.
\textsuperscript{139} Bouch, “Glen Grey before Cecil Rhodes,” 10.
Because the Commission’s report and its recommendations were amenable to settlers, land speculators, and administrators alike, many of its provisions were adopted, including the plan for rendering the Location pre-emptively into blocks of farms. Colonial officials certainly recognized that dividing the land into farms could also expedite sales of the rich lands of the Location to speculators in the future, and the opportunity for topographical mapping offered benefits for geological exploration. The Surveyor-General chose Southey to carry out this work, which included a basic triangulation extended from the highly precise coastal triangulation carried out between 1859 and 1862 by the Royal Engineers under Captain William Bailey.\(^{140}\) Southey’s father, the Colonial Secretary, admonished him to work gradually and cautiously so as to “avoid alarm, or irritation in the Location.”\(^{141}\) There were of course other candidates for the work, and one ambitious land surveyor, Francis H. S. Orpen, proposed unsuccessfully to carry out a much larger and more precise triangulation of the entire Queenstown division at the same time in order to connect farm surveys in the more remote district of Aliwal North with Bailey’s work.\(^{142}\) Southey was however a relatively easy choice because he was already working within the Location.

Unfortunately for historians, full reporting of survey operations was not required in South Africa before 1929, so many of the specific arrangements made by Southey and others can only be inferred. We have no confirmation of how large the survey party was at any stage of the work, but land surveyors tended to work alone or with one apprentice; they were certainly paid as individuals and all correspondence originates from (and in the

\(^{140}\) See Southey to Bell, 15 Jul 1871, SG 1/1/2/22, KAB.

\(^{141}\) R. Southey (Colonial Secretary) to Bell, 9 Sep 1870, S.140/26, SGO-Cape.

\(^{142}\) Orpen to Bell, 21 Mar 1870, SG 1/1/2/13, KAB.
handwriting of) the surveyor of record. Any additional people involved were generally unskilled Africans hired as needed to build beacons or to interpret in case of difficulties beyond the limited capability of most surveyors to function in isiXhosa, though for at least part of his triangulation Southey and Orpen worked together.\textsuperscript{143} Similarly, no daily record of Southey’s work exists and there are no reports of any difficulties arising with his surveying. The relative silence, save for the more mechanical correspondence regarding funds, plans, and the like, may have given rise to the perception in Cape Town that Southey was “a surveyor well fitted both by professional ability and tact to deal with the natives,” though the reasons that surveying acumen was a sufficient asset or any specific abilities Southey possessed were never made clear.\textsuperscript{144}

Southey’s progress was however slow and he required nearly three years to finish his work. The Surveyor-General, Charles Bell, explained the delay by invoking a need for “caution in dealing with native prejudices as to the putting up of signals—which though not affecting allotment may be regarded in that light by a suspicious ignorant people like the Tambookies.”\textsuperscript{145} Southey definitely agreed with the trepidations expressed by Bell, and he began his work specifically in a place where “the natives in that part having long been under the influence of [Christian Mfengu] Petrus Mahonga, were supposed to be more civilised and would consequently have less prejudice to the country surveyed.” Furthermore, Southey accompanied E. A. Judge on several occasions.

\textsuperscript{143} The normal practice of the surveyor in working alone is further confirmed by Orpen, who described to the former Astronomer Royal, Sir Thomas Maclear, his shock at the discovery upon conducting trial observations for his triangulation that “I had been proposing to myself to do what appears to be quite beyond the power of a solitary Surveyor who has to live by his work” and that a triangulation would require a second trained person to hold a heliostat for distant observations. See Orpen to Maclear, 3 Apr 1871, ff. 69-70, RGO 15/66, Royal Greenwich Observatory Archives, Cambridge University Library.

\textsuperscript{144} CPP, G.33-'77, \textit{Report of the Surveyor-General ... for the Year 1876}, 8.

\textsuperscript{145} Note of Abraham de Smidt (Assistant SG) to Bell (personal), 15 July 1871, SG 1/1/2/22, KAB.
when the latter appointed headmen, adding the surveyor’s identification with the official apparatus of the colonial state in Thembu eyes.\footnote{Southey to Bell, 7 Nov 1871, SG 1/1/1/22, KAB.}

True to his directive to keep blocks separated by natural features, Southey established trigonometrical and farm beacons most often on peaks and other points of high visibility, and to build beacons on a truly monumental scale that would hopefully discourage removal or damage.\footnote{The beacons were built “running from 5 to 7 feet and the principal ones from 8 to 10 feet in height,” presumably requiring hired labor to erect. See Southey to Bell, 1 Jul 1872, SG 1/1/2/22, KAB.} Furthermore, Southey placed them close enough to kraals that he could point them out to headmen and lay responsibility for their preservation on particular individuals within the new, territorially-defined system of headmen. The beacons took the form of large stone cairns, which itself was important because such cairns often marked the burial sites of kings and chiefs in the Kei Valley.\footnote{Frank Brownlee, “Burial Places of Chiefs,” \textit{Journal of the Royal African Society} 43 (Jan 1944): 23-24.} That the colonial government demanded visible monuments of a similar sort to its own territorial power may have had powerful psychological content.

The plans Southey returned however reflected prejudices in the surveyor’s beaconing and measurement practices that would affect all maps of Glen Grey—and the decisions based upon them—for several decades. The most conspicuous lacuna involved the thousands of abaThembu living in Glen Grey, none of whom are indicated anywhere on Southey’s plans. The general plans carefully record angles and distances of boundaries, beacons, and lines of trigonometrical sight, but only European trading posts and mission stations are indicated within the farm boundaries, along with the occasional European-style house but not older kraals (see map 2.5). Charting the people whom the colonial state intended to phase out of occupation of territory was at best a waste of time,
Map 2.5: Detail from Henry Southey’s General Plan of the Tambookie Location, showing Klaas Mayekiso’s grant farm, which crosses the cadastral lines. Source: Transkei Plan Plan 6918, SGO-Cape.

and at worst might place the claims of those living on the land on an equal footing with the monetary investments of those who held colonial title or lease—traders, missionaries, “enterprising” Africans, and co-opted chiefs. Surveyors were themselves hardly neutral in the entire process of farm delineation and survey, clearly favoring those who sought to
hold land on individual quitrent titles and considering communal occupation to be self-evidently inferior.

Without a title to land, therefore, a person simply ceased to exist on the cadastre—the more so given that both Henry Southey and the Surveyor-General’s chief compiler, C. N. Thomas, obsessively shaded hills and watercourses in greens, blues, and browns to make the sense of realism more deceptive still. Any mention of habitation was relegated to the qualitative inspection reports that corresponded to the surveyed farms, upon which

[aborigines or half-castes or squatters should be described. Their number should be stated or estimated; their means of subsistence and the date and circumstances of their occupation of the land and improvements, if any, should be reported on, so as to enable His Excellency the Governor to deal with them.]

From May 1868 on, these inspection reports became an integral part of land surveys, requiring that local officials and others hew to the surveyor’s schedule. The change was made primarily for reasons of economy—to avoid the need to convene a separate Land Commission as had been required under the older system of land grants—but in situations where there were no European landowners or field-cornets such as Glen Grey, the surveyor worked virtually alone with only the responsibility to point out farm beacons to headmen. There was little incentive for Southey to note anything besides larger settlements, given that the presence of abaThembu was assumed throughout the Location.

Though the general survey of the Location set down basic cadastral lines within which colonial officials could discern and arrange occupancy, administration, and

149 Surveyor-General’s Circular, May 1868, 2, copy at H4/1/6, Chief Directorate: Surveys & Mapping, Mowbray, South Africa (hereafter CDSM).
ownership, land affairs within Glen Grey were far from settled. During and after the survey, more cases arose whereby individuals promised land and allowed to cultivate were granted smaller farms than the areas indicated on the ground. Two applicants, Sam Sigani and Klaas Mayekiso, were Christian Mfengu who Nonesi had originally been invited into the Location during the 1850s to cultivate land, and her claim to authority over the land’s disposal meant she did not concern herself with colonial approval. In both cases, however, Ayliff, Southey, and the Surveyor-General’s office alike sought to approve the additional extents of hundreds of acres each on the grounds that the original promises of land originated with E. J. Warner (the son of Joseph Cox Warner), then resident at the Mount Arthur mission station, on behalf of the Colony. The elder Warner surely knew Sigani and Mayekiso as well, and the combined power of agent and missionary obtained colonial sanction to use Southey’s expertise to create legible spaces for progressive, Christian Africans as loci of control over the apparently chaotic and inscrutable patterns of “native” habitation.

The modification of the grants indicates that African cultivators and stock-farmers were both prepared to make use of the additional land and willing to pay for it. In Mayekiso’s case, the rate of three shillings per morgen plus survey expenses totaled a

150 Wagenaar, “History of the Thembu”, 213; both men likewise were not abaThembu. Their surnames suggest that Mayekiso was of Ngqika background, and Sigani (sometimes rendered “Sigenau” or “Siganu”) was connected with the Ndlambe or Mfengu.

151 Southey to Ayliff (and remarks thereon), 25 Mar 1873, S.140/26, SGO-Cape. The grants for Sigani and Mayekiso were originally approved in October 1867 and presumably pointed out to the grantees shortly thereafter as it was surveyed in 1868; see Griffith to Bell, 12 Oct 1867, SG 1/1/1/15, KAB.

152 Warner maintained in the case of Mayekiso that “Nothing was said at the time [instructions were given] as to the number of Morgen &c” but without instruments he was almost certain to be at variance with the precision of the surveyor. See Warner to R. White (Civil Commissioner, Wodehouse), 9 Sep 1873; Memorandum of C. P. Brownelee (Secretary of Native Affairs), 6 May 1873; both S.140/26, SGO-Cape. On the process, see Allen M. Howard, “Nodes, Networks, Landscapes, and Regions: Reading the Social History of Tropical Africa 1700s-1920,” in The Spatial Factor in African History: The Relationship of the Social, Material, and Perceptual, ed. Allen M. Howard and Richard M. Shain (Leiden: Brill, 2005), 107-9.
substantial sum, about £80. Mayekiso’s request is especially noteworthy in this regard for being a second successful request for extension of land, the first coming at the time of survey when an excess of 264 morgen was detected, and the second request of 430 morgen in 1873 probably meant to incorporate and thus secure the vital sources of water for the farm. Matters such as this could however put Africans in conflict with one another, and in a few cases at least, wealthy Africans sought to use the colonial administration to wrest land from other African cultivators through the vehicle of the surveyed cadastre. Mayekiso himself applied in 1881 for a further extension of his grant, which was tentatively granted before the discovery that the new parcel was “in the occupation of other Natives equally enterprising” and that their presence had been obscured by Mayekiso in his application. The given reason for disallowing Mayekiso’s intended purchase—the extant occupants’ “enterprise”—suggests further that the communal occupants might well have been displaced had they not built substantial improvements and then raised a formal complaint when Mayekiso demanded they vacate. The justification certainly varied from the 1869 case of Klaas Mokas, whose grant was exchanged on the grounds that relocating people would cause unrest.

The program of chiefly grants lauded in the Commission’s report also continued after 1870, now using Southey’s cadastres—which W. E. Stanford, the “Officer in Charge” in the Location in the mid-1870s, termed “wards” in reference to their administrative role—instead of boundaries defined by the chiefs themselves or an agent

---

153 C. R. Elliott (for Crown Lands) to de Smidt (as Surveyor-General), 9 Jan 1874, S.140/26, SGO-Cape.
154 Memoranda of R. White and C. A. Smith, 4 and 8 Oct 1873, S.140/26, SGO-Cape. Mayekiso was expected to pay the additional cost of survey, which was not the case on the original grant.
like Warner.\textsuperscript{156} The chiefs Zenzile and Gungubele, whose cooptation were so vital to the Commission’s plan, were assigned farms in 1871 and 1875 respectively.\textsuperscript{157} Of those two, Gungubele had wider ambitions, and sought around 1875 to purchase another farm outside the Location that was formerly part of the lands of his father, Maphasa. The seller, a Boer named Bouwer, clearly knew its sentimental value to the amaTshatshu—he was probably the same Bouwer who had led a commando against Maphasa in the War of Mlanjeni, or an immediate family member—and asked a severely inflated price (}\text\pounds{}2200, three to five times the average price for land in Queenstown in 1876).\textsuperscript{158} Gungubele was unable to make the final \textpounds{}1000 of the payment, and when he asked for the return of the outstanding money, the farmer demanded to keep \textpounds{}500 of the balance, an enormous sum. The colonial government did not intercede on Gungubele’s behalf and his frustration at their apparent complicity in the matter may have contributed to his taking up arms against the Colony in 1877.\textsuperscript{159}

Gungubele was not alone in rebellion over land. Nonesi’s successor in the leadership of the Hala clan within the Location, Mfanta, refused a grant of land in 1877, but did so through disinterest instead of any specific act of rejection. The grant was in fact requested by headmen among the amaHala who may have sought it either for security or the diminution of Mfanta’s power. The land concerned was in any case already occupied by Mfanta, rendering it an unalloyed negative for the chief to take a title

\begin{flushleft}
\textsuperscript{157} “Tambookie Location, title to Zenzeli” (1871), Register of Correspondence Received from Colonial Office, SG 1/3/1/2/1; Southey to de Smidt, 10 Nov 1875, SG 1/1/2/22, KAB.
\textsuperscript{158} Stanford, \textit{Reminiscences}, 1:34. See CPP, G.33-'77, \textit{Report of the Surveyor-General} [for the Year 1876], 25. The identity of the farm in question is not known, but it was almost certainly one of the 1000- to 1500-morgen grants made just after 1853.
\end{flushleft}
and thus acquiesce to circumscription of his ambitions.\textsuperscript{160} Mfanta, who was also the younger brother of the Thembu paramount Ngangelizwe, clearly held views regarding his position that differed from those held by government; in early 1878, after a series of disagreements and legal frustrations unrelated to land, he joined Gungubele in rebellion.\textsuperscript{161} Mfanta and Gungubele were however unable to rouse significant numbers of abaThembu to their causes. Both were captured and imprisoned before the end of 1878, effectively ending attempts by the hereditary authorities of the Location to maintain their precolonial powers over land—and the political power across boundaries that accompanied it—in the face of an increasingly invasive colonial cadastral system.

Across the Indwe and further down the Kei Valley, however, the cadastral surveys carried out in Glen Grey had no direct analogue until after the war of 1877-1878 and the rebellion of 1880-1881. Afterwards, the Colony confiscated land deemed representative of rebellious chiefs’ territories and handed it over to white settlers in return for a regular quitrent and the payment of survey fees. The lands of the amaNgqika, the last chiefdom within the Colony, were taken in 1878 and rapidly surveyed into farms for sale; the loyalists among them were compressed into Gcalekaland with the remaining amaGcaleka, as we will see in the next chapter. In Tembuland, claims were adjudged by the Tembuland Commission of 1882-1883. Land confiscated was then granted to the white settlers—mostly Boers—who had already moved into the area and begun squatting, though it took years (and many surveys) to settle out the various claims. Afterward, an

\textsuperscript{160} John Hemming (Civil Commissioner, Queenstown) to de Smidt, 1 Sep 1877; Crown Lands to de Smidt, 31 Dec 1877; C. H. Driver (Magistrate, Glen Grey) to Hemming, 26 Oct 1876; all S.140/26, SGO-Cape. Mfanta had been overlooked originally in the belief that he might emigrate across the Indwe.

\textsuperscript{161} Wagenaar, “A History of the Thembu,” 283-89. The case of Mfanta revolved around his demand that a fine be levied for defamation against him, and for that fine to be paid to him, as befitting a wronged chief—consonant with an attempt to exercise his powers.
arbitrary line was drawn east to west across Emigrant Thembuland and African grantees were moved to the south of the line and European squatters to its north, effectively creating a corridor of European settlers from the Indwe to Griqualand East.\textsuperscript{162}

Even in this case, land attributed to “loyal” Thembu chiefs was not generally surveyed unless there were competing European claims. The emigrant chiefs on unsurveyed land, Matanzima and Ndarala, were eager to protect their territories in the aftermath of the invasion of rebellious chiefs’ lands by Cape Dutch settlers after 1881. Both chiefs were bitterly aware that the erosion of their powers and privileges by the colonial government was proceeding apace and without their consent, so they saw survey and “tribal title” on the Mfengu model as a potential path to security:

Matanzima and Darala are most anxious that the country they occupy should be secured to themselves and their people. ... They both asked that the country originally given to them should be surveyed and a general title or chart of the whole country, securing to themselves and their clans ownership of the soil, should be granted; they also asked that they should each receive individual title to a farm within this country, from this request Darala subsequently withdrew. ...

... Matanzima makes a bitter complaint that some of the country of himself and people has been taken from him without his consent. On the subject of giving them a general title I put it to them that land was generally forfeited and appropriated by the Government in case of the rebellion of the people, this they say they perfectly understand. I then spoke to them of the costs of survey, they would like the Government to pay this, but, in the event of its not doing so, are prepared to pay the amount themselves.\textsuperscript{163}

Matanzima’s lands, which later formed part of the district of St. Mark’s (today Cofimvaba), were never systematically surveyed and remain undivided today. No tribal

\textsuperscript{162} See correspondence files S.8676 (Engcobo) and S.4105 (Xalanga), SGO-Cape; CPP, A.31-'83, \textit{Report of the Select Committee on Tembuland}.  

\textsuperscript{163} Report of the Special Land Commissioner, Tembuland (J. Hemming), 10 Jun 1884, 3-4, S.11099, SGO-Cape. According to the Chief Magistrate, H. G. Elliot, no land was actually taken, but rather it was divided between two magistrates, leading to a confusion of authority that was fixed at the time of the creation of the various districts in 1885 and 1886; ibid., 8.
title was granted, and no farm was granted him at that time, both on the recommendation
of Surveyor-General de Smidt, though Matanzima repeated both requests into the 1890s
and eventually obtained a personal farm of exceptional size (4000 morgen—about 8500
acres).\textsuperscript{164} Even when general survey was considered, however, the tenure was intended
to remain communal, as the Cape government did not wish to set the precedent of taking
away the authority of loyal chiefs to make grants of land.\textsuperscript{165} A few surveys of
Europeans’ trading stations, mission lands, other small grants of land to Europeans and
Africans, and one 250-morgen grant to the mother of the rebel chief Gungubele for his
family, were conducted by Edwin Gilbert Hall, a surveyor residing at Cala who would
later figure prominently in surveys for individual tenure elsewhere in the Transkei.
However, no title deeds were issued save to the mission stations, leaving the power to
rescind those grants theoretically in Matanzima’s hands.\textsuperscript{166} No further attempts at survey
in St. Mark’s would be made until well after the chief’s death, and the territory would
never be surveyed for individual tenure.

The goal of removing the Thembu from part or all of Glen Grey also never came
to fruition. Population pressure within the remaining sections of Glen Grey under
Thembu communal occupation had only grown in the interim, and had rendered the
“compression” scheme of 1870 impossible. Many Thembu who had partaken in
hostilities against the Colony in 1880 and 1881 had returned to their lands despite the
efforts of the colonial authorities to identify them, and many non-Thembu entered the
district and settled on communal lands through marriage or other kinship relations.

\textsuperscript{164} De Smidt to Elliot, 28 Dec 1886, SG 2/1/2/48, KAB; Wagenaar, “History of the Thembu,” 272-73, 276.
\textsuperscript{165} Wagenaar, “History of the Thembu,” 271.
\textsuperscript{166} See précis of correspondence, S.11099, SGO-Cape; Leopold Marquard (for Crown Lands) to de Smidt,
1 Aug 1887, S.11099, SGO-Cape.
Efforts by settler interests to push for the wholesale removal of the Thembu in the mid-1880s, and the pressure of an extended drought, led to the employment of coercion, but as we will see the vast majority of Thembu refused to leave Glen Grey.

The crowding of an ever greater number of families upon limited lands in Glen Grey and elsewhere progressively converted colonial officials between 1870 and 1890 to a strategy of freezing extant occupation instead of attempting to clear the land of its people. Such a shift worked well in tandem with colonial ideas about extracting surplus labor, as we will see come to fruition in chapter 4. This more invasive phase of land division involved a cadastral philosophy unique in South Africa to the Cape Colony: individual tenure, whereby lands held communally by Africans were surveyed into a number of small agricultural plots that would then be granted by the Colony to the respective owners under a quitrent title. Together with changes in local governance, this shift in cadastral philosophy would change the relationship between surveyor and surveyed on the Eastern Cape. That system however had a history of its own.
Chapter 3

Atomizing the Colonized: Individual Tenure Surveys, 1830-1894

We don’t wish the country surveyed. We are satisfied with our present occupation of it in common. We are occupying the country under the chief Government, and we don’t wish it cut up into little bits. ...

If the country is cut into little bits we should die of starvation. We are headmen for Government, and what should we have to look after if the country were cut into little bits. Individual tenure is like a man with one wife; when his solitary wife dies, what is the good of him.1

The creation of spaces for select Africans within the colonial cadastral system—and prosperous Africans’ adaptation to that system—was only one piece of the cadastral rationalization of the Kei Valley. The next, more invasive, phase of land division involved a philosophy unique to the Cape Colony in its wide application to African ownership: individual tenure, whereby lands held communally were surveyed into a number of small agricultural and building plots to be granted by the colonial government to the respective owners under a perpetual quitrent title.2 In theory, individual tenure was intended to improve the sustainability and responsibility of African landholders and acclimatize them to European norms of ownership and membership in the colonial state under its laws—in short, the implementation of a form of direct colonial rule.3 In

3 Although colonial histories often draw distinctions between “direct” and “indirect” models of administration depending upon the attitude towards precolonial authority, the reality was much more fluid and contingent. See Jeffrey Herbst, States and Power in Africa: Comparative Lessons in Authority and

*Tembuland was divided into three sections (W-E): the 'Tambookie Location' (Glen Grey), Emigrant Tembuland, and Tembuland Proper.

practice, individual tenure and the fixing of property became a further locus of contestation between the colonial state, labor-hungry employers (especially mining companies after the 1860s), and Africans. Schemes for territorial subdivision progressively included more sweeping social engineering through taxation, governance, and spatial organization, marked ultimately by the Glen Grey Act of 1894 but in reality a more evolutionary elaboration of separation that found expression far earlier. The same group of surveyors who rendered the African landscape into farms and villages east of the Kei executed the new, more intimate construction of bounded spaces towards the west after 1880 and eventually to the east in new districts created in the 1880s and 1890s (see map 3.1). The individual tenure system became the focus of a number of struggles over land and livelihood between the 1830s and 1920s that increasingly involved land surveyors: struggles over the control of land, the power to allocate resources, the potential for economic advancement, and even mobility and free association within African societies.

Individual tenure is a simple concept legally: ownership of a particular piece of land by an individual owner, in perpetuity. In colonial South Africa, individual ownership stood in contrast to communal tenure, or ownership by a group. Communal tenure was usually vested in a recognized headman or chief, who handled the distribution of land and resources according to need and merit, although there was initially vast variability in the actual internal functioning of such systems and the power of the

---

individual householders within them.\textsuperscript{5} African authorities were reluctant to surrender such power of arbitration to colonial regimentation and regulation, and the people were similarly distrustful of a distant power’s removal of chiefs’ ability to adjudicate disputes. Often the people working the land had even greater suspicions about the motives of colonial magistrates and governments that sought to freeze the ownership, occupation, and use of land, effectively placing artificial legal constraints on the acquisition of wealth. Individual tenure furthermore required registration, survey, and eventually transfer, all of which necessitated documentation, entailed significant cost (payment of survey costs were required to take up title), and required African authorities and their people to acquiesce consciously to colonial control over the allocation of land and resources.

Beyond the issues of wealth and authority inherent to colonial schemes for individual title, there was an important spatial one. Areas laid out for individual tenure were ideally to be “villagized” and reorganized on the model of an idealized European settlement for maximum administrative efficacy and control. Separate building lots for homes therefore were laid out in central clusters away from the arable lands. That system ran contrary to ordinary Africans’ practice, where cattle were kept close to (or around) dwellings, which in turn were close to the cultivated lands for individual security.\textsuperscript{6}

\textsuperscript{5} See Michael J. Watts, “Idioms of Land and Labor: Producing Politics and Rice in Senegambia,” in \textit{Land in African Agrarian Systems}, ed. Thomas Bassett and Donald Crummey (Madison: University of Wisconsin Press, 1993), 159. The varying relations between authorities and households in different African societies are of secondary importance in this study to the fact that they existed in a schema different from and not under the control of the colonial state, which sought to extirpate variation.

\textsuperscript{6} For highly idealized schematics of southern Nguni settlement circa 1800, see the diagrams in R. Derricourt, “Settlement in the Transkei and Ciskei before the Mfecane,” in \textit{Beyond the Cape Frontier: Studies in the History of the Transkei and Ciskei}, ed. C. C. Saunders and R. Derricourt (London: Longman, 1974), 66-68. Though the individual households were decentralized, kin groups within chiefdoms were generally located at a short distance from one another.
Clusters of such units, connected by fealty and kinship, had ample land to support movement and new colonization in response to environmental or social conditions. Larger units headed by chiefs or paramounts were similarly flexible, in part because the capacity of people to leave voluntarily and the potential for political segmentation in polygynous cattle-keeping societies meant local autonomy could be greater. The socially-contingent and shifting nature of southern Nguni polities seemed irrational to the British, whose imperial philosophy was to supplant the extant authorities or to gain control through deference. The colonizers therefore needed to render social and spatial complexity legible to the hierarchically-minded state—a scheme of tribalization, cadastralization, and dispossession that was not unique to South Africa.

The reified notions of colonial administrators that African polities held definable lands on communal tenure in perpetuity and that their disposition was vested in a single individual or body was a colonial fiction that abetted the first phase of dispossession and immobilization while creating the illusion of legibility. Determining the identity and condition of pre-existing “native title” with respect to European law was, as John Weaver notes, also a crucial step in stripping that same ownership away. So, too, was determining the extent of any given territory—and the end needed not be total.

---

expropriation, but could also be the ability of the state to prescribe the spatial order within lands remained to non-Europeans. Surveyors therefore not only determined the location and size of lands ascribed to non-Europeans, but also served as critical locutors of colonial power within those lands. Colonial law combined European law and positional determinations with a variety of legal statuses depending on location within or without the Colony, the past behavior of the people and their chiefs, and their level of “civilization” as measured against European material and spiritual culture. Once such general determinations of right and custom had been made, as they had been in the Kei Valley by the 1870s, surveyors could be deployed to further fix and bind African mixed farmers using the medium of individual tenure, under cover of ostensibly democratic requests from African cultivators that their lands be divided.\(^{11}\)

Indeed, Government Land Surveyors (and map compilers at the Office of the Surveyor-General) were the exclusive means by which African property boundaries and individual holdings were entered into the colonial geographical archive. Without surveyed allotments, colonial authorities could only determine occupation of a given area based on “tickets of occupation,” tax registers, or inhabitants’ recognition by those who oversaw communal tenure. Without a finite cap on legal occupation through a system of survey and title, some of these areas became overcrowded, with people preferring to subsist on the margins of unalienated land rather than obtaining disadvantageous terms as labor tenants or migrant workers on settler-owned farms or in the dangerous mines of

Kimberley and the Witwatersrand. The surveying of individual allotments and progressive efforts to change African landholding from communal to individual tenure was therefore seen as related not only to one another but also to the development of European settler agriculture, whereby the cultivated lands of Africans could be limited and landless Africans would ideally provide agricultural and mining labor. Most of the early surveys for individual tenure accordingly took place with consideration for the surveying and granting of lands to European farmers around those reserves.

Surveyors were not simply instruments of the colonial regime. Besides their personal investment in the ideals of European science and technology, and their faith in the power of observation and instrumentation, the surveyors were almost unanimous in their support of colonial justifications for surveying African lands. They were convinced of the importance of careful demarcation of territorial divisions for efficient administration, its role in establishing secure title, and its potential to force “idle” Africans to work in “respectable” European enterprises. Because surveyors stood to benefit from guaranteed government survey work, they were unlikely to see the disadvantages of such programs for the surveyed and, like their fellow Victorians, they believed technologies of precise mensuration to be self-evident signs of European superiority as well as tools for the uplift of the benighted. Surveys for individual title devised after 1875 also tended to be more sweeping and systematic than before,

---

12 Individual Africans naturally considered whether the benefit-to-risk ratio of mine labor outweighed the profit of working land, especially where (and when, such as during drought or war) the land could not provide a useful return. See Nancy Jacobs, *Environment, Power, and Injustice: A South African History* (Cambridge: University of Cambridge Press, 2003), 94.

representing a vastly increased desire and capacity for control and knowledge on the part of the colonial state brought on by advances in resource extraction, transportation, and communications. With precisely surveyed boundaries, indefeasible and limited title could be issued, and the category of “native land” could be enumerated quantitatively and qualitatively. Surveying therefore promoted the most expeditious shift possible from an African agrarian system that officials considered inefficient to one patronizingly and incompletely modeled after European land tenure.

The ulterior motives for pushing individual tenure on the other hand were numerous. Unlike the process of defining large farms, Cape administrators did not seek to take the land so much as to uproot labor. Colonial politicians devised increasingly convoluted means of restricting the transfer of land, free access to markets, and the accumulation of wealth in land, both to discourage African agricultural practices and to gain control over inheritance, and thus the ability of children to support themselves independently in adulthood. At the same time, colonial officials insisted that these restrictions were meant to protect the African landholder. Some schemes were designed to wrest the power to allocate land from recognized African authorities and shift it directly to the colonial state. Surveying in general provided a means of exerting colonial control over ecology, by designating certain sections of land as forest reserve or commonage in order to prevent exhaustion of increasingly crowded location lands.

Finally, individual title on surveyed lots in defined locations placed Africans directly into

---

16 Jacob A. Tropp, Natures of Colonial Change: Environmental Relations in the Making of the Transkei (Athens: Ohio University Press, 2006), 32-45. For the general role of forest management in state legibility, see Scott, Seeing Like a State, 11-22
the cadastral structure of the body of the state-within-a-state that “native locations”
represented, making them subject to the colony’s spatial rules.

The colonial authorities intended these measures collectively to bound the spaces
where and extent to which individual African agricultural proprietorship and pasturage
could exist, and thereby designate all other spaces as the reverse and their use as
unlawful. Other lands within the reserves but outside the allotments became the focus of
colonial management schemes for forests, pastures, water, and even market access,
ideally rebuilding the reserve into a self-sustaining machine that would nonetheless
produce human wealth in the form of migrant labor by the landless. African communities
generally resisted such changes, either passively (through disregard for rents and fees) or
actively (by crossing boundaries and defying the colony’s imposed spatial order). The
colonial magistrates’ role in this regulatory activity was not intrinsically unlike their
usual roles relative to African communities; the new figure, however, was the surveyor,
who was charged with rendering African spatial formations into an increasingly well-
defined and meticulously-constructed set of colonial subdivisions, and periodically with
maintaining that system. Surveyed territory and its use were to become the basis for
enforcement and the standard of civilization among Africans.

**Individual Tenure Systems and the Role of Surveying to 1875**

Starting in 1829 with the settlement of freed slaves and Khoi veterans from the
colonial military on small plots on land seized directly from the amaNgqika Xhosa at the
Kat River on the edge of the Cape Colony, successive colonial governments sought to
define the limits of the state and devise spaces for non-Europeans within it. The Kat River Settlement was intended both to redress Khoi and Coloured grievances and to serve as a buffer at what the Surveyor-General in 1881 termed “a particularly weak point of the frontier line.” The Settlement took the form of a number of villages spaced out evenly with agricultural and common lands between them. It was thus divided into a number of “locations” made up of commonage and agricultural plots. Those plots, generally two or three morgen (from about 4.2 to 6.3 acres) in size, were designed for subsistence rather than market farming, though more extensive grants were made to people deemed more industrious or powerful within the community. In the following twenty years, some individual plots were surveyed (and 90 titles issued in 1837), but beyond that security of tenure was left unresolved. It is not clear whether the delay owed more to the known backlog of work for the Surveyor-General or to a lack of payments for survey expenses by the Kat River settlers.

In the absence of clear titles and with the establishment of white farms around it, the Kat River Settlement became a “dumping ground” for nonwhites dispossessed elsewhere and it suffered internal problems stemming from the overcrowding and

---

17 I acknowledge the difficulties inherent in the term “non-Europeans”, as the Kat River settlers included some people of mixed ancestry. The most important factor was the colonial consideration of them as “other,” whether it stemmed from class position or the nascent concept of racial division.


20 Given that the population of the Settlement was 2,114 by 1833 and grew significantly after that, the number of titles was small. Nevertheless the demand for land far outpaced supply and was never satisfactorily settled until a re-survey in 1853 and 1854, which produced 426 titles. See Richard Elphick and V. C. Malherbe, “The Khoisan to 1828,” in The Shaping of South African Society 1652-1840, ed. R. Elphick and H. Giliomee (Middletown, Conn.: Wesleyan, 1988), 47-49; “Surveyor-General’s Report,” CPP, G.4-'83, 2:369-70.
landlessness that resulted. In late 1844, an investigator sent to report on conditions in the Settlement’s unsurveyed and undeeded section wrote that “Kafir customs and usages, in all their abominations, prevail nearly as openly as in Kafirland” among newer arrivals. He noted that few people had any evidence of legal occupation, and that the only solution was to evaluate the inhabitants according to “industry” and material wealth in stock and allocate lands to those with both wealth and capacity under specific requirements for cultivation, improvement, and enclosure. The response of the colonial government was to begin a re-survey of the entire area in 1849, intended to generate an authoritative diagram of the Settlement and to expel those without land, to identify “waste” land outside the Settlement’s boundary for sale, and possibly to allow for the alienation of lands within it to poor whites. The next year, saddled with this and other pressures from the colonial state, many of the disaffected Kat River Khoi joined amaXhosa who rose in the War of Mlanjeni (1850-1853). That alliance was remarkable because amaXhosa still harbored claims on the very land the Kat River Settlement occupied and had destroyed their improvements and standing crops in prior conflicts. After the rebellion failed, the colonial government seized “rebel” lands for white settlement and expelled most of the people living there. Nearby stock farmers and land speculators’

---


22 See C. S. Rodger, “Memorandum respecting allotment of the Lower Portion of the Kat River, for the information of His Honor the Lieut.-Governor,” dd. 20 Dec 1844, printed in CPP, G.18-'59, *General Report of a Commission Appointed by His Excellency the Governor to Inquire into Claims for Compensation for the Loss of Erven in the Kat River Settlement*, 34-35. The quoted document indicates that Rodger was a Government Surveyor, but this is probably a transcription error as no surveyor of that name was bonded in the Cape Colony at that time.


security and profits rose dramatically, and the colonial government conducted another survey between 1853 and 1855 after much of the ownership had changed.\(^25\) If they did not resign themselves to laboring virtually as indentured servants on settler farms, the displaced people became squatters on Crown land, moved outside the Colony, or sought to reside in another location or mission station. These refugees’ experiences were not anomalous, but repeated wherever pressure on land and subsistence led to concentration and conflict.

Land security for Africans therefore remained a problem as the colonial boundary and the division of lands proceeded eastward. The promises of the colonial authorities to hold out sufficient land for loyal Africans when surveying land into farms around them proved difficult to fulfill and people sometimes occupied unsurveyed or unalienated land expecting to continue that occupation by right of possession. A recognized title within surveyed locations therefore could provide a semblance of legal security against the rapacity of the mostly Dutch-speaking settlers who both led and followed the colonial military in their search for new, cheap lands. That same title represented a financial and legal burden as well as recognition of the power of the colonial state over the conditions of ownership and occupation, which were part and parcel of the recognition of colonial legal authority more generally. The irony in this situation is that many colonial military and civil officials promoted individual tenure in the belief that it would support loyalty and tranquility among recipients of land.\(^26\)

\(^{25}\) Ross, “Ambiguities of Resistance and Collaboration,” 140; “Surveyor-General’s Report,” CPP, G.4-'83, 2:370. Robert Ross has noted that the land was not the direct interest of the nearby European farmers who had long sought the end of the Settlement—it was only about 25 farms’ worth, and though fertile was in an indefensible area. The removal of the semi-autonomous population in their midst nevertheless served the spatial and economic goals of dispossession and subordination.

\(^{26}\) Ally, “Development of the System of Individual Tenure,” 64.
Africans who lived in large communities under hereditary chiefs or headmen therefore generally first sought a “tribal title”—a single title for a group occupying a large area, which could then allocate lands to its members according to particular community practices.\textsuperscript{27} A group title could allow Africans to retain a level of cultural and economic freedom on their lands while enjoying legal parity in the colony relative to European settlers. In practice, the growing demands of colonial farmers and, after 1870, mining companies for labor, security, and land ultimately militated against tribal titles. Africans within the Cape Colony were considered people without chiefs, save those appointed or approved by the colonial authorities. As such, they fell under the overall “paramountcy” of the Cape government and its laws. Group reserves with their own internal politics were thus unacceptably autonomous. Furthermore, reliance upon communal African authorities for land tended to reinforce social bonds and the power of that authority, to the detriment of the colonial state and the employers who sought African labor and the removal of competition by African producers.

Initial attempts to promote individual title among Bantu-speaking African smallholders occurred in the context of missionary activity and around mission stations. Those Africans (mostly Mfengu) who gained grants of larger farms and took advantage of lease lands were often mission-educated and were therefore heavily favored by the colonial regime and had access to the legal and financial tools necessary to obtain title.\textsuperscript{28} The mission station was the colony writ small. According to Clifton Crais it was the

\textsuperscript{27} These titles were most common in the period between then 1850s and 1870s and given as incentives to pliant chiefs, though later awards were given in exchange for relinquishing claims over broader areas of land and numbers of people. See for example the “Fingo Title” of 1871 in chapter 2, and the 1861 grant to Kama in CPP, G.94-'83, \textit{Report of the Commissioners of Inquiry into the Claim of the Chief Kama to Certain Land in the Division of King William’s Town}, 3, 9.

\textsuperscript{28} On Mfengu prosperity within this framework see Bundy, \textit{Rise and Fall}, 52-54.
“colonialist institution par excellence” that combined spatial and ideological influence and both generated and challenged colonial hegemony. It provided access and acclimatization to the knowledge of the colonizer from an initially empowering humanitarian viewpoint that later would challenge European settler capitalists’ interests. The mission stations were also attractive to landless people, former slaves, and migrants from a variety of origins, offering a life independent of laboring on white farms. As white settlement grew and spread in the first half of the nineteenth century, so too did the mission stations’ populations. But the surveying of farms around the mission stations and lots within them served as a constraint on subsistence that generated a flow of migrant labor into the Colony for seasonal work as well as a flow of migration over long distances away from the pale of European settlement, usually northwards.

The missionaries for their part looked approvingly upon the designation of lands for nonwhite habitation and subsistence within the colony, though they felt that true civilization required a strong Christian presence to promote European cultural, social, and commercial values. Colonial authorities and missionaries alike therefore considered individual tenure to be a necessary precursor to breaking the power of chiefs, which they believed was vested primarily in the material relations of wealth in land and cattle. The institution of individual property rights and, ideally, the eventual substitution of European law for what they saw as an uneven and confusing application of a separate “Native” law

29 Clifton Crais, White Supremacy and Black Resistance, 100-105; On categories of colonialism as seen from the mission, see John L. Comaroff, “Images of Empire, Contests of Conscience,” in Tensions of Empire: Colonial Cultures in a Bourgeois World, ed. Frederick Cooper and Ann Stoler (Berkeley: University of California, 1997), 179-81.
30 Crais, White Supremacy and Black Resistance, 152-53.
was essential to the uplift of Africans. These changes would facilitate the breakdown of African political autonomy, but they might also cause threatened African authorities to retaliate. The ideal African subjects were therefore those whose autonomy was already compromised, and who might be more pliant to colonial orders.

Therefore the reserves near the eastern limit of the colony, established for 16,000 Mfengu who moved west after 1835 because of their alliance with the British, were positioned in Peddie, Victoria East, and nearby areas where they could serve as a buffer between the western edge of Xhosaland and the eastern edge of European settlement. Those reserves were also fertile fields for missionary activity. Large numbers of mission stations were erected in the Mfengu areas, leading to the acclimation of many Mfengu who found advantage in the selective adoption of European ideas. After 1847 the Cape government sought to introduce individual tenure in these Mfengu reserves, a goal that the Governor and High Commissioner articulated for all of the “native” areas west of the Kei River.\textsuperscript{32} Carrying out surveys was another matter entirely, and although ideally it was contingent on the approval of the reserves’ occupants, survey was sometimes carried out unilaterally or with only a very limited or vague sort of local expression of interest.

Unlike the case of the Kat River Settlement, powers to allocate land were initially left with the chiefs and headmen recognized by British authorities, only to be altered if and when requested by the residents. Not all African settlements would therefore be surveyed for individual tenure, but the process was often pushed along by a missionary or official who was able to engineer it, or through the selective garnering of consent.\textsuperscript{33} The

\textsuperscript{32} Ally, “Development of the System of Individual Tenure,” 70-71.

\textsuperscript{33} Ally, “Development of the System of Individual Tenure,” 84. Ally suggests that the individual agency in pushing surveys stands in opposition to an official government policy of individual tenure, but I see the distinction as semantic prior to the rapid expansion of centralized colonial bureaucracy in the 1870s.
combination of supposedly voluntary villagization and survey for title thus existed alongside imposed villagization and survey in something of a continuum, the exact conditions of the decision being dependent upon specific local factors and actors.

The survey of reserve areas west of the Kei was connected to the broader push for legibility within the colony during the 1850s and 1860s. The early 1850s marked a moment when, according to Alan Lester, the Cape governor ensured “that the settlers’ version of ‘amalgamation’ became official policy” instead of the civilizing mission promoted by humanitarians and missionaries, even though the mission stations comprised the heart of the push for individual tenure. Magistrates and commissioners however had a poor grasp of African territorial needs and desires at this time, and the likelihood of a surveyor from outside having one was even less. The belief in the objectivity of the science and law surveyors employed was underscored by the lack of any specialized instructions for surveys of African lands. The full survey tariff—normally intended to apply to much larger pieces of land—was also to be paid, a decision surveyors protested but that the Cape government eventually confirmed as the sole responsibility of African claimants in early 1859.

Although there is silence in the archives on specific complaints from Mfengu farmers, there must have been misgivings, for many titles went unclaimed. At the end of 1861 the Cape Government ordered a halt to the division of Mfengu lands into allotments with the stipulation that future surveys for individual tenure would require special

---

34 See pp. 68-69 above.
35 Alan Lester, “Humanitarians and White Settlers in the Nineteenth Century,” in Etherington, Missions and Empire, 83.
arrangements regarding cost of survey and conditions of ownership. Yet British and local Cape bureaucrats alike continued to promote individual tenure for its power to weaken the bonds of African social systems. For example, the Colonial Secretary, Richard Southey, was prepared in 1865 to unilaterally issue individual title to abaThembu in Glen Grey as people without a chief by dint of their presence within the boundaries of the Cape Colony, their own wishes and the existence of a Thembu paramount east of the Kei notwithstanding.

The high cost of survey for gaining title, the continuing incidence of cost through the payment of quitrent, and a continuing favoritism shown European settlers by the colonial government worked together to cause many titles to lapse or to be mortgaged against debt. There is little evidence, however, that any such changes or retractions of ownership had a great effect on the ground, despite the state’s archival fictions of ownership and legal occupation. Efforts to coax Mfengu to shift their relations on the land were further complicated by the lack of consultation between the surveyors, directed from Cape Town, and the surveyed, who were never asked to approve the fixing of land ownership and the change in tenure. Patterns of actual cultivation and occupation of the land were irrelevant to the schemes of the colonial government. People who surveys would leave out, deny the full extent of their lands, or saddle with crippling payments were therefore disposed against individual tenure, despite the fact that title to land could be used to meet the property qualifications to vote in the Cape Colony.

37 Colonial Office to C. D. Bell (Surveyor-General), 31 Dec 1861, CO No. 3821, SG 1/1/3/1/2, KAB.
38 E. J. C. Wagenaar, “A History of the Thembu and Their Relationship with the Cape Colony, 1850-1900” (Ph.D. diss., Rhodes University, 1990), 94.
This push for individual tenure in the Ciskei may have itself affected the distribution of Mfengu groups. The Mfengu closest to the missionaries or considered most loyal to government were often the ones who obtained title to the largest farms as described in the preceding chapter, along with members of other African groups who would purchase freehold or leasehold lands when able.\textsuperscript{40} Most of the Mfengu reserves in the districts of Peddie and Victoria East were also surveyed for individual titles in the late 1850s and 1860s, timing that suggests strongly that the struggle over individual tenure had an effect on the decision of individual Mfengu groups to cross the Kei.\textsuperscript{41} It is not certain whether the chiefs who crossed into the Transkei during the 1860s were motivated more by the threat to their own power to allocate land and adjudicate disputes or simply because of a lack of available land for allotments (and the prohibition against shifting agriculture) made immanent by the act of survey. The fact that many Mfengu and other amaXhosa who opposed to individual tenure and its spatial reorganization relocated later in the 1860s and 1870s, when their own areas were subdivided, suggests strongly that land surveys were a significant factor.\textsuperscript{42} Crossing the Kei promised Africans of various social standings a remedy to issues of autonomy and landlessness alike. The Cape government certainly used the issue of land availability and autonomy to sell the idea of emigration.

Within the Colony itself, west of the Kei, surveys for individual tenure continued into the 1870s at lower tariffs and for larger garden plots but still with only cursory


\textsuperscript{41} “Surveyor-General’s Report”, CPP, G.4-'83, 2:369-70.

\textsuperscript{42} M. E. Elton Mills and M. Wilson, \textit{Keiskammahoek Rural Survey} vol. 4 (Pietermaritzburg: Shuter and Shooter, 1952), 69-70; E. C. Jeffrey (Field Cornet) to Colonial Secretary, n.d. [Feb 1873], S.2150 (vol. 289), SGO-Cape.
regard for the order on the ground or the wishes and practices of the people. The Commissioners in divisions with great numbers of African inhabitants, such as J. R. Rose-Innes in King William’s Town, were aggressive in their promotion of individual tenure as the only way to encourage “improvement in our native population” regardless of its execution. Consequently, surveyors had little success in restricting African agriculture to defined plots and obtaining revenue for the state. Without constant supervision people shifted cultivation and accumulated land without formal legal transfer, plowed commonage (intended for grazing) if inputs of labor and seed were available. The cultivators generally disregarded the cadastral diagram’s spatial limitations and seem to have viewed titles as positive legal guarantees of occupancy but not as territorially restrictive documents.

African farmers had good reason to reach beyond the surveyed allotments and defy the imaginary boundaries placed by the colonial state. The expectation among African farmers that land be allocated based on the ability to bring it under cultivation still seemed reasonable, especially because many white settlers obtaining land were speculators or poor individuals unable to utilize their deeded land fully. The logic of the boundaries of both farms and allotments was also confusing in that it envisaged rectilinear plots that did not necessarily reflect the most efficient spots for cultivation in any given year. Fixed and bounded lands precluded the shifting agriculture with indefinite fallow that many Bantu-speaking agripastoral societies practiced to avoid land

44 Ally, “Development of the System of Individual Tenure,” 74-76; Switzer, *Power & Resistance*, 89. In 1879, the Cape Parliament would agree to shoulder half the cost of survey in Native Locations; see Act 40 of 1879.
exhaustion and environmental disaster, and without that ability populations inevitably
grew in a situation where transhumance and shifting agriculture were impossible.\textsuperscript{46}

It was also increasingly uncertain that the colony and the settlers would respect
Africans’ land rights even with titles. For example, German military settlers given small
holdings near Izeli in the former Ngqika lands of the Crown Reserve had repeated
confrontations with Mfengu smallholders in the 1870s and 1880s. The Germans even
seized Mfengu cattle, despite their recognized right to graze cattle there. In response the
colonial government ineffectively rebuked the Germans, and then set about relocating
most of the Mfengu across the Kei when the rebuke unsurprisingly failed to solve the
problem. Removing the Germans was never even considered.\textsuperscript{47}

The role of the surveyor in the first wave of surveys for individual tenure before
the 1870s was therefore a fairly distant one from the African subjects of the surveys. The
surveyors sent out to handle the work were senior land surveyors such as G. D. Greaves,
J. H. Ford, and Richard Dowling. Seniority mattered because of the profitability of the
work to be conducted and the proximity of the surveyor’s residences rather than any
special demand for accuracy or precision or any special skills possessed by the surveyor.
These surveyors were very often expected to recover the costs of survey from the land
claimants themselves, presumably through the local magistrates. The system of
reimbursement must have engendered complaints from the surveyors, because the rate of
repayment was fairly low. By 1881 only £8915 15s. out of £21823 10s. in revenue due

\textsuperscript{47} CPP, A.35-'83, \textit{Return in Compliance with a Resolution of the Honourable House of Assembly} . . . . The
area had been surveyed and allotted around 1860.
before 1880 had been received, and nearly half of all titles had not been taken up.48 The intentions of the land surveyor and the colonial magistrate were clearly not in correspondence with the expectations of African farmers.

In 1882 the Civil Commissioner of the division of Victoria East, where Mfengu areas were surveyed between 1855 and 1861 without consultation of the Mfengu population, evaluated the condition of tenure for the Commission on Native Laws and Customs and submitted a report that was appended to the Surveyor-General’s late 1881 recapitulation of activities.49 It displays a dramatic difference in outlook on the system of individual tenure compared with its idealistic intentions. The raw numbers given by the Surveyor-General, Abraham de Smidt, suggested that the vast majority of “native” titles in the division were issued and the majority of survey expenses paid.50

But Alex Stewart, the Civil Commissioner, reported to the contrary in the same report after going out to recover arrears of up to twenty years’ quitrent from grantees. The need to collect such arrears itself was a sign of the continuing power of informal social structures to circumvent those sanctioned by the colonial state. Stewart’s report stated that matters had “lapsed into a state of almost inextricable confusion” and that rampant irregularities in occupancy meant that

A majority of the present occupiers of the lots—especially garden lots—can show no legal right of occupation.
Very few of those who have purchased from the original grantees can show legal transfer. ...

---

48 “Surveyor-General’s Report”, CPP, G.4-’83, 2:371-72. I have subtracted the costs of the surveys of Gcalekaland then underway, the costs attendant on farm subdivision of Glen Grey, and half of the cost of surveys in Oxxraal and Kamastone, which were included in the original list total of £37410 9s. 4d. but were not payable by the grantees.
The position of the Building Lots and many of the Garden Lots will be difficult to fix. The Commonage available for depasturing the Location Stock, which is already complained of as too small, is becoming very materially reduced by the practice of building houses upon it in every direction.51

In short, earlier patterns of land use and occupation continued to function in the Mfengu locations of Victoria East, if in a condensed fashion. The holders of land preferred to work with one another through their own social networks rather than through the machinery of the colonial state. They resided accordingly near their agricultural land and livestock instead of designated “building lots” on the European village model, and many people erected additional structures for family needs that the colony defined as “extralegal.” Finally, being tied to a single plot of land in a constrained area was anathema to the maintenance of the community, be it protecting the power of chiefs or providing for extended family, and capitalizing land tended to generate growing inequality between those with land and those without.52 The major outstanding question to the colonial government was that of authority in situating, transferring, or inheriting land. Clearly it was not the magistrate, but whether it was the headman, a chief, or a more autochthonous process at the household level is unknown. It is telling that Stewart made no mention of headmen in his report, nor in his prescription for a commission to investigate the matter, suggesting that noncompliance was deliberate at the household or family level.53


52 Mills and Wilson, Keiskammahoek Rural Survey, 6; Ally, “Development of the System of Individual Tenure,” 81-82.

This is not to suggest that the Surveyor-General was not aware of problems. In fact de Smidt believed that the benefits of individual tenure were so great as to warrant partial amelioration of the initial costs of survey, with the annual quitrent taking the place of the hut taxes levied in unsurveyed locations. De Smidt remained firmly convinced that the benefits of survey and title would make themselves apparent to grantees, that those who opposed it would come around once they saw the benefit to their neighbors. Most important, grantees were expected to recognize that survey and title comprised a necessary step in the advancement of Africans towards productive and civilized behavior. However, de Smidt allowed that a major problem in the survey of locations and issue of title was that the surveyor attempted to prescribe rather than describe patterns of occupation—a small glimmer of understanding that would lead to an increase in the agency of the land surveyor as an intermediary.54

The Survey and Apportionment of Ovkraal and Kamastone, 1855-1878

The 1870s marked a shift in the tempo and direction of colonial development. The discovery of minerals, the rapid extension of rail and telegraph infrastructures, and the rapid growth of the capitalist economy pushed the rationalization of space within the colony and the assertion of increasing amounts of control over the territory outside of its declared boundaries. The 1870s also saw an enormous expansion of the colonial bureaucracy, including the creation of a post for a dedicated Superintendent of Native Affairs in 1872, the granting of Responsible Government to Cape Town in internal

54 Ibid., 2:375.
affairs, and a concerted push for the extension and refinement of both high-level
trigonometrical and basic cadastral surveying within the colony more generally. Those
trajectories made contact in the larger and more totalizing plans for location surveys in
the Kei Valley between 1876 and 1883. The first of these surveys, that of the adjoining
Mfengu reserves of Oxkraal and Kamastone in the district of Queenstown, just west of
Glen Grey, were emblematic of this new evolution towards systematization.

As with the other Mfengu locations west of the Kei, those in Queenstown were
defined in stages from an early date. The Oxkraal location was another space designated
nearby in 1849. The Kamastone location was created in 1852 from the former lands of
the chief Kama around the Kamastone Mission Station. Neither location was precisely
delimited. The Lieutenant Governor of the then-Eastern Division of the Cape Colony
stipulated in April 1854 that “the Fingoe lands in the Queens Town Division should be
portioned off with as little delay as possible” starting with Oxkraal (which included the
Hackney mission station) and continuing on to Kamastone and its central mission
station. There was no initial plan to survey for individual tenure at that time. A
commission made up of the Kamastone missionary (W. G. B. Shepstone) and the local
Civil Commissioner (John Sutherland), was tasked with the delimitation of the locations,
errection of beacons, tendering of sketches, demographic statistics, and recommendations.

The Politics of Evil: Magic, State Power, and the Political Imagination in South Africa (Cambridge:
Cambridge University Press, 2002), 76; Précis of Colonial Office Letter No. 665 (original missing), 13 Mar
1872, SG 1/1/3/1/2, KAB.

56 Sir George Cathcart (Lieutenant Governor, Eastern Cape) to W. G. B. Shepstone and J. Sutherland, 15
Apr 1854, S.2150 (vol. 289), SGO-Cape.
The government only stipulated that each family be allowed roughly 48 morgen (about 102 acres, more than the commissioners suggested).\textsuperscript{57}

Despite European control over the location, the tenure of the inhabitants remained communal and the land unsurveyed, so friction between European settlers and Mfengu farmers ensued almost immediately. For example, in 1854 the Irish settler Albert Fynn encroached upon the Kamastone lands and began to harass Mfengu, claiming that he had authority from the Deputy Surveyor-General to occupy it. When Shepstone brought this to the attention of the Deputy Surveyor-General, the response was that it was "of the utmost importance that no encroachments should take place on lands allotted and about to be granted to Fingoes" in order to maintain peace and trust between Colony and the Mfengu.\textsuperscript{58} Nonetheless, encroachments and the influx of landless Africans from other areas caused increasing discontent and crowding, not only in Kamastone and Oxkraal but in all the Ciskeian locations.\textsuperscript{59}

The first formal subdivision, allotment, and survey of the locations was only authorized in May 1868 as part of a general survey of available ground in the Queenstown division (related in fact to the subdivision of nearby Glen Grey into farms).\textsuperscript{60}

A number of Mfengu—128 in total—at the Hackney mission station in Oxkraal had requested a survey in late 1866, but the resident missionary, W. Murray, noted at that time that

\textsuperscript{57} W. G. B. Shepstone to M. R. Robinson (Deputy Surveyor-General, Eastern Cape), 28 Apr 1854, S.2150 (vol. 289), SGO-Cape; W. G. B. Shepstone to Cathcart, 1 May 1854, S.2150 (vol. 289); Cathcart to Shepstone, 26 May 1854, S.2150 (vol. 289). Shepstone reported 672 families in residence.

\textsuperscript{58} In the case of Fynn, the reverse was apparently true (he was the encroaching party) and the government ordered him to be moved so as not to antagonize the Mfengu cultivators. See Shepstone to Robinson, 1 Sep 1854 (with enclosures), S.2150 (vol. 289), SGO-Cape; Robinson to Shepstone, 9 Sep 1854, ibid.

\textsuperscript{59} "Surveyor-General’s Report,” CPP, G.4-’83, 2:374.

\textsuperscript{60} Government Letter No. 850 of 14 May 1868, S.2150 (vol. 289), SGO-Cape.
This Memorial is not sent by the whole of the Fingo population some being decidedly opposed to having their titles, but the Memorialists reside in one place with a very few exceptions and the granting their request would not interfere with the rights of others—and I doubt not that the others seeing the advantages of possessing their titles will soon follow their example.61

The government ultimately concurred with their sentiments, as well as their recommendations of agricultural allotments of 8 acres per applicant, conditional on “beneficial occupation” and payment of £3 10s. in survey expenses, a significant sum.62

The Hackney petition requested individual title for a number of reasons, namely security of inheritance, legal standing with the British government, and a preference for an appointed or elected Mfengu field-cornet over a hereditary system of chiefs or headmen, but there are reasons for suspicion of its legitimacy. The petition’s text was clearly written in Murray’s hand as the signatories were illiterate (including the headmen, all of whom signed with crosses and marks), and the timing of the request and the conditions claimed seem particularly colonial in their expression.63 Furthermore, Murray indicated that the grantees wished that their land should be surveyed by George William Smith, a surveyor admitted only five years earlier, which led the Civil Commissioner to opine that “it is a matter of the greatest indifference to these people [Mfengu] who has to survey their land, and I cannot help coming to the conclusion that Mr Murray has made this statement with the view of serving some friend of his.”64 Given that Smith never

---

61 W. Murray to Colonial Office, 12 Nov 1866, S.2150 (vol. 289), SGO-Cape.
62 Colonial Office to C. D. Bell (Surveyor-General), 29 Jun 1867, S.2150 (vol. 289), SGO-Cape.
63 See memorial dated 1 Apr 1867, S.2150 (vol. 289), SGO-Cape.
64 Oath of George William Smith, Survey Registration 116, 14 April 1862, S.8710, SGO-Cape; C. D. Griffiths to Colonial Office, Cape Town, 23 Mar 1868, S.2150 (vol. 289), SGO-Cape. Smith was probably the grandson of surveyor William Smith (b.1793) who was one of the 1820 Settlers along with the original members of the Murray clan.
tendered general plans in the Queenstown division, and that both Murray and Smith came from well-connected “1820 settler” families, suspicion was understandable.

At the Kamastone mission, W. G. B. Shepstone similarly assayed the opinion of landholders in early 1868 on the question of individual title. He reported that a “majority of more than two to one” desired individual title, because it would secure the value of their improvements. Shepstone averred that “it leaves without excuse those who may have shielded themselves behind the mere pretence of uncertainty”—a reference to the indolence to which the unreformed heathen was presumed prone.65 Shepstone stated that he had explained the nature of the proposed settlement, in the form of a village of building lots away from the agricultural lands, and apparently used a surveyor’s general plan of the recently-surveyed nearby Lesseyton mission station as an example at a general meeting with the male heads of household at Kamastone.

At the same time, the forward mission stations were, in the words of John Barker, places where exigency and security combined to promote European models of concentrated habitation in village settlements away from agricultural lands. Those who settled at the stations in turn tended to be those most willing to make the changes to their lifestyles demanded by the missionaries’ supervision—and thus most protective of the fruits of that adaptation against possible claims by newer arrivals.66 In effect, taking title froze the membership of the landed class and secured their assets under colonial law, and with the obvious increase in colonial presence and white settlement around the mission

65 Shepstone to C. D. Griffith (Civil Commissioner, Queenstown), 5 Mar 1868, S.2150 (vol. 289), SGO-Cape.
stations, the security offered by legally-recognized titles had more likelihood of permanence. But skepticism was clearly still widespread.

The surveyor requested to undertake the survey of lots at the Hackney and Kamastone stations was Francis Henri Samuel Orpen, who had nearly twenty years of experience in the field and would become involved with the triangulation and survey of Queenstown and Glen Grey in 1870 and 1871 before becoming the Surveyor-General of Griqualand West in 1872. Orpen replied that he had little idea how to proceed, what constituted a proper claim, and how autonomous he would be in his work. The provision of only basic instructions provoked further questions and attempts by the detail-oriented Orpen to devise a formula for the greatest economy (combining inspection, beaconing, and sketch surveying) and connection to the first-order trigonometrical survey carried out by Captain William Bailey and a detachment of Royal Engineers along the coast up to the Kei between 1859 and 1862. Orpen’s technical concerns stood in contrast to the missionaries’ more social worries, namely what the criteria would be for allotment, the legal basis for issuing title, and whether late arrivals, men away laboring, or widows should be eligible for allotments. Shepstone in particular made these community concerns clear, as well as his intent that his remarks not apply “to that portion of what is known as the Kamastone Location” but only to the mission station itself, and that some even on the station itself refused to put their names in. The Surveyor-General in turn

---


68 F. H. S. Orpen to Bell, 4 and 17 Jun 1868, S.2150 (vol. 289), SGO-Cape. Orpen appended to his 17 Jun letter a report on the condition of Bailey’s beacons, noting their construction of sod and rapid deterioration since 1862—far more than requested by Bell.
regarded the dissenters as “a bad few” who should not be given consideration in recognition of their obstinacy.  

Shepstone in July 1868 recommended the division of the station into one core area for individual titles but the remainder into wards, each for 25-30 claimants under a shared title and a headman, primarily because of worries about. This scheme was based on the idea that titles would change hands freely, leading to a “mixed” population in the core area and the development of a trading village in “close proximity to the Natives, and you will thereby Civilize more rapidly without the danger of throwing them back into barbarism.” Clearly Shepstone saw the central trading village at the station with its capitalist structure as the core of control and influence, a point underscored by the sketch diagram he included that showed the centrality of the mission glebe within the lands to be divided, based on the 1854 beacons (see map 3.2). The path forward for subdivision of the mission station and Locations was however in doubt and would drag on for years.

At the same time Orpen was concerned primarily with locating the nebulous outer boundaries between the Locations and non-reserve lands and devising plans for subdivision. Orpen tendered a sketch in 1869 showing the general extent of the “locations” by trying to reconcile textual descriptions given with the positions of the few remaining beacons and, where available, river boundaries marking the watershed between the Oskraal and Zwart Kei rivers (see map 3.3). But in the process of conducting this work, he came into contact with the land claimants themselves. Orpen’s activities and opinions led the men of the location outside the missions to tender a petition to

---

69 Enclosure No. 3 in Shepstone to Griffith, 24 Jun 1868, and SG’s marginalia no. 6 on same, n.d. [26 Jul 1868], S.2150 (vol. 289), SGO-Cape.
70 Shepstone to Griffith, 31 Jul 1868, S.2150 (vol. 289), SGO-Cape.
government in March 1870 for a very different sort of allotment, as described in the petition text:

... your Petitioners about a year ago saw the Surveyor sent by the Government come among them [Orpen], and were told that he was sent to measure their lands for them, so that each man might have his own land for cultivation or grazing, and might become like the white people—an owner of land.

Your petitioners also heard that the Government intended to give them erven like those given to the Hottentots of Kat River—and thinking that was the decision of Government and could not be altered they since sat still.—Your petitioners have however since heard that the Surveyor after seeing the land has recommended that instead of erven granted to each man—The land should be divided into Farms, and each Farm granted in partnership to so many men.

Your petitioners seeing that the surveying of their lands has been delayed until now, hope that the decision of Government to give them erven may
be altered, & that they may have Farms instead—because Farms would suit them much better, and would not force them to live in Villages which they do not like. ... bear in mind that we all Chief and people greatly dislike the idea of becoming erf owners like the Hottentots of Kat River.71

In May 1870 a large number of men made similar representations to Shepstone at the Kamastone mission that they also wanted title to the mission lands as undivided ones without surveyed garden and village allotments, although they emphatically did not wish to be placed under the chief Zulu, who held authority over the non-mission Mfengu at Ooxkraal.72 But they clearly sought to avoid the atomization and villagization visited upon other Mfengu in Peddie and Victoria East as well as the inhabitants of the Kat River Settlement.

At the same time, under the name of the chief named Zulu, another petition asked that a boundary set over twenty years prior allowing for large grazing lands be settled, further to secure the extent of the lands originally given over to the Mfengu after the wars, leading to a search for witnesses to the original transactions between 1849 and 1854. The last surviving European witness to the original location award, Samuel Loxton, was however accused of having “erred” and having identified the wrong stream as the boundary, granting a dry stream as the boundary instead of the stronger stream that Zulu and the other Mfengu in attendance believed to be correct. Loxton purportedly told them that he was under pressure from their enemies to give them even less land, evincing shock from the Mfengu who were left to wonder who their enemies were. “The Govt is our father. The Parliament is the shield of all. The Colonists our fellow subjects” who

72 Shepstone to Griffith, 9 May 1870, S.2150 (vol. 289), SGO-Cape; Shepstone to R. Southey (Colonial Secretary), 16 May 1870, S.2150 (vol. 289), SGO-Cape.
the Mfengu fought beside and labored for. “It is hard”, Zulu and the others maintained, “to understand such proceedings done in the presence of the respected Surveyor,” presumably because of the power Orpen derived and the regard he presumably commanded as a directly appointed agent of that government.⁷³

Surveyor-General Bell, however, declaimed inability to provide an opinion because of a lack of suitable maps and diagrams (all the while professing, as did the Cape

⁷³ “The Memorial of Zulu one of the Chiefs of the Oxkrall, his umpakati and people as also of the chiefs Kayimpi his councilors and people,” dated 15 Jul 1870, S.2150 (vol. 289), SGO-Cape. For the appointment of Loxton to settle the boundary, see Colonial Office to Loxton, n.d. [Jun 1870], CO 4163 [L24], Cape Archives.
government, a tendency to err in favor of the Mfengu), and stated that Orpen could only
assist a settlement by registering it mathematically, not adjudicate one. If that were not
enough, the question of the distance of the outer boundary of the Kamastone location
versus that of the inner boundary of the mission station itself was also unsettled and
threatened to uproot the families living between the lines, an uncertainty that led Orpen to
further questions. Those questions brought a swift admonition from the Surveyor-
General to stay “within the limits” of a land surveyor and not make political declarations,
even though much of the land had not been surveyed before. All parties clearly
considered the word of the surveyor—upheld by the Civil Commissioner—as the key to
official and authoritative (if not objective) settlement. The outside boundary of the
locations themselves were only settled by government in 1871, and drawn in crudely
upon the rough sketch produced by Orpen nearly two years earlier.

What, then, of the plan for individual titles and ownership in the locations? In
August 1871, the new Civil Commissioner of Queenstown, Edward A. Judge, sent a
report on the memorials for title, declaring the memorials for title to be suspicious. Judge
maintained that Zulu had a personal interest in obtaining a farm (a condition requested by
one of the petitions), and in a Hackney petition of May 1871, the missionaries stood to
gain funds at the expense of the public. Judge was especially skeptical of the signatures,
and refused to trust

74 See Memoranda of Surveyor-General, 9 Aug 1870 and 4 Jan 1871, S.2150 (vol. 289), SGO-Cape;
Colonial Office to Bell, 17 Nov 1870, S.2150 (vol. 289), SGO-Cape.
75 E. C. Jeffrey to F. H. S. Orpen, 28 Jun 1870, S.2150 (vol. 289), SGO-Cape; Bell to Orpen, 8 Aug 1870,
S.2150 (vol. 289), SGO-Cape; “Report of Civil Commissioner of Queenstown on the boundaries of
Kamastone and Oxkraal Fingo Locations” dated 10 Dec 1870, S.2150 (vol. 289), SGO-Cape. At this point,
E. A. Judge had succeeded C. D. Griffith as Civil Commissioner.
76 See comments on sketch by F. H. S. Orpen, n.d. [May 1869] annexed to Colonial Office to Bell, 17 Jan
1871. S.2150 (vol. 289), SGO-Cape.
a memorial like this [from Oxkraal] coming as it purports to do from persons who are unable to read or write and with no attestation of its genuineness. A similar memorial was sent to me from Hackney some time ago but on inquiry I found that the intended prayer of the subscribers was something quite different from the actual prayer of the petition which was opposed to their wishes [to continue occupation in common].

The Surveyor-General, too, felt skepticism was warranted as to the “origins of these representations.” Aside from a grant of a farm for Zulu (meant to weaken his hold over the people but which took years to realize) and the appending of a piece of unallocated land discovered by survey to the Location, little was done towards settling the land issue, which strained the patience of the Mfengu living in the area and reportedly emboldened neighboring white cattle farmers to encroach and trespass on their lands. The colonial government and Surveyor-General continued to count on a formula of land per family as the basis of provision, in order to subtract lands from it to auction for revenue—a goal that served the interests of expanding settler interests instead of the growth of Mfengu prosperity, which was secondary to control over them. Judge in particular recommended again that the locations “should I think be marked out into Subdivisions and placed under Headmen as has been done with the Tambookie Location [Glen Grey]. Until this is done I

---

77 Report of Civil Commissioner, Queenstown, to Secretary of Agriculture, 12 Aug 1871 [forwarded to Surveyor-General 23 Aug 1871], S.2150 (vol. 289), SGO-Cape. Judge does not specifically state the actual wishes but continued communal tenure would tend to be the only other option. The Hackney petition in question calls attention to public rights-of-way being taken from pasturage in the Oxkraal location, asking that rents from their use be diverted to mission schools; see Memorial dated 30 May 1871, appended to Colonial Secretary to Bell, 12 Dec 1871, S.2150 (vol. 289), SGO-Cape.

78 Report of C. D. Bell to Colonial Secretary, dated 20 Sep 1871, S.2150 (vol. 289), SGO-Cape.

79 Colonial Secretary to Judge, 12 Dec 1871, S.2150 (vol. 289), SGO-Cape; Judge to Secretary of Native Affairs (SNA), 17 Jun 1873, S.2150 (vol. 289), SGO-Cape; Judge to Abraham de Smidt (Surveyor-General), 13 Oct 1873, S.2150 (vol. 289), SGO-Cape; A. de Smidt to C. A. Smith, 6 Jun 1874, S.2150 (vol. 289), SGO-Cape; Colonial Secretary to Bell, 12 Dec 1871, S.2150 (vol. 289), SGO-Cape; see “Memorial from the inhabitants of Kamastone Village,” 3 Jun 1872, S.2150 (vol. 289), SGO-Cape. Later petitions included a large number of literate Mfengu signatories and a translation into written isiXhosa, making their content less impeachable.
cannot hope to keep the Natives there under proper control or to collect anything like all
the Hut tax they ought to pay.”80 But some planners in Cape Town sought to institute
more direct allotment systems, starting with the core of the mission station from which
“civilization” would radiate.

In 1872 and 1873 Charles Pacalt Brownlee, in the newly established post of
Secretary of Native Affairs, visited the Kamastone Mission to urge individual tenure
there on the basis of six-acre allotments. The Mfengu of the mission were unwilling to
accede to such an idea as dividing the land into individual plots. Five literate and
respected men appointed by the community responded in 1872, with a letter (original
now lost) to the local Resident Magistrate, that:

We get our living by agriculture, and have for many years supplied grain
in large quantities [sic] to the farmers of the Frontier Districts. Six acres of
ground would not supply our own household wants and we should be
reduced to beggary—... [by the present pattern of occupation] none of our
present arrangements such as Dams, Water Furrows, habitation, larders
&c. would be interfered with—and by internal rules and regulations
hereafter to be made would be quite satisfactory to all.81

Brownlee returned in January 1873 to push individual titles again, and again received the
disapproval of the men of the location at a general meeting. A further entreaty sent to the
magistrate in February 1873 recapitulated the first letter and included a plea not to upset
the present productive arrangements and to grant the Mfengu a title in trust “in one
piece”.82 The Mfengu residents sought to defend their valuable improvements and

81 Memorial of the Kamastone Village to the Resident Magistrate, n.d. [1872], quoted in Memorial of the
Kamastone Village to the Resident Magistrate, Queenstown, dated Feb 1873, S.2150 (vol. 289), SGO-
Cape.
82 Memorial of the Kamastone Village to the Resident Magistrate, Queenstown, S.2150 (vol. 289), SGO-
Cape.
productive capacities while still recognizing the primacy of colonial law, and used their alliance with the mission and other traders near the mission village to push their case. The community had undergone a change from expectant resignation twenty years prior to open protest against an unfair imposition.

Orpen meanwhile had forwarded tracings of the Oxkraal location to Cape Town on 4 November 1871 and indicated that the outside boundary survey was complete with only the trigonometrical connection to the Colony-wide chain remaining to be made.83 Orpen, then departing for Griqualand West, handed his remaining papers over to J. H. O. (Henry) Southey, his ostensible partner in surveying the region. The Surveyor-General and the Colonial Office both saw subdivision as an important first step, and Governor Henry Barkly concurred that it should be carried out as soon as possible.84 But the question of land security, and whether a system of “tickets of occupation” (without surveyed lands) or full grants (with survey) was preferable in the locations broadly, was also not settled—conditions such as good behavior and improvement became concerns to planners, as did the status of non-Christian marriages in colonial law denying inheritance rights to children of those unions and how to avoid the “backwardness in civilization and other causes” of failure of individual ownership in other areas. The Surveyor-General felt that instructions for subdivision could be based upon those given for the Tambookie Location, though clearly colonial officials had an intent to push the idea of individual title to improve rural revenue collection, control, and coercion.85 E. A. Judge in fact reported to the Secretary of Native Affairs that he felt poor oversight of headmen in Oxkraal and

83 Orpen to Bell, 4 Nov 1872, S.2150 (vol. 289), SGO-Cape.
84 Colonial Secretary to Judge, 31 Jul 1872, with marginalia, S.2150 (vol. 289), SGO-Cape.
85 Judge to Colonial Secretary, 31 Aug 1872, and memorandum of C. D. Bell, 31 Oct 1872, thereupon, S.2150 (vol. 289), SGO-Cape.
Kamastone had led to an increase in their authority and powers at the expense of government, because individual Mfengu could not or would not apply to the legal court at Queenstown even though they were supposed to be subject to European laws.\textsuperscript{86}

The continuing insistence of the Kamastone people on group trust for ownership and title increasingly exasperated the authorities. E. C. Jeffrey, the superintendent of the Locations, also pushed individual titles and stated that he had a “long discussion with the Kamastone people” regarding their concerns wherein he made it clear that the land came from government, not the local authorities, and so could not make promises about land disposal and access but only send forward the wishes of the people at the mission to the government. Jeffrey opined further that, in light of their skepticism of the word of a succession of government officials and their demands for written guarantees that their interests would be safe, “[t]he people of Kamastone are a nuisance—a bad lot”.\textsuperscript{87} However, a trust title was not an option to be considered—to Smith, as Brownlee, the only viable options were survey and title or else a continuation of occupation “in common as a native location”—that is, without any legal security of occupation.\textsuperscript{88} The objections to individual tenure dictated the latter course, with any middle path impossible because of “grave objections arising from the impossibility of defining the persons for whose benefit the lands should be put in trust, but in other respects has been found to work very unsatisfactorily” and C. Abercrombie Smith, the Commissioner for Crown Lands and Public Works, communicated the stark choice to the Mfengu through the Civil


\textsuperscript{87} Report of E. C. Jeffrey, n.d. [Jun/Jul 1873], S.2150 (vol. 289), SGO-Cape.

\textsuperscript{88} C. P. Brownlee to Surveyor-General, 9 May 1874, S.2150 (vol. 289), SGO-Cape.
Commissioner.\textsuperscript{89} That other proprietors of large farms in Glen Grey, such as the Mahongas, effectively had group occupation was apparently irrelevant in this calculus because the \textit{intent} of this new group title was the circumvention of the European-prescribed rural agricultural system, not adherence to its rules for production and class division. At the same time, whites were leasing farms around the locations rapidly, a point that urged the colonial government to settle matters related to Oxkraal and Kamastone so to allow the uprooting of land and labor for their use.\textsuperscript{90}

To convince the Mfengu of the area to accept individual title, the colonial state turned to parties other than the local authorities. Local magistrates and commissioners had a certain established relationship with the local people, but they were not necessarily seen as a reliable direct conduit to government. In the case of Oxkraal and Kamastone, the response to Charles Brownlee’s stark choice came on 10 July 1875 through John Frost, the Member of the Legislative Assembly who theoretically represented them, and not through that local hierarchy. In that petition, a critical mass of residents acceded to the idea of individual title, but sent their decision to a representative official; nevertheless, Frost could only attest that those who presented the petition “assured me that the people are nearly unanimous the few that object are wealthy and have two or three lands \textit{[sic]} under cultivation and far more stock than they are entitled to keep on the land” and that they still reserved the right to change their minds before survey.\textsuperscript{91} Frost’s statements suggest that those with less wealth but the right of occupation may have, when

\textsuperscript{89} C. A. Smith to E. A. Judge, 19 May 1874, S.2150 (vol. 289), SGO-Cape.

\textsuperscript{90} For the pulse of leases under the 1864 Crown Lands Leasing Act that occurred between 1871 and 1875, see A. J. Christopher, \textit{The Crown Lands of British South Africa} (Kingston: Limestone, 1984), 51-54, esp. table 3.2; for the specific case of Queenstown in mid-1874, see A. de Smidt (Surveyor-General) to C. A. Smith, 6 Jun 1874, S.2150 (vol. 289), SGO-Cape.

\textsuperscript{91} John Frost to C. P. Brownlee, 10 Jul 1875, S.2150 (vol. 289), SGO-Cape, 2.
confronted with the alternatives, been able to use their numbers to push a community
decision in favor of secure title. At the same time, the method of the petition’s
presentation by a small number of representatives, along with language in the petition
that suggested a plan of group title as had originally been requested, suggest that
significant fault lines remained in local opinion.\textsuperscript{92}

Agents of government like the Cape Parliament’s members and surveyors were
increasingly the means by which negotiations over land division were handled. The
Surveyor-General’s office considered its duty with regard to the subdivision of “Native
Locations” to be “one of primary consequence” at the time.\textsuperscript{93} Indeed, in late 1876 when
the Newlands Mission in nearby King William’s Town was under pressure to accept
individual title, the persuasion was conducted by the surveyor Alfred Everitt Murray (no
relation to the missionary family), who characterized the Mfengu as occupants on
government land who could “be sent away at a word from the Government” and that title
was an inevitability of the future:

... the world is going forward, and you Kaffirs must go forward with it or
you will surely be left behind in the race. Look at that iron-road at which
so many of you are making fortunes, or would be but for the curse of
drink. To what does it point? It points to this, that a new era has dawned
upon the country, that the past state of things can never come back, and
wise men will go onward with the stream. ... I must tell you, that
thousands of white men are coming to this country, and the value of land
will increase very much; when fortunate will be those people who can say:
“Here is our land which no one can take from us.”\textsuperscript{94}

\textsuperscript{92} Ibid., enclosure dated 7 Jul 1875. The petition itself states that the petitioners understand that
“Government is willing to Subdivide the Locations Abovementioned into Blocks or Farms and to give each
head of a family residing on the said Block or Farm a paper certifying and fixing his right to occupy and
Cultivate in that said Locality”—a description far more appropriate to group title than individual tenure as
envisioned by the colonial government. Furthermore, none of the signatories were literate.

\textsuperscript{93} G.33-'77, \textit{Report of the Surveyor-General} [for the Year 1876], 8.

\textsuperscript{94} Ibid., 10-12.
The threat underlining Murray’s lengthy presentation was that without survey and title, the land could and would be lost—not possibly lost, at some future date, but definitely lost and in a very short time. The promise of security and the protection of law required Africans’ acceptance of a particular position within the state, the payment of regular fees, loyalty, and beneficial occupation, all determined as always by the colonial authorities.95 That fear resonated with Africans in Oxкраal and Kamastone who, even after survey but before the issuance of titles, were concerned that “next to the[ir] guns the land will be taken away.”96

The mantra of re-engineering African society along European lines thus applied generally. Surveyor-General de Smidt opined to C. A. Smith the month after the petition from Oxкраal and Kamastone that the system of allotments proposed by government—surveyed lots and individual title—was “beneficial” and should be continued in that case, for it did “much to foster attachment to Constituted authority, and to lessen proportionately the feeling of clanship and Chief worship.”97 A commission of three (John Frost, John Hemming, and location superintendent E. C. Jeffreys) was created in relatively short order to investigate boundary disputes, discern the opinions of people on the ground, and to make recommendations for further action towards subdivision.

By October 1875, various requests for consideration from missionaries and merchants for titles within the locations were already appearing in the magistrate’s office at Queenstown, as were reports of unsettled disputes regarding the outer boundary. The

95 Weaver, *The Great Land Rush*, 135. Murray’s words ironically use the injustice inherent in colonial governments’ subjective assessment of non-European land rights as a weapon to further colonial aims, at once decrying and declaring the colonizer’s monopoly on evaluation.


97 De Smidt to Smith, 26 Aug 1875, S.2150 (vol. 289), SGO-Cape.
departure in 1872 of F. H. S. Orpen to Griqualand West had left as the sole resident
surveyor Henry Southey, the same person who had divided the Tambookie lands at Glen
Grey, and it was to he whom questions were directed about erroneous diagrams framed
for early settlers in the area and disputes over the beacons on the edge of the Oxfkraal and
Kamastone location lands. Southey was therefore the natural choice to conduct the
ultimate survey of the locations themselves. The Commissioners traveled the perimeter in
early October and reckoned the locations’ lands into notional farms (much as Southey
had in the Tambookie Location a few years before, and ultimately numbering twenty)
while taking down names of claimants to title.

The Commission’s subdivision of the locations effectively set geographical limits
to the authority of each chief or headman in the location, but allowed each group to make
the decision to accept or decline survey. Mfengu in authority were wary of “the
measuring”, afraid that “if every man gets his title every man will be master, every may
will be rebellious, our desire is for the outer [farm] line. ... We want the out side beacons
put up for each Captain after that we can see what to do inside.” By the first of
November, Hemming, Jeffrey, and Frost had approved and registered 1477 claimants to
six-acre lots within the Location, a number that grew to 1680 by the end of the year,
presumably not counting the much larger lots to be given to chiefs and headmen. The

98 See E. A. Judge (Civil Commissioner, Queenstown) to de Smit, 26 Sep 1874, SG 1/1/1/29, KAB;
Southey to John Frost, 9 Oct 1875, S.2150 (vol. 289), SGO-Cape. Johannes Marais, another surveyor, was
also in the division as of 1872 but was not active in the area of the locations.

99 Statements of Jantjie (headman) and Chief Zulu, in “Report of a Commission ... Appointed under
Government Letter No. 7/59 of the 28th August 1875 for the Purpose of Settling the Kamastone and Ox
Kraal Location Lands,” 1 Nov 1875, S.2150 (vol. 289), SGO-Cape.

100 It is interesting that the Commission called these subdivisions farms (as opposed to sub-locations, the
term used by the surveyors), and gave each one a unique name and a number. “Report of a Commission ...
...,” 1 Nov 1875, S.2150 (vol. 289), SGO-Cape; CPP, G.33-‘78, Report of the Surveyor-General for the
Year 1877, 8.
Commission agreed to the conditions that people against survey would not be
dispossessed and that those cultivating more than six acres could continue cultivating the
excess lands “by mutual consent” while gaining title to the “best” six acres. They
realized that restricting cultivation to six acres or eliminating communal occupation
outright would turn the most influential and prosperous claimants back to opposing
individual tenure. Surveying was approved by government even though sentiment over
individual title was not unanimous on all of the “farms,” in the hope that “those, whose
minds were not made up, or were absolutely averse to abandon the Kafir mode of
possession, might be influenced by the example of the rest.”

The adult male population of Oxkraal and Kamastone, by the 1874 census, was
1239 (overall population 6212), and Jeffrey reported on Christmas Day of 1876 that
many “former residents” of the locations had also been registering their names, leading to
fears of future overcrowding and the cutoff of claims after 31 December of the previous
year (1875). The census does not tell us about migrant labor or the numbers of people
who left the locations because of a lack of a guarantee of land, or what their relationships
to people still living in the locations were. But the outside claimants likely had a variety
of reasons for making their claims. Their awareness of the acceptance of claims in the
short three-month window between September and December nevertheless supports the
assertion that family within the Location informed them of the impending survey.

Southey unfortunately died in early 1876 just as the survey was getting underway,
and a replacement was not obtained until surveyor Donald Macdonald agreed to the work

102 CPP, G.16-'76, Blue Book on Native Affairs 1876, 88; CPP, G.12-'77, Blue Book on Native Affairs
1877, 114.
at the end of August 1876.\textsuperscript{103} By that time Surveyor-General de Smidt’s misgivings that the desire of the people of Oxkraal and Kamastone for individual tenure was “somewhat contradictory” as expressed in December 1875 by the Commission and that a survey would be problematic had been overridden by a statement from the Commissioner of Crown Lands—at that time John Xavier Merriman, himself a government land surveyor—that the people of the locations had “expressed their readiness to accept allotments, should this be the case no difficulty will be found by the surveyor in carrying out these arrangements.”\textsuperscript{104}

Merriman’s suggestion turned out to be rosy. In January 1877 some 83 petitioners under Chief Zulu sent Charles Brownlee a memorial that asked for their land not in six-acre pieces but in seven large farms to be held communally, a demand that annoyed the Secretary of Native Affairs and the Surveyor-General both. De Smidt however allowed that though the request meant “the objectionable principle of common possession would still prevail ... the wishes of the people as against those of their Chief may be accepted as an important advance towards the desired object of the abolition” of communal tenure and the rights of the chief.\textsuperscript{105} These petitioners eventually acceded to subdivision and title as the survey progressed, despite their wariness. At around the same time, Macdonald reported having made allotments in three of the sub-location farms, and described his method thus:

The whole of the cultivated land was in the first place plotted, certain of the claimants were considered, owing to improvements which they had

\textsuperscript{103}CPP, G.33-'78, Report of the Surveyor-General for the Year 1877, 8.
\textsuperscript{104}Memorandum of Abraham de Smidt, n.d., and Merriman to de Smidt, 16 Aug 1876, S.2150 (vol. 289), SGO-Cape.
\textsuperscript{105}Note of Abraham de Smidt, 29 Jan 1877, on undated petition of “Headmen and inhabitants of Zulu’s Location” received 23 Jan 1877, S.2150 (vol. 289), SGO-Cape.
made, to be entitled to retain the existing boundaries of their lands when
the area did not exceed the presented limit, and to have any deficiency
made up by a lot elsewhere. After these had been located the requisite
number of lots in selected localities were laid out, existing arrangements
being respected so far as the condition of uniform area would allow. With
the assistance of the Superintendent Mr Jeffrey, (who takes much interest
and troubel in the matter) and the Headmen of each location the
distribution was then made and each claimant on the lists was pointed out
the pickets defining his lot. All the reasonable requiements of the people
... were complied with, the work was done without any consideration for
the facility of survey ...

Macdonald’s last statement occasioned approving marginalia from the Surveyor-
General, who “quite expected this from him [Macdonald]” and reiterated his own belief
that earlier schemes had failed because of the surveyor’s interest in collecting the full
tariff for doing the minimum amount of work. Any other possibility besides the failings
of the landholder or the duplicity of a bad technician was not considered worthy of
serious consideration—and even the latter was generally not considered by non-surveyors
as a cause for the failure of individual tenure schemes. The former was to be ameliorated
by a lowering of tariffs and payment of half the survey fees by government, although the
amounts in question seemed to be unclear to grantees as late as 1881, as was the question
of whether the titles could be taken over by European settlers or non-Mfengu if they
lapsed. Macdonald himself had declared the completion of the survey work itself in a
letter of 11 January 1878, which indicates the long lag time between survey and title—a
delay that did nothing to assuage the fears of those living in the area.

---

106 Macdonald to de Smidt, 29 Jan 1877, S.2150 (vol. 289), SGO-Cape.
107 Testimony of Pombani (headman), 14 Oct 1881, in CPP, G.4-’83, §5486, 1:305; Testimony of Jacob
Pateni (headman), 14 Oct 1881, in CPP, G.4-’83, §5488, 1:305-6.
108 Macdonald to de Smidt, 11 Jan 1878, in CPP G.38-’78, Report of the Surveyor-General for the Year
1877, 10-11.
The titles to the six-acre allotments themselves were restrictive, requiring government approval for transfer, prohibiting commercial uses, requiring the maintenance of boundary markers, and stipulating rights-of-way and rights to commonage and sources of wood and water. They did not require improvements be made, and it did not restrict the grantees’ potential qualification to vote based on the value of that land and its improvements, and were to be printed both in English and in isiXhosa by Lovedale Press on the remarkably progressive order of the Commissioner for Crown Lands.109 The stipulation that building lots be arranged in villages does not seem to have created great difficulties, at least not at the time of survey. Nevertheless matters moved slowly, and it was 1886 before the last initial titles were issued, by which time some were entering default.110 The Cape system of social engineering was at work.

Any provisions for those who did not wish to have individual tenure, or who were not approved as claimants, was short-lived. The retention of any one sub-location or farm as exclusive to certain people came up as a question in 1890 and Surveyor-General de Smidt opposed it in no uncertain terms. There was “no good reason”, he wrote to the Civil Commissioner of Queenstown, “why any sublocation should be retained for the Natives who happen to be congregated within its area. It seems to me that if this principle were recognized it would seriously hamper the development of individual tenure in any locality where the Natives may not be so eager for their titles.” The Surveyor-General was clear that all areas should be made available to those who desired

---

109 See Draft Title for Garden Lots, n.d. [but marginalia 12 Sept 1878], S.2150 (vol. 289), SGO-Cape.
110 E. Garcia (Civil Commissioner, Queenstown) to de Smidt, 22 Feb 1886, S.2150 (vol. 290), SGO-Cape. There is evidence that a few lots were not deeded until years later, though it is not clear there were initial claimants for those lots, or that any title was ever issued before cancellation of the grant.
titles, and none should be excluded from other areas “in which careless and idle natives are content to squat without any intention of applying for title.”

The intent was clear: that equilibrium should be pushed towards individual title and villagization whenever possible, even allowing claimants for title to cross boundaries from one part of the location to another to do so—thus forcing out those living on allotments, or on commonage, who did not follow the sanctioned rules of the colonial administration and either did not obtain or, through non-payment of quitrent or criminal offense, forfeited their grants. The colonial state’s survey authority therefore served as the arbiter of entitlement to land, based upon observance of the colonial state’s laws and the payment of its fees. Those unable to do so would be forced out to find work or live on the margins of farms owned by others and so would be replaced by those willing and able to pay the fees, a welcome result in the eyes of Cape liberals.

Yet all was not settled, and claimants to lots who paid their fees continued to seek ways to maximize their investments and cultivate beyond their margins even after prohibited from doing so. By 1908 disregard for the allotment system had become visibly acute to the colonial authorities that they retained the services of a full-time permanent “Government Surveyor in Native Locations” to handle resurvey issues. The very first destination for the surveyor retained, L. M. Walton, was intended to be Glen Grey, but was changed to Oenkraal and Kamastone in October 1908. The Surveyor-General had cited, and Walton discovered, that many allotments had been transferred or

---

111 Report of Surveyor-General to Civil Commissioner, Queenstown, [20] Feb 1891, SG 2/1/5/1, KAB. A copy of this report is also present in S.2150 (vol. 289), SGO-Cape.

112 A. H. Cornish-Bowden (Surveyor-General) to Civil Commissioner, Queenstown, 17 Oct 1908, S.2150 (vol. 291), SGO-Cape.
inherited without approval or payment of transfer fees, that some were occupied by squatters, and that, as the Surveyor-General had stated in September 1908 in spite of careful beaconing at the time when survey of locations took place the natives who own arable lots have in many cases allowed the landmarks to disappear and no particular care would appear to have been evinced in replacing stone beacons which have been broken or displaced, while in other cases deliberate enlargement of the lots granted has occurred by encroachments on to the adjoining Commonages.113

Indeed there was suspicion of Walton’s arrival at Kamastone, because among the local residents “the feeling was that Government had not been asked to send a Surveyor” and that a resurvey could not be financed by them.114 Furthermore, in 1923, the land surveyor and Secretary for Native Affairs, M. C. Vos, found that only 626 out of 1864 agricultural lots were occupied by their registered owners, and that many had abandoned village lots to squat closer to cattle-grazing areas on the commonage.115 But such inconvenient discoveries remained far in the future and did not yet alloy the proclaimed success of the survey and allotment of Kamastone and Oxkraal for its architects.

**Fingoland, Gcalekaland, and the Barry Commission, 1878-1883**

Along with surveys for title in other Mfengu reserves elsewhere in the Ciskei, the apparent acquiescence of Oxkraal and Kamastone to survey emboldened colonial authorities to press forward with individual tenure on a large scale in other places where

---

113 CC Queenstown to Cornish-Bowden, 31 Oct 1908, S.2150 (vol. 291), SGO-Cape; Cornish-Bowden to Walton, 23 Sep 1908, S.2150 (vol. 291), SGO-Cape.

114 Inspector of Native Locations, Kamastone, to CC Queenstown, 24 Oct 1908, S.2150 (vol. 291), SGO-Cape.

territorial incorporation brought Africans “without chiefs” under colonial rule. The 1878 expulsion of the amaNgqika of Sandili and Anta from their lands, and the compression of their “loyal” elements with the amaGcaleka in the present-day districts of Centane (then Kentani) and Gatyana (then Willowvale) east of the Kei following the war of 1877-78, gave the colonial government an excellent opportunity to impose individual tenure by fiat in anticipation of the land’s annexation to the Cape Colony. Around the same time, magistrates, military officers, and other representatives of government sought to cajole the residents of the various districts of Fingoland into also “requesting” individual tenure following its own annexation in 1877.

The attempt to introduce individual tenure in Fingoland started with the magistracy of Nqamakwe. Until 1876, Nqamakwe had served as the seat of the Cape government’s influential Fingo Agent, Captain Matthew Blyth, who exerted authority far outside his purview as a diplomatic agent and interfered actively to promote European ideals and Christianity through the establishment of funds for roads, schools, and other community organs, as well as the organization of migrant labor. After Blyth became Chief Magistrate of the Transkei in 1878, he naturally saw Nqamakwe above all others as an area prepared for and favorable to the introduction of individual tenure on a European model, despite testifying in 1881 that he felt the Mfengu were not yet ready for the participation in representative government that might attend the ownership of assets in land. That the long-established missionary station at nearby Butterworth was not

---


117 Testimony of M. S. Blyth, 4 Nov 1881, in CPP, G.4-*83, §8495, 2:484. The franchise issue was a volatile one, and would remain so until the last African voting rights were extinguished in 1936.
promoted for individual tenure at this time is noteworthy, possibly reflecting a difference in opinion between Blyth and his egalitarian-minded missionary neighbors on the matter.\footnote{W. A. Campbell, “The South African Frontier, 1865-1885: A Study in Expansion,” \textit{AYB} 22 (1965): 21; on the development of struggles between the various visions of colonial rule see Comaroff, “Images of Empire,” 178-86.}

Blyth and the new Secretary for Native Affairs in 1878, William Ayliff (himself the son of a Transkeian missionary), envisioned a complete survey of Fingoland for individual tenure and the reorganization of Mfengu into villages, with headmen receiving larger allotments of land in return for their abolition of their privilege to try cases and, of course, allocate land—intentions they shared with Mfengu householders at public meetings (\textit{pitsos}) in 1878.\footnote{CPP, G.33-'79, \textit{Blue Book on Native Affairs 1879}, 97-98; “Report from Mr. Ayliff of meetings held with the Native tribes and Chiefs”, n.d. [1878], GH 1/383 (101), KAB.} The following year, however, the radical shift in headmen’s powers combined with a government push to disarm Africans within the colony and the conduct of a census to encourage rumors among Nqamakwe’s residents that the government was plotting to take their cattle and force women and children into servitude, and that the headmen really had no powers at all.\footnote{CPP, G.13-'80, \textit{Blue Book on Native Affairs 1880}, 146.} The Resident Magistrate, Frederick Gladwin, suggested at the end of 1879 that besides supporting the headmen and dispelling such rumors, the government should also consider giving larger farms to “some of the more well-to-do Fingoes” whose “influence and example would tend to elevate the mass” in order to ensure progress.\footnote{Ibid., 148.} The fundamental questions of communal needs and guarantees regarding land use were never actually raised.
In the event, no actual surveys or inspections were conducted, and the matter languished until 1883. At that point Blyth was no longer Chief Magistrate of the Transkei, and the acting officer informed Thomas King, Resident Magistrate of Nqamakwe, that because the whole of Fingoland (Butterworth, Nqamakwe, Tsomo, and Idutywa) had not accepted the offer of individual tenure, the survey would not be carried out. That decision brought great displeasure from King, who pleaded in his official report to the Secretary for Native Affairs for the survey to be completed with the most earnest expressions of belief in its “civilizing” potential. Blyth’s return to the post of Chief Magistrate in 1884 did not resuscitate the scheme, and ultimately Nqamakwe would only be surveyed in sequence with the rest of Fingoland following the extension of the Glen Grey Act’s territorial provisions there in 1898.

Among the abbreviated amaNgqika and amaGcaleka, the colonial solution was compression into ten 20,000-acre locations in two clusters (intended to support about 15,000 people per cluster, one for “detribalized” amaGcaleka to the east and one for the loyalist amaNgqika to the west), institute an individual tenure system, and deliberately situate them on open ground away from defensible terrain or forests. The clusters were further to be separated from one another and territories outside Gcalekaland by a series of farms, miles wide, to be sold or leased to Europeans, and the whole was to be monitored by “military posts to be permanently held” at strategic points (see map 3.4).

---

122 Report of Resident Magistrate, Nqamakwe, 2 Jan 1884, in CPP G.3-'84, *Blue Book on Native Affairs 1884*, 111-12. The sudden addition of the condition in question suggests that it was an expedient to justify the reversal of policy.

123 Cape of Good Hope, Proclamation 227 of 1898.

124 See J. Gordon Sprigg (Colonial Secretary), “Instructions to Commissioners for Laying out the Country between the Kei and the Bashee Rivers for the settlement of Europeans and Natives”, copy in S.5278/8 (unbound folder), SGO-Cape. These instructions were also printed in CPP, G.29-'79, *Report of the Surveyor-General for the Year 1878*, 15.
these plans required new surveys, because J. M. Grant’s topographical sketching expeditions of the 1860s had never reached into Gcalekaland.

The surveys were to be based upon a trigonometrical extension from Bailey’s existing first-order stations west of the Kei River, a task given to Donald Macdonald following his work in Oxkraal and Kamastone. Macdonald very quickly discovered that the position of the closest station was in error and that several reference stations required rebuilding, forcing him into the unenviable position of repeating some of Bailey’s difficult work. Macdonald had to work carefully as, in the words of Assistant Surveyor-General Leopold Marquard, “your triangulation is an extension of Capt. Bailey’s Trigonometrical Survey, and must therefore be regarded as a work of much professional

Map 3.4: Tracing of J. M. Grant’s Map of Gcalekaland, 1878, showing occupation designations; compare with map 2.2. Source: S.5278/8 (vol. 463f), SGO-Cape.
importance.”125 That work was also important for fixing the beacons of the new farms and allotments mathematically to defy any intent by residents to violate their boundaries or, in the case of small plots, change position. Triangulation would only be taken up in May 1879, contemporary to the local surveying of farm beacons—in effect, doing the work in reverse order.126 The reason for this was colonial unction.

Despite the clear desire to divine and define absolute position, problems with implementing the system of control quickly arose. The Land Board charged with setting the general parameters for the location boundaries (and which included former military surveyor J. Murray Grant) complained in their report of 2 October 1878 that “the prompt coming of the Gaikas [7,459 of whom arrived with escort at the end of September 1878 after three weeks’ journey] made necessary” certain inaccuracies in the prescribed size of the locations for the sake of beaconing them, lest the incoming Ngqika arrive to find surveyors in the field and raise a protest.127 John Laing, the Commissioner for Crown Lands and Public Works (and therefore de Smidt’s direct superior), expressed the same concern several months earlier as well, asking that no surveyors be in the field until the

125 Marquard to MacDonald (draft), 10 Oct 1879, H4/1/16, CDSM. An abridged version was printed in CPP, G.33-'80, Report of the Surveyor-General for the Year 1879, 23-26.

126 The trigonometrical work took about four months. See Macdonald to de Smidt, 29 Apr and 19 Sep 1879, both S.5278/8, (vol. 463F), SGO-Cape. The general plans surviving do show Macdonald’s trigonometrical stations, though it is clear that they were reckoned only from a few of the closest farm beacons. See, for example, the bottom center of Hughes’s plan of farms in Willowvale from 1879, Transkei Plan 6930, SGO-Cape.

127 “Report of No. 1 Kentani Division, Western Gcalekaland,” in CPP, G.33-'79, Blue Book on Native Affairs 1879, 111; Report of Gcalekaland Land Board (Eustace, Sansom, and Grant) dated 2 Oct 1878, S.5278/8 (vol. 463F), SGO-Cape. In an interesting aside, the first Gcalekaland Commission report also suggested that European settlement be encouraged on small lots around each military post in order to create secure towns and spread influence “as amongst the Barbarians in the Roman Empire.” Clearly the Commissioners did not fully appreciate the implications of their analogy.
Ngqika were relocated, but simultaneously urging that enough surveyors then be sent to “perform the necessary work with the requisite despatch.”

Laing’s desire for speedy work was in earnest. The Commission appointed in August 1878 to actually inspect ground to be allotted to Europeans commented, when sending their description of the first 76 European farms to the Secretary for Native Affairs and the Surveyor-General, that

Your Commissioners noticed when surveying the country along the course of the Butterworth river, that the Fingoes had crossed that river, in one spot and made themselves huts, and kraals, and that all along their borders and for some miles beyond them, many thousands of Fingoe cattle were grazing. Also that along the boundaries of Nos. 1, and 3 Gaika locations, some hundred huts had been built by the Gaikas, who had cultivated also, a considerable breadth of land—some of these huts were fully three, or four miles beyond their location boundaries.

Not only had Mfengu from the north begun to cultivate and graze cattle, but the newly-arrived Ngqika had already begun to settle outside the designated limits of the reserves and on what was, at that moment, clearly vacant and fertile land. The surveyor who handled land inspection after Grant’s initial report was Robert Jukes Hughes, a Royal Navy officer only just (30 September 1878) admitted to practice as a land surveyor in the Colony. It is a fair guess that he had little familiarity with African patterns of land use, but he was not oblivious to the reality of the situation before him. The commission consequently recommended the sale of grazing licenses in recognition of

---


129 Report of Gcalekaland Land Commission (Eustace, Sansom, and Hughes) dated 28 December 1878, S.5278/8 (vol. 463F), SGO-Cape. There is no clear explanation for Grant’s replacement by Hughes, except for the possibility that Grant was called away on military service as an officer of the Cape Mounted Rifles.

130 Oath of Robert Jukes Hughes, Survey Registration 159, 30 September 1878, S.8710, SGO-Cape
such *de facto* usufruct, as opposed to any attempt at confrontation at a volatile moment. Indeed, the entire Transkei and beyond were in a state of constant unrest over the expansion of colonial rule and attempts at disarmament that would culminate in war and rebellion across a wide swath of southern Africa by 1880. At the same time, Hughes and his fellow Commissioners made numerous recommendations for the legal designation of forests larger than five acres and certain pieces of land as belonging to the Crown, quietly creating the basis for future management measures and revenue streams encumbering resources Africans had hitherto used freely across far larger spreads of land.\textsuperscript{131}

The Commission beaconed off ground for 161 2000-acre farms in total, returning general observations about water, wood, and topography to Cape Town about each potential farm for advertisement. The three-person party situated farms on the perimeters of each district, which coincided with the land with the best supplies of timber and water, usually along the major rivers themselves (for example, 52 of the 85 inspected between the Qora and Mbashe).\textsuperscript{132} It was up to the surveyors to actually verify matters with mathematical precision for legal alienation, and unlike Nqamakwe, trigonometrical and cadastral surveys were actually carried out in Gcalekaland between 1878 and 1881. But the colonial government was so eager to put Europeans on the land—the Prime Minister of the Cape Colony, J. Gordon Sprigg, called it the “first object” for Gcalekaland—that the farms were advertised widely even before the work of surveying and compiling the


\textsuperscript{132} CPP G.33-'80, *Report of the Surveyor-General for the Year 1879*, 11, 16-17.
diagrams was fully underway, with firm conditions of personal occupation by the buyers attesting to the surveillance intent of the scheme.\textsuperscript{133}

Surveyors were first canvassed at the end of January 1879, and the candidates in this instance were selected for their skill and speed in order to mollify the Commissioner of Crown Lands. The experienced surveyor Adriaan Morrees, for example, was offered the survey even though he was busy working well to the north of Cape Town on government lands in Tulbagh and Worcester much nearer his home and so declined.\textsuperscript{134} In the end, surveyors Gert Greeff and Otto Mehliss were assigned to verify the angles and areas of the beached farms, and they began this work in mid-April 1879 once Hughes was available to point out beacons to Mehliss and Greeff.\textsuperscript{135} These farms were tendered not as diagrams but as large general plans of entire sections, probably with the intent that C. N. Thomas would retroactively compile individual farm diagrams for title back in Cape Town; according to Donald Macdonald, who superintended the farm surveys, the work was completed early in 1880.\textsuperscript{136} But the Commissioner of Crown Lands on 27 March 1879 postponed the proposed sale of the farms until further notice, owing a delay in the formal annexation of Gcalekaland created by Imperial politicking over the possible

\textsuperscript{133} J. G. Sprigg, “Memorandum on Gcalekaland Farms,” 20 Feb 1879, Notices 218 and 267 of 1879 dated 24 Feb and 6 Mar 1879, and Notice 81 of 1879 dated 23 Jan 1879, copies extant in S.5278/8 (vol. 463F), SGO-Cape. The Commissioner of Crown Lands specified that ads should be carried in the \textit{East London Despatch}, the \textit{Kaffrarian Watchman}, the \textit{Free Press of Queenstown}, and the \textit{Fort Beaufort Advocate}, as well as the official Government Gazette; see Crown Lands to de Smidt, 20 Jan 1879, S.5278/8, (vol. 463F), SGO-Cape.

\textsuperscript{134} Morrees to de Smidt, 27 Feb 1879, S.5278/8, (vol. 463F), SGO-Cape.

\textsuperscript{135} De Smidt to Macdonald, 22 Mar 1879, S.5278/8, (vol. 463F), SGO-Cape.

\textsuperscript{136} Two of these general plans and the Commission’s first rough sketch have survived at the Office of the Surveyor-General as Transkei Plans 5604, 6929, and 6930, SGO-Cape; Macdonald do de Smidt, 24 Feb 1881 in CPP, G.53-'81, \textit{Report of the Surveyor-General for the Year 1880}, 10-11.
confederation of Britain’s South African colonies—one that raised the ire of settler interests and the colonial government alike.137

At the same time, Laing pressed de Smidt to arrange for the definition and subdivision of the Native Location clusters for individual tenure while the surveyors were in the vicinity.138 They knew little about the conditions within the delimited areas, though Macdonald stated to the Surveyor-General in September 1879 that for agriculture, “the ground suited for this purpose will be found almost entirely in the area laid out by the commission into farms” and not in the locations.139 In response, de Smidt could only make the statement that ten-acre lots within the locations would be situated according to the desires of local cultivators and would not be imposed by the surveyors, though he made clear that “their [amaNgqika and amaGcaleka] selection of land is represented as being as unfavorable for surveying purposes as it possibly can be, and the work of laying it out laborious and tedious.”140 The plots were therefore often laid out irregularly, and though indicated with sneezewood posts and trenches dug in the turf along the boundary, Macdonald believed that the destruction of markers would lead to “disputes, confusion, and discontent” owing to the “irregular nature” of the garden blocks surveyed, and where preferences were not indicated, surveyors were left to guess.141 In the east, furthermore, most amaGcaleka had not yet returned despite an invitation to do so, and that also delayed surveys. The first colonial magistrate in Willowvale, Frank Streatfeild, indicates

137 Laing to de Smidt, 27 Mar 1879, S.5278/8, (vol. 463F), SGO-Cape; Saunders, “Annexation,” 74-76; Campbell, “The South African Frontier, 1865-1885,” 143; H. B. Frere (Governor and High Commissioner) to Colonial Office (London), 19 May 1879, No. 152, GH 23/35, KAB.
138 Laing to de Smidt, 29 Apr 1879, S.5278/8, (vol. 463F), SGO-Cape.
139 Macdonald to de Smidt, 19 Sep 1879, S.5278/8, (vol. 463F), SGO-Cape.
that the amaGcaleka only returned in small parties “of a dozen or so” across the Mbashe starting in 1879, and Macdonald reported that as of early 1880 four of the six Willowvale locations were still empty and so had not yet been surveyed—but that the work would be done in any case, with the surveyors admonished to exercise “due regard” for “native requirements” although in practice that leaned more toward ease of survey.¹⁴²

The rebellion of Griqualand East in 1879, the Transkeian Rebellion of 1880-81, and the Gun War against the baSotho in 1880-81 probably did a great deal to put an end to systematic schemes for extending individual tenure for Africans and creating farms for Europeans east of the Kei.¹⁴³ As a very visible point feeding into fear of the broad assault on Africans’ livelihoods that was underway, land division on such an intimate scale could not be forced. Citing unrest in the district of Maclear (formerly Gatberg, where a number of Mfengu and various others had settled) over surveys, the Commissioner for Crown Lands ordered a halt to all surveys “having for their object the granting of Titles to Natives, on the individual tenure” in June 1881, presumably pending the outcome of the Committee on Native Laws and Customs (the Barry Commission) then convening.¹⁴⁴ A second note sent in July asked the Surveyor-General to terminate all surveys of all types in east of the Kei unless specifically excepted by the Commissioner; de Smidt in turn


¹⁴³ It is no coincidence that a great deal of activity between 1874 and 1878, when Griqualand East was only a nebulous “protectorate,” was expended on surveys and a brisk trade in titles developed. That alienation of land certainly contributed to discontent. See Robert Ross, Adam Kok’s Griquas: A Study in the Development of Stratification in South Africa (Cambridge: Cambridge University Press, 1976), 129-30.

¹⁴⁴ H. H. McNaughton (Assistant Commissioner for Crown Lands) to de Smidt, 13 Jun 1881, S.5278/8, (vol. 463F), SGO-Cape.
issued instructions to Greeff, Mehliss, Hughes, and Roger Restall (who had replaced Macdonald) to “stop all these surveys so far as any further field work is concerned.”

After 1879, larger-than-expected numbers of amaNgqika and amaGcaleka who had fled during the war came to the districts and the colonial authorities encouraged many thousands of Mfengu to settle as well, especially in the eastern section where the loyalty of amaGcaleka to the exiled paramount Sarhili was considered suspect. This unexpected population boom showed how woefully inadequate the originally-proposed “native locations” were for a combined population that grew to well over twice the anticipated size within twenty years. According to the recollections of former magistrate M. W. Leifeldt in 1923, “the want of transport facilities and the fact that each European settler would require about 6 policemen to protect his property from marauding natives” and the return of amaGcaleka were together the cause of the settler scheme’s abandonment, combined with the belief that hut tax income would exceed the quitrent paid by landowners. The ultimate abandonment of the European farms would not be confirmed until 1889; a small section of Kentani where five farms and a number of locations were granted in 1891-1892 was attached to the district of Butterworth in 1893, and one farm was intended by verbal order of the Commissioner of Crown Lands in April 1883 to be awarded to the Mfengu headman Veldtman as part of the Izeli resettlement.

---

145 McNaughton to de Smidt, 19 Jul 1881, and de Smidt’s undated comments thereupon, S.5278/8, (vol. 463F), SGO-Cape.

146 Reports of N. O. Thompson (RM Kentani) and M. W. Liefeldt (RM Willowvale), enclosures E-F in Report of H. G. Elliot (Chief Magistrate, Tembuland and Transkei), 2 Jan 1897, in CPP, G.19-'97, Blue Book on Native Affairs 1897, 95-99.

147 M. W. Leifeldt to A. H. Cornish-Bowden (Surveyor-General, Cape Province), 26 Apr 1923, S.1429, SGO-Cape.

Unlike the land scheme itself, Gcalekaland’s record in the geographical archive was not abandoned. The surveyed cadastres and location plans were used in the compilation of maps insofar (and only so far) as they were completed, leaving large swaths of empty space in district maps produced in the period (see map 3.5). In 1937 the source plans were “rediscovered” as primary sources for the assay of territory under the Bantu Administration Act of 1936 although they were not used for actual land
subdivision. Tenancy in Kentani and Willowvale remained on a system of tickets of occupation whereby legality of residency could still be controlled, though not with the same spatial rigor. The presence of mission stations and schools increased with time, and regulations governing the use of forest resources, pasturage, and cattle vaccination were enforced with increasing effectiveness as the state grew more pervasive. But the allotment survey was not attempted again. The location plans the surveyors prepared for individual tenure were eventually transferred as historical material from the Surveyor-General to the South African Library (today the National Library of South Africa) where they remain.

The experience of Gcalekaland and points further east (particularly Griqualand East and the foot of the Drakensberg range) and northwest (Griqualand West and British Bechuanaland) suggested great problems with a general division of lands on a European colonial model. The Report of the Barry Commission in 1883, based on enormous amounts of evidence from European and African informants taken in 1881 and 1882, stated bluntly that the subject of individual tenure has proved to be embarrassing and difficult, judging from official reports and the evidence of highly qualified and trustworthy witnesses, and the Commission is unable to recommend that anything like a general system of dividing Native lands and securing rights of individuals by separate title deed should be decided on at present for the Territories. It is of opinion, however, that, this should be steadily kept in view by the Government, with the distinct object of taking advantage of every favoring opportunity.

149 See, in particular, C. N. Thomas, “Compilation plan of Gcalekaland,” which served as the region’s primary base map for 20 years until the compilation of the 1912 ten-sheet “Map of the Transkeian Territories” despite being very incomplete; Memoranda of E. Mabin and R. M. Du Toit, 31 Aug and 9 Sep 1937, S.1429, SGO-Cape.

150 Crais, Politics of Evil, 77 fig. 5. Crais holds up the image (of Macdonald’s chart of “Native Location No. 3, Gcalekaland”) as a “Native location map” but seems unaware that its presence at the National Library stems from the failure and abandonment of the scheme. Crais gives no direct citation indicating its classification at the NLSA, only noting its presence there. None of the Gcalekaland allotment plans remain at the SGO-Cape.
at the request of the people, or from other encouraging circumstances, to establish that system, so that at the earliest practicable period “the Native Custom in the matter of Land Tenure” shall be superseded by the better system of holding land under individual right and by separate title deed.\footnote{151 “Report of the Commission,” in CPP, G.4-83, §109, 1:40.}

In short, the Commission believed that the plan would work only if the inhabitants recognized its benefits from an aspirant European point of view. Such a belief was probably correct mechanically, but it was utterly flawed in its implicit expectation that Africans yearned to become Europeans by way of “advancement.”

In evidence before the Commission, retired colonial agent William Fynn, who had been a part of the colony’s \textit{ad hoc} native administration machinery for nearly 30 years before 1878, intoned strongly against pushing individual tenure east of the Kei and against the creation of large central villages. Fynn suggested that villages should be “not more than twenty families, and each kraal a hundred yards from any other” and two or three miles at least between villages, hardly the centralized European village model of hundreds of dwellings envisioned in Kentani and Willowvale and lauded by other magistrates as the best means of “sufficient supervision.”\footnote{152 Testimony of William Fynn, 10 Oct 1881, in CPP, G.4-83, §5078-§5094 \textit{passim}, 1:277-78; Testimony of W. B. Chalmers (Civil Commissioner and RM, King William’s Town), 6 Oct 1881, in CPP, G.4-83, §4947, 1:268.} In Fynn’s own words, communal titles to large locations were preferable to attempts at close subdivision, so as to “let them [Africans] feel that they are secure against the Government, because it is the Government that they do not trust” and to allow local communities to adjudicate disputes over land through existing authorities and not the machinery of colonial government, which had created a situation where “in Mr. Shaw’s district (Kentani), one-half of the thirty acre lots \textit{sic} have been surveyed on the sides of mountains where there are a great
numbers of boulders and trees, places where a Kafir would never think of cultivating. The people are disgusted and have continually to be shown the beacons dividing the land." In short, the creation of small fixed lots and large central villages was anathema to fundamental aspects of life for African agripastoralists, something that Fynn had come to realize only after some years. At the same time Fynn emphatically did not fault the surveyors but the system itself, displaying a fundamental trust in the technicians even while challenging their task. Such testimony was repeated throughout the Commission’s evidence, with variations in the best method of encouragement, and considerations of the reasons why small-holding tenure schemes failed. Testimony by Europeans on the latter usually boiled down to Africans’ not being “advanced in civilization”, as described by the magistrate C. H. Driver at Glen Grey—even though he admitted that, from his interviews of squatters moving into Glen Grey from Oskraal and Kamastone that “in some cases ... the land was small or was not good ... but they prefer large plots of land” and that there seemed to be no strong objection to the concept of individual title although Driver did not state how his informants conceived of it.

African witnesses, on the other hand, tended to link the subdivision of land to more important matters of social and political hierarchy as seen in the epigraph to this chapter, taken from headmen of the Idutywa reserve who recognized the impingement upon their positions and powers, and a number of others who recognized the connection between individual title and access to representation in the Cape Parliament. Mission-educated landholders like Sam Sigenu in Glen Grey also recognized that many of the

---

153 Testimony of William Fynn, 10 Oct 1881, in CPP, G.4-’83, §5084-§5087, 1:278.
154 Testimony of William Fynn, 10 Oct 1881, in CPP, G.4-’83, §5079, 1:277.
non-mission-educated Africans generally “do not care for individual tenure, which binds them down more” but at the same time drew a careful link between willingness to accept individual tenure and being “more advanced” and taking part in broader colonial society, as per their own example.\textsuperscript{156} A deputation of twelve Mfengu headmen and other representatives from Nqamakwe expressed jointly before the Commission at Butterworth that

\begin{quote}
They wished that people, who had proved themselves to be industrious, and had improved their holdings, should be allowed, upon approval of the magistrate, to receive titles to the kraals they occupied and their own cultivated lands, but that all the rest of the people should remain in occupation of the land in common, as they are at present ... [titled] land should only be sold to natives in the district.\textsuperscript{157}
\end{quote}

It is important that no formula for the size of the holding was suggested or offered, merely that “their own cultivated lands” should be titled. The extent of the land cultivated by the twelve appearing before the Commission is not known, but as headmen or other individuals of standing their extended families would have guaranteed them comparatively large holdings by such a reckoning. Given that Nqamakwe was already under consideration for individual tenure at this time the testimony may represent an effort to change the format of the proposed survey to allow them to maintain their relatively good positions and gain colonial sanction.

Though self-interest may explain some testimony, the health and welfare of the broader communities certainly figured as well. Tanga, a member of the deputation from Nqamakwe, made it clear that dividing up the land entirely would leave some owners of

\begin{footnotes}
\item[156] CPP, G.4-’83, testimony of Sam Sigenu, 19 Oct 1881, in CPP, G.4-’83, §6129-6130, 1:343.
\item[157] Testimony of “Zalala, Tanga, George, and nine other natives and headmen from the Nqamakwe District, Transkei”, 4 Nov 1881, in CPP, G.4-’83, §8496, 1:484.
\end{footnotes}
small flocks of sheep or a few cattle with “nothing to live upon” in support of his
deputation’s suggestion that communal tenure be continued for those not wishing title.\[158\]

Veldtman, the Mfengu headman of Izeli who had relocated first to Gcalekaland and
eventually was incorporated to Butterworth, testified at length about opinions regarding
colonial schemes for individual tenure, and encountered some dissension:

8450. Are you, Veldtman, expressing the opinion of all your people in
asking for title to your lands?—Veldtman: Yes.
(One man says):—What will the poor people do?
Almost all agree that Veldtman has expressed their wish.
Sanga says: We have no objection that a man should receive title to the
ground he actually cultivates, provided he has right to common grazing
ground.
8451. Do any of you like to live in villages?—None of us. A man likes his
own home, he has lived there possibly for years. Why should he be
removed then, like a rebel, and brought into a village against his will.
When we live in villages we quarrel continually; your children run into
your neighbour’s hut, and squabbling results.
8452. Why should a man leave his own kraal and move away from the
gardens he has cultivated as if there were war in the land?—Veldtman
asked them—Do any of you want it?—All say no.
8453. Don’t you like to have the power of raising money on your land?—
We know that mortgage of land means its alienation, and we don’t want it.
If a man must borrow money he has friends, let him find personal security.
... [8458.] We wish to add this. This country [Fingoland] belongs to the
Fingoess; we wish it clearly understood that we don’t want any man of any
other tribe, white or black, to receive land in this territory. Tembu, Kafir,
Hottentot, or Basuto, or white man, should not receive individual title in
this country, which belongs to the Fingoess.\[159\]

The central point expressed by Veldtman and others was the right of people to determine
their own arrangements. At the same time, the Mfengu delegation asserted their
exclusive right to make arrangements within the area originally delimited as “Fingoland”

\[158\] Testimony of Tanga, 4 Nov 1881, in CPP, G.4-’83, §8496, 1:484.

\[159\] Testimony of Veldtman, and Fingoess of Transkei, 3 Nov 1881, in CPP, G.4-’83, §8450-§8453, §8458,
1:481. Note here that Veldtman also refers to “the ground he actually cultivates” and not a standard lot size
of eight or ten acres as colonial planners usually envisioned.
in the 1860s, and to prevent any alienation of land to people considered outsiders, and reiterated the importance of access to grazing land for all. In articulating the desire for secure title within the colonial state, a complex web of self-interest and common interest was clearly at work. The colonial state expected Africans to make the decision to cross that one-way threshold, but Africans were clear in articulating certain requirements of their own. The distance between what the Colony wanted and what Africans would accept explains a great deal about the reason why, except for the subdivision of a few mission stations’ lands, no further location surveys for individual tenure would be carried out until 1894 with the passage of the Glen Grey Act (No. 25) of that year. That Act changed the scale of survey operations to cover entire administrative districts in exacting detail, and carry with it a much broader program of social and political reorganization.
Chapter 4
The Surveyor as Agent: The Glen Grey System

The landmark Glen Grey Act (No. 25 of 1894) carried forward the same goals of termination of communal occupancy and the atomization of the extra-colonial political and social networks that animated earlier individual tenure surveys in the Cape Colony. More invasive evolutions of existing policies, of a sort only possible in the Eastern Cape and Transkei, were crucial to rendering African space and society legible to the colonial state and therefore more controllable and more useful for its productive purposes.¹ The Glen Grey Act yoked individual tenure to carefully engineered systems of separate governance within the colonial hierarchy (councils and location boards), and included taxation designed to remove the benefits of extended social networks as well.² At the same time, the Act hobbled the very benefits to private ownership and individual title that Cape liberals touted by placing conditions and restrictions on these titles. Surveyors and surveying were central to delimitation and control in this invasive new iteration of individual tenure, because it involved the detailed subdivision and reorganization of entire districts at a time, but the same surveyors were also agents of mediation. The Act also represented a system of labor extraction and the undermining African agricultural self-sufficiency and market competition, the latter already under


assault from selective infrastructural development and market access.³ Individual tenure was a means of cleaving people away from communal support and taking land out of production under the guise of African sustainability, tutelage, and progress. The Glen Grey Act also conveniently presumed that democratically-empowered African householders willingly approved of its application in each district or portion thereof, as the Barry Commission recommended in 1883 and which the Ministry for Native Affairs followed as a rule of thumb afterward.⁴ Under the Act, however, individual titles to land also existed in a new space between communal and private ownership so that they would not count towards meeting the rising property test of the Cape’s theoretically color-blind franchise.⁵ Title to land under the Glen Grey Act had few positive benefits for Africans, whose acceptance of the change turned on fear for the loss of their livelihoods, but it had myriad uses for the state in assessing taxes, limiting land use, and uprooting labor. In short, the Act was a legal mechanism for of making the social and economic status quo less attractive to abaThembu.⁶

The ideal places for the colonial state to engage in this kind of territorial overhaul were ones where communities had the longest experience of adaptation to and exploitation by the Colony and therefore the weakest and least-independent civil


The areas that best fit the description were Tembuland (excluding the district of St. Marks) and Fingoland, where colonial rule was the most direct. Of the Thembu and Mfengu areas, the Tambookie Location in the upper Kei Valley was a logical first target for radical reorganization because it was the largest enclave of communal tenure within the Colony. The Location was created its own magisterial district of Glen Grey in 1879 and a separate fiscal division in 1895, which allowed the Cape government to treat the abaThembu as a particular colonial problem and apply whatever experimental legal regime they might devise within a distinct set of legal and territorial boundaries.

Any historian seeking to reconstruct the past of the Eastern Cape and the various Southern Nguni groups and individuals living there must mention the effects of the Glen Grey Act, as befits its importance as a major shift in the relationship between the colony, African landholders, and the land itself. Just as the Cape government and the mining magnate Cecil Rhodes (the Act’s architect, and conveniently its Prime Minister since 1890 and holder of its Native Affairs portfolio after 1893) saw Glen Grey as a test case and a great act of progressive civilization, historians commonly evaluate it on a similar basis. Various authors analyze the success or failure of the Act’s various elements either to situate it in a progression of good or bad developments, or to divine the contours of the

---


8 For the reasons behind the exception of St. Marks, see chapter 2.

9 Proclamation 80 of 1879. See CPP A.3-'92, *Report of the Commission Appointed to Enquire into the Tenure of Land, &c., in the Glen Grey District*, 1; J. T. Horne (Surveyor-General) to C. Currey (Under-Secretary for Agriculture), 28 Dec 1894, S.8168 (vol. 665A), SGO-Cape.
greater struggle between Africans and a colonial administration that sought to extract their labor and wealth while crippling their own production.\textsuperscript{10}

The approach by way of effects is understandable given the final stated ambition of the Act to engineer pliant societies in the Kei Valley and far beyond, as Rhodes hoped when he called it a “Bill for Africa.”\textsuperscript{11} As more recent studies have suggested, however, the events leading up to the drafting of the Glen Grey Act were not necessarily premeditated with that end, but appear instead to have evolved locally to the point where colonial officials could advance such a program for radical reorganization on a large scale.\textsuperscript{12} That realization does not preclude the existence of the managerial mindset of the colonial government, but it is the radical social reorganization under the Act itself that has spawned the widest variety of discussions. Those discussions generally focus on the finished Act’s three major prongs: provisions for taxation (including the hated tax on non-laboring men), a local council system with a segregated administrative structure, and individual private land tenure in defined, permanent blocks. The last of these three


arguably attracts the least attention despite being the one with the clearest antecedents, and existing scholarship ignores the technicians who executed that change even when dealing with African opinions.\footnote{See T. J. Keegan, “African Responses to the Implementation of the Glen Grey Policy” (B.A. Hons. thesis, University of Cape Town, 1975); Ally, “Development of the System of Individual Tenure,” 117-58. Both discuss the survey and response to it but use official published reports and magistrates’ letters to Native Affairs which tend to efface the surveyors as being merely precise instruments of policy.}

In creating individual tenure in Glen Grey, surveyors and magistrates increasingly worked hand in hand, though the surveyor dictated the spatial order through a combination of consultation with the local people, the local colonial officials, and his own judgment of what was spatially logical and might persist. This broader scope differed from the smaller-scale cajoling of earlier efforts, and tended to work in favor of the surveyor’s opinion by charging him directly with implementation. The office of the Surveyor-General was also solely responsible for collecting fees, receiving quitrents, and ordering titles in the Colony after its subordination to the new Secretary of Agriculture in 1892, including any areas owned by Africans under individual tenure.\footnote{John Obree, L. F. Braun, and R. C. Fisher, “Land Policy at the Cape and the Office of the Surveyor-General, 1813-1912,” in The History of Surveying and Land Tenure Collected Papers Volume 2, ed. R. C. Fisher (Cape Town: IPLSWC, 2004), 30. Before 1892, the Surveyor-General was directly under the Commissioner for Crown Lands and Public Works, which involved them in land sales and fee collection but not in quite the same prescriptive way.} Therefore the surveyors also became part of the revenue-collection machinery of the state, and their work had a much more direct relationship to the imperatives of the colonial state and its managerial regime. The Glen Grey system became the pattern for the cadastralization of the western Transkei over the next quarter-century, but its development stuttered and its implementation encountered a variety of challenges and resistance.
Devising Individual Tenure on the Large Scale

The various efforts between 1864 and 1885 to move the Thembu farmers in Glen Grey across the colonial border into the Transkei in order to free their fertile lands for white settlers failed to entice the Thembu or convince the colonial government to dispossess them wholesale.\(^{15}\) Despite that fact, the district was quite crowded by 1886; the Resident Magistrate, H. A. Jenner, estimated it at around 22,000, but that number was not based on any kind of census and the real total was probably much higher.\(^{16}\) A few abaThembu, fearing a colonial seizure of the Location, left Glen Grey in 1885 for the districts of Qumbu and Tsolo far to the east, where they served as a bulwark of colonial loyalists to aid administration and security.\(^{17}\) A few white settlers purchased farms within the Location on the land adjudged to represent those who departed, and the southern part of the district was cleared and alienated as representative of the population in rebellion during 1878 and 1880—though the latter case continued to spark petitions from land-hungry settlers in several districts for the clearing and sale of “rebel” lands at public auction.\(^{18}\) The only other Glen Grey land cleared was a cluster of farms along the north-eastern boundary of the district reserved for the use of the Indwe Railway


\(^{17}\) William Beinart, “Conflict in Qumbu: Rural Consciousness, Ethnicity, and Violence in the Colonial Transkei, 1880-1913,” Journal of Southern African Studies 8 no. 1 (1981): 100-101; E. J. C. Wagenaar, “A History of the Thembu and Their Relationship with the Cape Colony, 1850-1900” (Ph.D. diss., Rhodes University, 1990), 202-204. This is very similar to the purpose of Mfengu settlement at Idutywa in 1860.

\(^{18}\) Bouch, “Glen Grey before Cecil Rhodes,” 18-19; Petitions of burghers in Wodehouse and Albert Divisions to the Glen Grey Commission, n.d. [1892], NA 215, KAB. The petitions were written in Dutch.
Company in 1882 (and which were then sold to Cecil Rhodes for his De Beers mining monopoly in 1894). The Indwe reserve farms were cleared in 1884 and 1885 with some land later leased back to Thembu herders for grazing after no small agitation on their part. There was however little concern for fairness once land was successfully taken; in one case where a farm was inadvertently and erroneously cleared of people, the Commissioner of Crown Lands subdivided and sold it anyhow.

Most of the land of the Location however remained under *de facto* communal cultivation by Africans, even where private parties such as mission societies or state-promoted headmen held title to it and people lived as labor tenants. A lack of fencing to harden the farm boundaries surveyed in the 1870s further meant that people could move fairly freely within the district, and had few if any reminders of the passage from one locality to another. Personal hierarchies and connections to particular headmen and communities were far more important to the Thembu than the identity of a particular piece of land or surveyed boundaries. The local field cornet and Resident Magistrate both complained in January 1885 that many headmen in Glen Grey permitted additional people to settle in areas under their authority without proper approval (which the magistrate was refusing to grant in any case), and when asked in 1892 if they could

---

19 On the Indwe farms, see CPP, G.53-'91, *Papers and Correspondence Regarding the Indwe Coal Fields Railway*; these farms represented the land vacated by some groups who had crossed into the Transkei at the behest of the colonial government. On the involvement of Rhodes, see T. R. H. Davenport and C. C. Saunders, *A Modern History of South Africa* 5th ed. (New York: St. Martin’s, 2000), 190.


21 Commissioner of Crown Lands (Leopold Marquard) to de Smidt, 25 Feb 1886, S.8168 (vol. 665D), SGO-Cape.


23 CPP, G.2-'85, *Blue Book on Native Affairs 1885*, 60.
describe the physical boundaries of their particular locations most headmen were uncertain, vague in some of the details, or simply did not know.24

Although good, productive land was at a distinct premium in Glen Grey, the broader social support network ensured that the largest number of people possible remained independent of wage labor or labor tenancy outside of the district. Indeed, the Thembu made great use of the Location’s great productive capacity. Local merchants noted in the case of the evictions of 1885 that the Thembu were markedly more productive than the white farmers who replaced them on the same land, and before 1894 officials and individuals alike noted the general productivity and innovation of Glen Grey’s farming community under communal tenure even in years of drought.25 Beyond those observations, the simple fact that white settlers long coveted its lands and many officials had tried to induce a wholesale migration is significant.

During the 1880s and into the 1890s, there were nevertheless signs that Africans’ demand for land with a secure title was on the upswing generally, but the title they sought was not the small-lot system of individual tenure the colonial state proffered. Rather, it was the acquisition of larger farms on offer at auction from the Crown, or on the general land market, that interested purchasers or sometimes consortia of purchasers.26 John Tengo Jabavu, the editor of the influential isiXhosa weekly newspaper *Imvo Zabantsundu* (“Native Opinion”), wrote the Surveyor-General on at least two occasions requesting that notice of sales of Crown land be sent to his office in advance. Jabavu mentioned in 1888 that “many of [Imvo’s] readers especially the wealthy Tembus and Fingoes are deeply

---

26 Bundy, *Rise and Fall*, 95, 97.
interested in the sales of Crown Land such as the one in question. I trust “Imvo” as a medium of reaching the Native farmer will always be remembered in these matters.”27

The second letter, two years later, requested notice be tendered for Crown land sales in Griqualand East on the far side of the Transkei—a statement both on the geographical distribution of Imvo’s readership as well as that of potential land purchasers.28 Jabavu himself continued to put forward Africans’ applications for land and gave evidence to various commissions on land matters both regarding Glen Grey and beyond.

The Cape government however cared more for the forms and conduct of African agriculture than its output, so outright farm purchases even for commercial use did not exercise them for the same reasons that communal tenure did. Officials in Cape Town and London alike judged African communal agricultural systems to be retrograde and inferior, because they were insufficiently scientific and regimented to the colonial eye and denied the right of property to individuals.29 Racist presumptions about Africans’ capacities, then in vogue with European science, doubtless underscored the point and encouraged colonialism’s social engineers to devise remedies.30 In the case of Glen Grey, the member of the Legislative Assembly (Parliament) representing part of it, John Frost, expressed the opinion in 1885 that title to small agricultural lots for the Thembu with a shared grazing commonage would only work if the lands were set in one large

28 Jabavu to de Smidt, 22 Feb 1890, SG 1/1/4/27, KAB.
29 Scott, Seeing Like a State, 273, 282-83; Dawn Nell, “‘For the Public Benefit’: Livestock Statistics and Expertise in the Late Nineteenth-Century Cape Colony, 1850-1900,” in Science and Society in Southern Africa, ed. Saul Dubow (Manchester: Manchester University Press, 2000), 100-1, 106. Nell describes the struggle between rural white farmers’ practices and the Cape Colony’s agricultural science, but the basic issues were much the same.
block “and not in patches as at present all over the different farms.”\textsuperscript{31} That this apparent chaos arose from cultivators’ desire to work the most fertile land each growing season, and thus obtain the greatest return for their labor and inputs, was irrelevant.

A wide body of opinion within the Cape Colony also advocated the existence of a direct relationship between the supply of labor to mines and farms and the existence of flexible systems of communal tenure, and suggested that individual tenure was the solution to issues of control and labor provision. The Village Management Board in Lady Frere, the magisterial seat of Glen Grey itself, expressed that belief in a petition directly to Cecil Rhodes in 1894.\textsuperscript{32} Officials’ and private individuals’ testimonies alike before the Cape Colony’s Labour Commission in 1893 and 1894 further showed that the link between the two had come to dominate many opinions regarding the matter, even though those commissions reported that individual tenure would only have gradual effects on the labor supply.\textsuperscript{33} The goal of individual tenure for Africans thus had impulses built both on self-interest and on colonial paternalism, which were compatible only so long as colonial subjects could never really succeed by the colonizer’s metric.

Surveyors and survey officials shared this oddly contradictory set of goals. The surveyor was the embodiment of the colonial state’s survey modality in space, but in this case the state employed them to further its \textit{enumerative} modality as well. As Bernard Cohn notes in connection with census activities in India, this latter modality involved counting and categorizing, but in the case of the Glen Grey Act it also meant actively \textit{creating} the categories by dividing the land and registering ownership within the

\begin{itemize}
\item\textsuperscript{31} “Extract from Report made by Mr. Frost,” 20 Nov 1885, 3, S.8168 (vol. 665D), SGO-Cape.
\item\textsuperscript{32} Petition of Lady Frere Village Management Board, 30 Apr 1894, NA 225, KAB.
\item\textsuperscript{33} Ally, “Development of the System of Individual Tenure,” 107-112; Thompson, “Cecil Rhodes, the Glen Grey Act, and the Labour Question,” 81-82.
\end{itemize}
geographical archive. Surveyors already acted periodically as advocates for individual tenure on the basis of imperialism’s civilizing philosophy, and continued to do so. For their part, many Africans of various backgrounds agreed to titles in the 1880s and early 1890s out of fear for further loss, to improve their position relative to others, or to gain a small but fixed investment in property. The law governing subdivision, the Native Locations, Lands, and Commonage Act (No. 40 of 1879), stated universally that “it is desirable that portions of [Crown] land ... shall be granted on personal and individual tenure” and that the Governor was empowered to divide it. Native Affairs officials in the 1880s however focused more on the management of migrant laborers and the growth of private locations on white farms than on the wholesale subdivision of lands.

Despite the state’s implication that Thembu labor was not leaving the district, there was in fact an upswing in the 1880s in the number of Thembu seeking work. Elsie Wagenaar has identified social factors that produced this phenomenon and land shortage without a change in land tenure: the growth of monogamy reducing the value-to-income ratio of cattle and increasing the overall number of households, westernized farming methods and the new emphasis on animals that bore market profits like sheep allowing young men to set up their own households earlier in life, and the consequent rise in people who had a legitimate claim to set up a homestead under Thembu practice. The result was a vastly increased demand for arable land beyond that accruing to population growth alone, and many young men and families of lower standing were unable to obtain

---

a sufficient allotment at all, leading to an increase in wage laboring both inside and outside Glen Grey. The ultimate goal of those laborers was still to obtain their own land, so they still worked only as long and as far away as was necessary to obtain material wealth, marry, and claim their own land. The upsurge in migrant labor was therefore neither heavy nor long-term enough for colonial needs.37 Restricted, standardized land holdings with regular payments might therefore resolve the capricious labor supply, and a tax on any adult male not laboring outside the District that would also help while forcing greater registration of labor tenants and casual laborers alike on white farms.38

The process of organizing a general survey began in July 1885, when the Secretary for Native Affairs, J. A. de Wet, addressed a public meeting in Lady Frere over the issue of the lands cleared for white farmers in the vicinity of the town. De Wet told the assembled Thembu that they had no legal right to live on the lands of the Location because they were Crown Land, but that the government would consider petitions for individual title—a statement that precipitated concern on and around the mission stations.39 In March 1889 several mission stations tendered petitions for such surveys, and the Civil Commissioner of Queenstown, John Hemming, raised the question of a broader survey to de Wet in August.40 Over the following year, Hemming and Jenner, still Resident Magistrate of Glen Grey, accepted petitions and assayed general support for titles. They initially considered recommending only partial surveys for title in certain well-defined areas because of only minority support, but the Surveyor-General raised

37 Thompson, “Cecil Rhodes, the Glen Grey Act, and the Labor Question,” 75-79.
38 Ibid., 132-35. The enumerative side-effect is a logical point, especially given that the Cape government devised a new Native Locations Act (No. 33) regulating black occupancy on private farms in 1892.
40 Minute of L. Marquard (Commissioner for Crown Lands and Public Works), 12 Nov 1890, 3, NA 215, KAB.
questions about whether communal tenure and individual tenure could co-exist in such close proximity and the likely effects of moving people from one area to another based on their desire for title. The process of data collection and the discussion about solutions was however an ongoing process, with the ultimate end of reaching a workable reorganization scheme that would meet the minimum of resistance. Therefore all parties considered that opinions might change if a few key areas were surveyed for title first.

The first areas in Glen Grey the government approved for individual title surveys were therefore the mission stations, where the colonial rhetoric of improvement fit well with the impulse of the educated residents of the stations to protect their land rights. The first one subdivided was the Wesleyan station of Mount Arthur, beginning in March 1890. The Surveyor-General, Abraham de Smidt, arranged for the survey, but only once the receipt of survey fees from ¾ of the claimants to land in keeping with the idea that title should represent a clear and significant investment by the grantees. The surveyor de Smidt chose was Ernest Delabere Barker, who entered the profession less than ten years before and relied heavily on positive recommendations from the area’s respected senior land surveyor, A. E. Murray. The instructions Barker received for the Mount Arthur survey limited the agricultural plots to 8 morgen per family, with 10 morgen being allowed in particularly meritorious cases, and open access to water and grazing commons. Barker eventually conducted all five of the mission lands surveys in the

---

41 Bouch, “Glen Grey Before Cecil Rhodes,” 20; Report by Jenner to Commissioner of Crown Lands, 1 Sep 1890, NA 215, KAB; De Smidt to Jenner, 2 Oct 1890, SG 2/1/2/60, KAB.

42 Hemming to de Smidt, 12 Mar 1890, S.8168/12 (vol. 666), SGO-Cape.

43 Barker to de Smidt, 30 Jan 1884, SG 1/1/2/51, KAB. The two more established surveyors working in the area, A. E. Murray and E. Gilbert Hall, were at the time busy with work in the East London and Xalanga districts respectively.

44 Barker to de Smidt, 1 Apr 1890, SGO-Cape, S.8168/12 (vol. 666).
district though he seems to have applied for each one anew, using the arguments of familiarity and his presence on-site.45

The actual area people cultivated in extent and location was far less important than following a regular plan. Although Barker claimed to be “blamed by surveyors, older & more experienced than myself with giving too much consideration to others,” he made clear that the tariff system made it unprofitable for surveyors of small lots to give due consideration to Africans beyond the barest minimum, and that marking out small lots accurately was just as much work as plotting larger ones.46 Closely-spaced, rectilinear agricultural blocks were useful for central administration, but they also provided the best ratio of income to work, and so became the surveyor’s preference. This preference is obvious looking at Barker’s own general plan of garden lots at the Mount Arthur station (see map 4.1), where the lots are clustered in blocks around the mission station and the western section of the mission lands are completely open. Indeed, even when further lots were necessary, they were appended to extant blocks (B, C, and F).47 Barker pressed strongly for a different per-allotment standard for payment on such surveys so as to allow surveyors to take greater care, and reserved for himself the right to speak freely to other officials regarding his recommendations on pay and conduct.48 The Surveyor-General did raise the rate of pay for later mission station surveys but it did not

45 “Glen Grey,” subheading “Mission Stations”, Rural G. P. Index, SGO-Cape; Barker to de Smidt, 5 Sep 1891, with reply thereto from J. T. Horne (as Assistant SG), 10 Sep 1891, SG 1/1/2/51, KAB.
46 Barker to de Smidt, 2 Aug 1890, SGO-Cape, S.8168/12 (vol. 666).
48 Barker to de Smidt, 13 May 1890, SGO-Cape, S.8168/12 (vol. 666).
Map 4.1: E. D. Barker’s General Plan of Mount Arthur. Note the placement of the blocks of long, narrow allotments around the mission station. Source: Transkei Plan 6954, SGO-Cape.

fully mollify Barker, who continued to complain that compensation was inadequate given the amount of care and consideration asked of land surveyors in location surveys.49

Barker felt that his new expertise rapidly qualified him to weigh in on the matter of individual tenure for Africans more broadly. He wrote to the Commissioner of Crown Lands at the end of his survey of the Mount Arthur lots to suggest that he could be useful as a surveyor for any new commission of enquiry on land tenure in Glen Grey because

---

49 CPP, G.29-'92, Report of the Surveyor-General for the Year 1891, 16. During the survey of Butterworth district nine years later, Barker would raise these issues again, declaring in the process that “I have not yet met a moneyminded land surveyor.” See Barker to J. Templer Horne (Surveyor-General), 27 May 1899, S.8140, SGO-Cape.
My three or four months’ stay on this location in the course of my work has naturally made me familiar with the wants of natives on land matters, & I may refer you to the Revd. J. Sturt – Missionary in Charge here – or to the Resident Magistrate at Lady Frere as to how far the native applicants are satisfied with the manner in which the survey has been conducted ...\footnote{50 Barker to Commissioner for Crown Lands, 25 Oct 1890, 2, NA 215, KAB.}

This passage is notable for Barker’s lack of any suggestion that the grantees themselves be consulted. Barker’s inability to speak isiXhosa and his reliance on the missionaries as intermediaries also appear to have counted for little when compared to the capacity to devise solutions to what colonial officials considered foremost a technical problem.

It is important to consider the position of the claimants to title on the stations in this entire process as well. The relative lack of anger about Barker’s decisions—especially those cutting the size of agricultural lots—may be traceable to the fact Barker carried out the survey in the winter, between May and September, when farmers’ resistance to shifting their cultivation would have been weakest.\footnote{51 The Surveyor-General issued instructions on 26 April and received Barker’s general plan and diagrams on 12 October; see summary of correspondence, 1, 5, SGO-Cape, S.8168/12 (vol. 666).} It is also true that the bulk of people would have been cultivating near the mission station itself, which further eased the spatial rearrangement. But ultimately, there may have been other strategies at work too, in particular the desire of the “school people,” as the educated and Christianized isiXhosa-speakers were known, to prevent the loss of land rights to the “red people” who were neither. The law agent J. J. Kelly, who lived at the seat of the magistracy in Lady Frere from the late 1870s onward and wrote letters, lodged claims, and drafted petitions on behalf of people who were not literate, testified in May 1892 that ...

... several families who are still domiciled on the Mount Arthur farm ... had been asked by the Resident Magistrate to take up title to the land they were cultivating, they refused to take the land because the school natives
had told them that they were not going to take individual titles, but after the land was surveyed the people who advised them not to take title laid claim to it and turned them off.\textsuperscript{52}

The investigators could not fully verify Kelly’s account, and Barker disagreed with its veracity outright. The Reverend J. Sturt of Mount Arthur later blamed the “heathen” grantees for refusing to pay for the survey, and stated that when other people took the allotments “the reds came and drove them away” before going directly to Kelly.\textsuperscript{53} The government was however aware of the desire of non-Christians on and around the mission stations for title by September 1891, but they opposed it pending consideration of the “general question of native administration.”\textsuperscript{54} In any case, the argument points to the conflict over land between the two sections of abaThembu cultivators.

On the surveyed mission stations, colonial authority was at its strongest. The four mission stations Barker surveyed in 1890 and 1891 totaled approximately 14,000 \textit{morgen} in area (about 7\% of Glen Grey’s total unalienated land area of about 250,000 \textit{morgen}), divided into agricultural plots for a total of 269 families with varying amounts of commonage on each station.\textsuperscript{55} Barker admitted that in his pursuit of relatively standard land allotment sizes per family he had to cut down a number of larger cultivated plots in his survey, but claimed that only one person was dissatisfied with losing the right to cultivate a larger plot. Barker felt that if people elsewhere in Glen Grey wanted title the principles he followed on the mission stations could work more widely, and he believed that district-level work needed to be coordinated through one chief surveyor with clear

\textsuperscript{52} CPP, A.1-’93, \textit{Glen Grey Commission}, 20.
\textsuperscript{53} Sturt to Holland (Chair, Glen Grey Commission), 16 May 1892, NA 215, KAB.
\textsuperscript{54} Memorandum of the Commissioner for Crown Lands, “Individual Title to Natives,” 17 Sep 1891, NA 215, KAB.
\textsuperscript{55} CPP, A.1-’93, \textit{Glen Grey Commission}, 36. The fifth station, Zwartwater, he surveyed only in 1894.
authority to settle disputes over land and assign work to the individual surveyors on the
ground—as indeed would eventually be the case.  

In May 1892 the Cape government convened a commission in Glen Grey to
investigate the opinions of the broader population on individual tenure. The immediate
impetus was the Secretary of Native Affairs’s receipt of the accounts of two meetings,
one that deputized a trio of “school people”—Johannes Mahonga, Hendrik Kalipa, and
Invo’s Mfengu editor J. T. Jabavu (who was not a resident)—to go to Cape Town and
push for individual title, and another of people under 22 headmen who rejected the first
deputation’s claim to represent all the people and advanced a claim for communal tenure
by certificates of occupation. In its conduct however the Commission sought to
manufacture consent in favor of individual tenure in much the same way that the surveyor
A. E. Murray had at location meetings elsewhere in earlier years, using a mixture of
paternalism and fear, despite the statement from the delegation of headmen that “a report
has been in circulation that Government intends to drive out of the country every man
who refuses to pay down money and accept an individual title.”

Nowhere was the government agenda more evident (if sometimes subtly so) than
in the exchanges between the Commissioners and people who opposed individual tenure.
For example, the constable David Malasi, who spoke on behalf of four headmen, and
Andries Nysila, headman of Bengu location, expressed their desire to obtain tribal title to
land, or certificates of occupation that would allow for the continued scaling of land
according to need; in response, the Commissioners reminded him that in such a case the

56 Ibid., 36-37; CPP, A.3-'92, Report of the Commission Appointed to Inquire into the Tenure of Land, &c.,
in the Glen Grey District, 5-6.
57 CPP, A.1-'93, Glen Grey Commission, 3; CPP, A.1a-'93, Further Papers on Glen Grey Lands.
land would remain Crown land and that “Government may take away any part they like at any time.” In the case of Walawalo, the headman at Macubeni, 27 men appeared before the commission to say they did not want title and they were afraid of having their lands surveyed, to which the Commissioners responded that the government wanted to settle the question and “most people in the District will take title” so they could be left landless. Other objectors were reminded of the clearing of the Indwe railway farms as an indication of what might happen without title.

The questions and assertions continued along this line, with a wide variety of questions intended to probe the conditions that might recommend individual title to them. Sometimes the conditions were ones of last resort, as in the case of Macubeni, where title would be taken only at the last possible moment. More often however conditions usually involved a guarantee of the land currently under cultivation in extent and locality. That was an answer that benefited headmen and others like them, who enjoyed fairly high status and cultivated far more than 8 to 10 morgen. The colonial government was unlikely to disagree with the sentiment because rewarding headmen was an old practice.

The school people, like the headmen, looked out for their own best interests. Mahonga and Kalipa—members of wealthy families in the district—claimed to speak for “the Glen Grey natives” in several unsurveyed areas near the mission stations who were unhappy that title surveys only affected the stations. The delegation pushed strongly the extension of survey, and for double allotments or larger to the school people

---

60 Ibid., 30-31.
62 Petition of Meeting at Agnes Mission Station, 5 Mar 1892, NA 215, KAB.
compared to their “red” counterparts, which suggests that the petitioners and their agenda may have been less broadly considerate than they made it sound. Mahonga and Kalipa claimed that school people would more effectively use the larger lots, playing upon the colonial prejudice against African communal practices and culture to promote greater land grants for their own peers in the Location generally.63 It is possible that the Mahongas, Kalipa, and other educated Glen Grey Africans anticipated being beneficiaries of an increased labor supply and diminished commercial competition, but we can only say with certainty that they wielded inordinate power in the organs of local governance the Glen Grey Act eventually created.

Clearly a struggle existed between elements of the Thembu community over land rights, and the battle lines followed the contours of colonizing culture while simultaneously pitting the emulators of European culture against the government’s recognized headmen. In the middle were Thembu households that were not affluent or often sent people away for labor purposes, and therefore could not often make their voices heard. J. J. Kelly expressed directly to the commission that the only way to evaluate the interests of the “red” majority of households was not through headmen, missionaries, or delegations of school people, but directly from the people where they lived and with short notice so as to avoid misdirection.64 The Commission however did not perform such an investigation, leaving the rank and file unrepresented.

There are hints that some problems affected the mission station surveys because of poor consultation. Barker conveyed Jenner’s belief that those problems revolved not around the abaThembu, but rather the coordination between the surveyor and the

---

63 CPP, A.1-’93, Glen Grey Commission, 21-22.
64 Ibid., 20.
Resident Magistrate in not performing an inspection before the survey. Jenner himself was a clear advocate of closer colonial control, and agitated openly within Glen Grey for individual tenure. His activities in fact led people to lodge complaints with the Civil Commissioners of the two fiscal divisions into which Glen Grey fell, Queenstown and Wodehouse. In the case of Wodehouse, four headmen complained in a January 1894 petition that Jenner was holding meetings in various places and informing people that he was going to fix the limits of each household’s land by March, would only allow married men present in the location to claim (thus disqualifying people away laboring), and further intended to move people in from other parts of the district. They requested of Rhodes that “this evil may be remedied,” but did not specify the remedy sought.

Jenner’s response was that the complaints were unfounded and that many areas could accept further families “without crowding the present occupiers” based on his own reckoning; the acting Secretary for Native Affairs concurred and stated in February that Jenner’s actions were in line with the desires of government. These sanctioned actions included the deadlines and the location of landless Thembu families, many “old residents of the district living on private farms” or people who had not received allotments on mission farms, on uncultivated arable land within the district. The situating of new people on the land at behest of government—2,196, by Jenner’s count—created an uncomfortable situation. Beyond simply making shifting cultivation more difficult and

---

65 Barker to de Smidt, 5 Sep 1891, 2, SG 1/1/2/51, KAB.
66 Petition of April Mboko, Benjamin Noboza, Dolf Tambu, and Komana Sibeko, 4 Jan 1894 [erroneously dated 1893], NA 215, KAB.
67 G. M. Theal (for Secretary for Native Affairs) to CC Wodehouse, 24 Feb 1894, NA 215, KAB.
68 Report of H. A. Jenner, 5 Apr 1894, 1, 4, NA 215, KAB.
69 “Return Showing Lands Distributed by H. A. Jenner ... ,” 5 Apr 1894, NA 215, KAB.
taking away land for future growth, bringing in strangers without the approval or even consultation of the headmen threatened to undercut the patronage system and so generated further suspicion.

In the meantime, official opinion in the Rhodes government and the Cape Parliament had moved decisively towards systematic survey under an integrative Act. The early investigation of a district-wide survey’s feasibility in 1891 and the findings of the Glen Grey Commission led to a statement of intent to propose a bill in 1893 to “regulate” tenure in Glen Grey and elsewhere with similar conditions—a statement that itself started hopeful enquiries to the Surveyor-General from land surveyors looking for work on such large-scale surveys.70 Yet because the survey envisaged was a parliamentary measure, promoting it took time and involved a great deal of misrepresentation of the desires of the people for title as well as the folding in of other “native problems” with that of individual tenure in order to build the necessary legislative support.71 The fear of African prosperity figured prominently, especially the explosion in numbers during the 1880s of Africans on the voting rolls.72

The solution to the electoral issue, raised first in late 1893, was the recasting of Glen Grey titles as communal property (equal to “certificates of occupation”) for parliamentary and administrative purposes, and thus not freely transferable. The prominent Cape liberal James Rose-Innes, until 1893 Rhodes’s Attorney-General, characterized the compromise in paternal terms of the African’s lack of readiness for the

70 Thompson, “Glen Grey, Cecil Rhodes, and the Labour Question,” 92; Joseph Millerd Orpen to Horne, n.d. [received 4 Oct 1893], S.8168 (vol. 665), SGO-Cape. By mid-1894 Orpen was however a member of the Cape Parliament and so did not take part in the eventual survey.


responsibilities that accrued to owners of land. Rose-Innes supported a middle road because “we consider that the giving of a vote to a native is a small thing for which he could very well wait, while the breaking up of these huge locations [through land speculation], which at present serve as reservoirs of labour, would be disastrous both to the natives and to ourselves.”

Some Thembu also saw danger in titles that were too freely transferable. A meeting of Thembu householders with the Reverend E. J. Warner at the Agnes Mission Station in 1892 resolved that individual titles should require consent before transfer—but from the local community, not government, a recommendation that fell on deaf ears in Cape Town.

Such a compromise on the nature of title was not much for Rhodes to sacrifice, because adding African voters to the rolls or integrating them with Cape society was never his goal. The Act’s creation of a system of local governance and native courts separate from the general Cape Colony electoral structure pointed directly to that fact. Even though the Act advanced the separate system of representation and appeal as direct compensation for the loss of the franchise—and it certainly appeared to serve that purpose—the councils had no voice in wider matters of government, and such separate administration presumed the existence of a separate body of native law (oddly, never codified until 1927) and thus the utter difference of black from white in all fields.

---


74 Minutes, “A Meeting of Natives of Glen Grey District, held at Agnes,” 29 Jun 1892, NA 215, KAB.

That compromise between the communal and the individual also tallied well with
the way Cape surveyors thought about the relationship of Africans to the land, what
individual tenure meant for them, and how it should be administered. Barker made his
thoughts known to the Glen Grey Commission and the Surveyor-General, but A. E.
Murray, who had experience in cajoling Africans to accept title, went to the top first. In a
letter directly to Cecil Rhodes, Murray held out his opinion on promoting native titles as
a resident of the area and a surveyor for four decades. Murray believed that the
institution of title failed elsewhere because the ideas of land as negotiable property and
paying quitrent were not understood properly by grantees who were themselves not well-
vetted. Murray’s solutions for an enduring conversion turned on conditioning the
grantee towards “advancement”:

Believing, as I do, that the only solution to the “Labour question” is to be
found in the granting of individual titles to Natives, on such reasonable
conditions as to ensure their permanent occupation of the land until they
understand its value – I would propose the following conditions of grant –
always remembering that the natives are in a transition state and must be
led rather than driven.77

The conditions Murray suggested in his letter included comprehensive local
machinery for community tax collection and the maintenance of lot boundaries, the
assignment of garden plots based on a board that included the local magistrate, the
headman, and three others, the direct charging of survey fees before the issue of title,
indivisibility of title with inheritance only by primogeniture, and the restriction of the sale
or transfer of titles only to recipients approved by government so as to prevent
speculators’ acquisition of location lands. Many of these echoed the proposals already

76 Murray to Rhodes, 7 Feb 1894, 1-2, NA 225, KAB.
77 Ibid., 2.
broadcast in the Cape Parliament, but some directly addressed the issue of permanence in
titles. Though Murray wrote that the letter was not official, Rhodes’s interlined
comments and annotations attest to its importance in formulating the conditions of title
for the Act and concurrence with official paternalism about the purpose of individual
tenure. The fact that Murray later ended up in charge of the allotment surveys after the
Act’s passage certainly suggests that his intervention made an impression.

The version of the Glen Grey bill that became the Act in August 1894 therefore
embodied a number of Murray’s ideas on land administration and title restrictions, as
well as the compromises pressed upon Rhodes in the Cape Parliament and information
filtered through the Surveyor-General. The sections concerning land embodied most of
the suggested restrictions on transfer along with a restriction of ownership to one lot
only. Those lots were ideally to be four morgen (8½ acres) in extent for each family,
with larger extents considered if under active cultivation—a small lot size, but one that
Rhodes considered to be generous compared to the precedent of Oxkraal and Kamastone
and the land most abaThembu cultivated. The particular mix of restrictions worked to
fix a percentage of the existing population on the land, while forcing out the surplus,
preventing an influx of outsiders, and stunting the development of any large Thembu-run
commercial operations in the district. Rhodes demanded that the Act come into force at

78 Murray to Rhodes, 7 Feb 1894, 6 et passim, NA 225, KAB; CPP, A.19-’95, Report of [the] Select
Committee on Glen Grey Allotments, §33, 9.

79 For the input of the Surveyor-General on the prospective bill and title conditions, including key powers
and concessions reserved to the state, see W. Hammond Tooke (Undersecretary for Agriculture) to Horne,
13 Jul 1894, S.8168 (vol. 665), SGO-Cape; Memorandum on Draft Title, 18 Jul 1894, S.8168 (vol. 665),
SGO-Cape.


81 Cape of Good Hope Government Gazette 637 (31 Aug 1894): §3, 1681; CPP, A.19-’95, Report of [the]
Select Committee on Glen Grey Allotments, §4, 2.
once, and that “immediate steps” to carry out the survey follow immediately after its promulgation.\textsuperscript{82}

The administrative facets—local councils, district native courts, and taxation for local expenditure—could indeed be implemented immediately. The Act in fact anticipated those elements’ extension to other districts ahead of the land tenure provisions, as happened on 4 October 1894 when the Governor proclaimed their extension to the four districts comprising Fingoland.\textsuperscript{83} Unlike shifts in the structure of governance or even the levy of taxes on a different and more demanding schedule, the delimitation of land affected people’s livelihoods much in a much more direct and threatening way. The survey provisions involved required more time and technical labor to carry out than administrative changes. The Under-Secretary for Native Affairs in 1894, furthermore, was the same John Frost who had written in 1885 about the need to reorganize Glen Grey agricultural lands into regular blocks before the issue of title, and now he contemplated a more complete proletarianization of the district’s people on the basis of the Act’s land-tenure provisions.\textsuperscript{84}

As for the actual desire of people in Glen Grey for individual tenure, the well-worn combination of misrepresentation and implicit threats produced the illusion of majority approval; advocates agreed with the Glen Grey Commission’s opinion that those who refused title would accept it once a survey began, or else many others would happily

\textsuperscript{82} Thompson, “Cecil Rhodes, The Glen Grey Act, and the Labour Question,” 105.

\textsuperscript{83} Cape of Good Hope Government Gazette 637 (31 Aug 1894), §1, 1681; “No. 352, 1894” in Proclamations and Government Notices Relating to The Establishment of Councils for the Administration of Local Affairs and the Granting of Allotments in the Transkeian Territories (Cape Town: Cape Times, 1903), 1-9.

\textsuperscript{84} Thompson, “Glen Grey, Cecil Rhodes, and the Labour Question,” 93-94.
Ambitious farmers objected to the system of small, equal plots, apportioned one to a household, barred them by force of law from becoming large landowners—suggesting that the Act denied them the opportunity to become wealthy by their own industry the way Rhodes had. The receipt of some 35 petitions against the Act between August 1894 and January 1895, along with harsh criticism from the Cape Times and Jabavu’s Imvo among others, did not derail the Act’s implementation, and Rhodes often dismissed any such objectors as being uninformed. His accusations that his African detractors were ignorant were utterly false, but they also pointed to an informational fog the colonial government allowed to persist on the Act; only in 1897 did government publish the full text of the Act in isiXhosa, and even then only did so at the request of the magistrate of Glen Grey. With such smokescreens and diversions, preparations for survey therefore went forward as soon as logistically possible, with a general tour of inspection planned for the last few months of 1894 and surveys in 1895.

**Shifting the Ground**

In its basic mechanics the Glen Grey survey was not a radical departure from the smaller surveys Barker carried out in the four years before, but its scale and ambition had

---


86 Bundy, *Rise and Fall*, 136. Note especially appeals made based on the inequality extant in Cape society between Rhodes and the average Capetonian; the expectation made by the petitioners is one of inclusion, not segregation.


88 Sweeney (RM, Glen Grey) to J. G. Sprigg (Prime Minister), 7 Jan 1897, NA 225, KAB; Acting Secretary for Prime Minister to Superintendent, Lovedale Institution, 20 Jan 1897, NA 225, KAB. Even local notices were not immediately printed in isiXhosa until the end of March 1895; see Horne to Sweeney, 27 Mar 1895, S.8168 (vol. 665), SGO-Cape.
enormous effects. A district-wide survey required an unprecedented level of coordination among an unusually large group of land surveyors carrying out individual observations for thousands of lots—a total of 7,670 by 1899. As Barker and the Glen Grey Commission alike recommended, the Surveyor-General, J. T. Horne, appointed one surveyor-in-charge. The surveyor Horne chose was A. E. Murray, whose opinions were known to Rhodes, and who met with John Frost in Cape Town to plan the survey in late August, immediately following the passage of the Act. Murray’s position made him the liaison to the Resident Magistrate as well as the supervisor of the nine Government Land Surveyors he and the Surveyor-General selected from applications received and personal recommendations; a few, primarily E. D. Barker, also offered “premature” suggestions for how Murray should coordinate the work. The surveyor in charge also needed to reconcile the varying practices of individual surveyors in noting, drawing, and reporting their work.

Technical preparation for the survey was an early casualty of the Glen Grey Act’s volatility. The Surveyor-General considered proposals from the surveyors H. G. Fourcade and Harry van Renen for a district-wide trigonometrical survey to undergird the locations surveys, which would have been connected to the recently-completed work of the Geodetic Survey of South Africa across the Cape Colony to Natal. The potential for control of cadastral surveys was indeed a major benefit the Geodetic Survey’s architect,
the Cape Astronomer Royal David Gill, touted to the Cape government in order to obtain its partial assistance.\(^93\) The political demand for expedited survey however won out; Horne believed van Renen’s price was too high, and Murray feared that new high-level survey work would “delay too much ... we are trying to do without further assistance.”\(^94\) The Geodetic Survey’s existing beacons were close enough to the district, however, that at least one surveyor, E. G. Hall, connected his particular location survey to it.\(^95\) Most surveyors measured their own bases and performed triangulation from those instead, which required more careful examination for discrepancies.

Besides the smaller allotment size and larger numbers required, there were additional kinds of plots to be defined. The instructions that Murray drafted for the survey required the reservation and survey of rights-of-way and roads, but officials periodically asked that the surveyors define special pieces of territory for police posts and industrial schools.\(^96\) That requirement spoke to the radical spatial reorganization the Act demanded as well as the importance of the surveyor’s official eye as prescriber of key locations for organs of state control and indoctrination—in short, power and ideology.\(^97\) The Act’s stipulation that land titles could be revoked for criminal conviction further

---

93 David Gill to H. B. E. Frere (Governor, Cape Colony), 27 May 1880, ff. 302-3, RGO 15/98, CUL; CPP, A.104-’80, Despatches, Correspondence, and Papers, &c., Relative to Proposed Continuation of the Trigonometrical Survey of the Cape Colony in Connection with the Adjacent Territories.

94 Horne to Murray, 29 Sep 1894, S.8168 (vol. 665A), SGO-Cape; Murray to Horne, Telegram 1031, 24 Sep 1894, S.8168 (vol. 665A), SGO-Cape.

95 Murray to Horne, 10 Jun 1895, 3-4, S.8168 (vol. 665), SGO-Cape.

96 See CPP, G.6-’95, Report of the Surveyor-General for the Year 1894, 6-8.

97 See Scott, Seeing Like a State, 218-19. The concern with such control and the centralization of its planning also shares a great deal with Foucault’s critiques of state power and spatiality; see Margo Huxley, “Geographies of Governmentality,” in Space, Knowledge, and Power: Foucault and Geography, eds. J. W. Crampton and S. Eldon (Burlington, Vt.: Ashgate, 2007), 190-200.
underscored the state’s intended power as arbiter and organizer. Government also
required a fresh assay of the local situation and so sent Murray and Jenner together on a
preliminary inspection of the whole district during September, October, and November.

Jenner, who was no longer resident magistrate but whom the Secretary for
Agriculture retained on account of his knowledge of the district, and Murray held
meetings with each of its 43 headmen during their tour of inspection. Jenner called these
“meetings of the people” where they communicated the government’s plans, asked after
any potential complications, and compiled lists of people eligible for grants of land,
although Jenner kept no minutes or lists of attendees so the meetings’ character is hard to
verify. J. J. Kelly however later described the meetings as patently flawed based on the
descriptions of his Thembu informants:

The method adopted by Mr. Jenner in framing the list was simplicity itself.
Armed with a list of those on the Hut-Tax Register he proceeded to the
locations, the people already being assembled. The surveyor, who was in
company with him, marked off a four-morgen allotment. The headman
was then asked the extent of land in occupation of every individual within
his area. Mr. Jenner fixed the extent of each person’s allotment according
to the headman’s replies, and the parties mostly concerned had not a voice
in the matter. ... the headmen who have always been looked upon as the
mouthpieces of the people, are effectively silenced by the sop of from
twenty to thirty morgen of land, and all the men likely to take part on their
behalf have their mouths closed in like manner ...

If Kelly’s account is true, this was an expeditious but fraught solution. The practice of
awarding headmen extra land to compensate for loss of authority was an old one that was
employed in Glen Grey, and the practices Kelly described were not technically contrary
to the instructions the Secretary for Agriculture gave to Jenner and Murray. The Act only

98 Cape of Good Hope Government Gazette 637 (31 Aug 1894), §13 sub. 1 (form of title), 1691.
stated that special recommendations could be made, but the instructions never specified the method of determining the extent of land allowed, but the goal of four morgen for the average grantee was. Kelly’s language was certainly inflammatory, but he opposed the implementation of the Act and he represented many abaThembu who felt wronged, so his observations add a new perspective to its implementation. Kelly and his representations were enough of a source of consternation for Sweeney that the magistrate felt compelled to write Rhodes’s office several times in 1895 to reaffirm his commitment to making the Act a “grand success” and warn them that Kelly actively solicited and exaggerated complaints about him and the Act alike for his own economic gain.101

The criteria for being included as a grantee were at least clearer. According to those instructions, the lists of grantees were to include “all persons, being heads of families, now in occupation of land in the several Locations [or] now in occupation, but nevertheless claiming to have land allotted to them in the District” and be organized into groups of up to 24 households that would “indicate the arrangement or re-arrangement, if any be required, of the several Locations” and that might be transferred if necessary.102 In practice these criteria qualified married men and their immediate nuclear families (a limiting concept alien to broader abaThembu social networks) but also included widows who were responsible for their households. Some “extra lots” were also to be allotted to male taxpayers whose marriages were incipient, to help quell dissent.103

101 Sweeney to Milton (Secretary to the Prime Minister), 3 Jul 1895, NA 225, KAB; Ally, “Development of the System of Individual Tenure,” 141-42 n. 90.
102 Charles Currey (Under-Secretary of Agriculture) to H. A. Jenner, 27 Aug 1894, S.8168 (vol. 665A), SGO-Cape.
At these visits, the two also decided how to alter boundaries to create locations out of the 43 headmen’s ill-defined areas together with the mission stations while assuring conformity with the distribution of clans as Jenner understood them, in keeping with his instructions. These changes usually involved the simple erasure of Southey’s 1870 farm boundaries to create blocks as well as the relocation of people from one block to another, which Southey had not been empowered to do but which Murray employed to define 18 roughly equal and survey-friendly “locations.” Jenner also identified people who were to be moved to allotments on flat land or to lands in other locations, especially those who lived in ravines or rocky hill areas that the he and Murray felt should be reserved for grazing, regardless of the farmers’ sometimes substantial improvements.

Throughout, the two were heavily dependent on David Malasi as an interpreter and to record the names of applicants; Murray also retained him as “very necessary” for the survey itself, which suggests that Malasi possessed a great deal of arbitrary power beyond simply that accruing to his long residence in the district and his position as a constable.

Although the initial tour by Murray and Jenner went relatively smoothly, and they portrayed the meetings as agreeable, problems arose almost immediately once the surveyors began working in the field. Murray and the Surveyor-General anticipated some issues and admonished the surveyors that exercising “some patience and firmness”

---

would suffice to forestall complaints. As soon as the individual surveyors began to plot out allotments and more people saw how much land the surveyors assigned and where it lay, however, complaints multiplied rapidly. Murray was unsure of how to deal with the volume, and telegraphed the Surveyor-General in January 1895 with urgency:

> Applications are made to me daily by natives to have their areas amended often supported by the surveyors I have not authority & send them to the [acting] resident magistrate he also says he has no authority yet some of these amendments should be made & would be agreed to by Jenner were he here the appeal to Capetown takes too long and hinders survey work I would suggest that if the surveyor recommends alterations giving reasons & the magistrate & I together approve that alterations on the following matters could be made (1) increase of area (2) transfer from one location to another letter follows.

The problems were so numerous that the Surveyor-General soon had to refer volumes of correspondence and notes on particular cases upward to the Secretary for Agriculture. Sweeney at the same time reported a significant number of complaints from men who were away laboring when the lists were compiled or who felt the extents given them were too small. The attempt to settle all serious questions and disputes during the tour was thus clearly a failure. Murray, Jenner, and Sweeney could not unilaterally decide such serious issues, and the officials in Cape Town assumed all such matters had appeared by the time of the tour. The colonial government assumed that the residents of Glen Grey would accept the prescriptions of the law and the work of the surveyors, and clearly did not expect resistance to their vision of rationalization and enumeration.

---

107 See Jurisch to Skead, 24 Sep 1894, S.8168 (vol. 665A), SGO-Cape..
108 Murray to SG, 26 Jan 1895, telegram 6494, S.8168 (vol. 665), SGO-Cape.
109 Horne to Secretary for Agriculture, 7 Feb 1895, S.8168 (vol. 665), SGO-Cape.
110 Sweeney to Milton, 28 Jan 1895, NA 225, KAB.
Residents had good cause to be vocal, and the surveyors were the obvious
dividuals to receive grievances so clearly connected to their work. In cases like that of
George Nthlangwana, a schoolmaster who had a stone house, water furrows, a fruit
garden, and other improvements spread across nine morgen, the removal of over half the
land in the name of uniformity seemed harsh to the surveyors—though Murray’s
particular sympathy for Nthlangwana may have turned on his European dwelling and
style of cultivation. The Surveyor-General, J. T. Horne, believed that it would be
“extremely embarrassing” to set a precedent whereby all were treated equally regardless
of hardship or industry, especially in the case of men laboring outside the district who
could not be present.

In forwarding such cases to the Department of Agriculture, Horne made sure to mention if an applicant was considered to be a “progressive Native,” and in Nthlangwana’s case, it gained him his additional five morgen.

Officials were less charitable than the surveyors about accommodating
abaThembu, but shared their standards of merit. The general opinion of C. J. Sweeney,
Jenner’s successor as magistrate (and created Civil Commissioner) of Glen Grey, was
however that “in most cases the fact that a man has ploughed extensively is due to special
favour with the headman and the reverse applies to men who have cultivated small
gardens,” justifying arbitrary adjustment to the standard size to break up patronage and
foster equality. At the same time, Sweeney used his own subjectivity to determine his
opinion of claims for more land; “substantial” or “good” improvements as reported by the

111 Murray to Horne, 30 Jan 1895, telegram 3536, S.8168 (vol. 665), SGO-Cape.
112 Horne to Currey, 7 Feb 1895, S.8168 (vol. 665), SGO-Cape.
113 Horne to Currey, 7 Feb 1895, S.8168 (vol. 665), SGO-Cape; Currey to Horne, 26 Feb 1895, S.8168 (vol.
665), SGO-Cape.
114 Sweeney to Milton, 7 May 1895, NA 225, KAB.
surveyors gained Sweeney’s recommendation, as did “long and faithful services,” whereas people cultivating larger areas with no suitable improvements did not. Jenner was even more skeptical of the locals’ character, and bizarrely posited that if visible improvements automatically received consideration for larger lots, others might suddenly put up new fences and gardens in the hopes of enlarging their allotments and unbalance the allotment system so carefully contrived. Sweeney went so far in his expectation of subterfuge to obtain a regulation stipulating a harsh fine for damaging the commonage, lest abaThembu “consider themselves at liberty to ... extend their gardens where they could do so without encroaching on a neighbour’s land,” an act Sweeney considered uncivilized but was the natural expression of prosperity to the abaThembu.

Colonial trust in the gaze of the surveyor continued unabated, as though the act of survey imparted true value to the agricultural blocks so created. Sweeney relied entirely on descriptions from the surveyors even when cases of wholesale relocation produced vocal dissatisfaction, as happened with cultivators ordered to remove from the Bengu mountains to the prescribed agricultural blocks on the same location in May 1895. Rhodes, speaking later in defense of the block allotment system, stated that no inquest was needed because the survey ensured there was “sufficient ground for all” and that the location of the lands was not relevant. The surveyor’s regular agricultural blocks and

---

115 “List of Persons Recommended for Increased Allotments,” enclosure in Sweeney to Milton, 7 May 1895, NA 225, KAB.
116 Jenner to Horne, 6 Feb 1895, S.8168 (vol. 665), SGO-Cape. The statement is ridiculous on its face because it presumes the sudden appearance of the equipment and labor to erect fences and plow land.
117 Sweeney to Rhodes, 7 Jun 1895, NA 225, KAB; Ally, “Development of the System of Individual Tenure,” 228.
118 Sweeney to Sprigg, 8 May 1895, NA 225, KAB.
the colonial state’s administrative machinery were poorly situated to redress the reality on the ground, given the constraints of the Act’s ideology and its planners’ instructions.

The survey continued into 1895 with as little official acknowledgement of trouble as possible. The surveyors however sought to shield themselves, and very early on Murray requested that Sweeney take over the beacons of each location, absolving Murray and the surveyors of any responsibility for unremunerated re-survey. Murray was especially concerned that the very first section to be completed—132 lots of E. G. Hall’s location “Bengu” (No. 1) at the end of March 1895—be transferred smoothly, as “so much, with natives especially, depends upon first impressions,” and Horne made certain to facilitate it. Individual surveyors sometimes took matters into their own hands to prevent complaints, and Barker admitted that throughout he had “used unwritten discretionary powers in making allotments a little larger than authorized where it was necessary to include bad or broken ground” as had other surveyors. No reported cases involved surveyors unilaterally surveying isolated ground. The first full location plan tendered, Charles Marais’s “Cacadu” (No. 17), is a good example of how the technicians interpreted the Act’s instructions on the ground (see map 4.2). The general plan shows the regular blocks of narrow rectangular allotments the surveyors preferred, clustered on

120 Murray to Horne, 28 Feb 1895, S.8168 (vol. 665), SGO-Cape.

121 Ibid.; Horne to Murray, 19 March 1895, S.8168 (vol. 665), SGO-Cape. Murray made a special note that “there were no complaints made by any of the natives,” hinting at the exceptional nature of such an agreeable situation; see Murray to Horne, 8 Apr 1895, S.8168 (vol. 665A), SGO-Cape.

122 Barker to Horne, 3 Sep 1895, S.8168 (vol. 665A), SGO-Cape; Ballot to Horne, 14 Jun 1895, S.8168 (vol. 665A), SGO-Cape; Melvill to Horne, 11 Sep 1895, S.8168 (vol. 665A), SGO-Cape.
Map 4.2: Charles Marais, General Plan of Location No. 17 (“Cacadu”), 1895. Note the allotment blocks clustered around roads and pink mission stations or police posts, and empty valleys and kloofs towards the top of the plan where many people originally cultivated. Source: Transkei Plan 5071 sht. 1, SGO-Cape.

low ground near a mission station or other site of colonial influence; the blocks in the lower part of the plan also rest near similar blocks in the neighboring location.\(^{123}\)

J. J. Kelly identified the survey’s pitfalls in early 1895 the same way Barker had in 1890: too much interest in speed and simplicity and not enough in fairness, which then impeded the survey.\(^{124}\) Kelly’s point had some foundation, although in this case the problems were more a product of the instructions given than any corners the surveyors unduly cut. The surveyors did complain of being overworked; Murray complained to the

\(^{123}\) Charles Marais, “General Plan of Location No. 17, Cacadu,” Jun 1895, Transkei Plan 5071 (3 sheets), SGO-Cape.

Surveyor-General about the burden of observing and computing all coordinates for the majority of the lots, given that most were surveyed in rectangular blocks. It was apparent by March 1895 that despite Hall’s tendering of the first surveyed section most of the surveyors were encountering serious delays, even though Murray declared that matters were going well technically and the surveyors were hard at work.

A number of reasons existed for complaint and circumvention. As before the Act, allotment holders in each block also objected to the location of new people on allotments for fear it would shrink their own, and Jenner strongly recommended that Sweeney and Murray should accompany each transferred grantee to convey the necessary imprimatur of official sanction. According to J. J. Kelly, a number of policemen and others from outside with no valid claim based on residence were given allotments, or unfairly considered for larger allotments based on colonial favoritism. In a few cases, people with other farms or allotments in Oskraal or Kamastone apparently received land in Glen Grey. Certainly a few school people were awarded larger lots or additional lots in other locations, including Hendrik Kalipa, who had testified before the Glen Grey Commission and received an additional grant of 20 morgen atop his receipt of 30 morgen for being a headman. Kalipa therefore received a dozen times the average size of a family grant. The interpreter and constable David Malasi was another beneficiary on

125 Murray to Horne, 19 Feb 1895, S.8168 (vol. 665), SGO-Cape.
126 Murray to Horne, 7 Mar 1895, S.8168 (vol. 665), SGO-Cape.
127 Jenner to Horne, 6 Feb 1895, S.8168 (vol. 665), SGO-Cape.
130 Jurisch to Murray, 2 Jul 1895, S.8168 (vol. 665), SGO-Cape.
Sweeney’s direct recommendation, along with a few other public servants.\textsuperscript{131} Malasi in particular received 20 \textit{morgen} in a location closer to the magistrate’s seat, which included a house worth £300 in exchange for a house purportedly on land he had cultivated much further away in the past.\textsuperscript{132} The grounds for such large awards seem to have turned more strongly on a person’s position and perceived level of civilization than material evidence of improvements, and the former group sometimes displaced the latter.\textsuperscript{133} The philosophical tension between the two measures of entitlement was significant, because it effectively pitted paternalism and management against recognition and reward.

The surveyors’ prescriptive creation of less-porous boundaries for management purposes had its own perils. The ultimate reason for surveying agricultural lands in blocks on less-fertile flat land was, in Rhodes’s description, the capacity to fence and protect cultivated lands from cattle in the future, something he believed impossible if land was surveyed where it was cultivated.\textsuperscript{134} But many people long cultivated lands isolated in particular small valleys and plots. In May 1895 Sweeney forwarded the protests of nine residents of Buffel Doorns (No. 5) to the office of the Prime Minister, in which they claimed their lands were not granted them.\textsuperscript{135} In most of the cases, the surveyors reported that the lands in question were isolated, and Rhodes concurred with Sweeney that “isolated lands & lands in kloofs shall not be surveyed” regardless of the reasons.\textsuperscript{136}

\begin{flushright}
\textsuperscript{131} Sweeney to Milton, 2 Apr 1895, NA 225, KAB. Sweeney also emplaced Malasi as interpreter to the District Council under the Act; see Acting RM Glen Grey to Milton, 27 May 1895, NA 225, KAB.
\textsuperscript{132} CPP, A.19-’95, \textit{Report of the Select Committee on [the] Glen Grey Allotments}, ¶546-556, 63-64; ¶773-778, 88-89.
\textsuperscript{133} Ibid., ¶4, iv.
\textsuperscript{135} Sweeney to Milton, 4 May 1895, NA 225, KAB.
\textsuperscript{136} Milton to Sweeney, 13 May 1895, NA 225, KAB.
\end{flushright}
Significant consequences however existed for moving and concentrating agricultural lots, as E. G. Hall noted in the case of Bengu where people living in the northern part of the location far from the open grazing land were hiring land on neighboring private farms without which “their stock cannot exist.”\textsuperscript{137} Problems also arose with the enumeration of boundaries between locations. In a few cases people applied for lands under the wrong location, but sometimes those boundaries threatened a loss of access or administrative chaos. In another example from Hall’s survey of Bengu, a “large section” of people in the northwestern portion approached him to make an alteration of the boundary with an adjoining location on the basis that it “completely cut them off from the kloofs where they have been in the habit of watering their stock” and without it they would have no water or shelter for their animals in the winter.\textsuperscript{138} Murray in turn admitted that he and Jenner had not given the matter of water and shelter any thought in setting boundaries, but he did not believe that location boundaries could be changed.\textsuperscript{139} Working in the Mkapusi location (No. 4) in 1895, Frank Skead pointed out that Southey’s old farm boundary crossed the agricultural block of one of his surveys. That fact was not a problem before location boundaries were given managerial meaning, but had to be shifted for administrative purposes and to correspond to a boundary that residents understood to cross further away, on non-arable land.\textsuperscript{140}

The complaints about the survey however did not only involve lot sizes, boundaries, and locations. Some involved people left off the list of claimants entirely, or

\textsuperscript{137} Hall to Murray, 30 Nov 1895, S.8168 (vol. 665A), SGO-Cape.
\textsuperscript{138} Hall to Murray, 6 Apr 1895, S.8168 (vol. 665), SGO-Cape.
\textsuperscript{139} Murray to Horne, 8 Apr 1895, S.8168 (vol. 665), SGO-Cape.
\textsuperscript{140} Skead to Murray, 21 Feb 1895, S.8168 (vol. 665), SGO-Cape; Horne to Murray, 4 Mar 1896, S.8168 (vol. 665), SGO-Cape.
whose names differed from those that David Malasi recorded on the early tour. Although Jenner tendered supplemental lists of applicants starting in December 1894 and Sweeney compiled additional lists for “men who have satisfied me that they are hut-tax payers,” the initial omissions and errors created another source of annoyance for residents.141 Falteni Mangali, a married taxpayer left off of lists of grantees for Hall’s vital Bengu first section, sought redress at the end of February from Hall, not the magistrate.142 A group of men approached the surveyor Alfred Tudhope in mid-February with same complaint that they were left off the official lists.143 The surveyors could only forward reports to Murray, who sent them to Horne in Cape Town and then waited weeks or even months for resolution through the colonial state’s administrative machinery. Such delays created extra cost and unrest at an especially bad time, the start of the planting season, and showed clearly the limits of the surveyors’ initial power to redress grievances or even divine the situation.

The solution of the Surveyor-General throughout was to recommend more power to the consultative team of Murray and Sweeney to make decisions on the ground. Murray intended to survey hundreds of additional allotments to pre-empt additional claims, and the Surveyor-General further suggested Murray should inspect and evaluate any land under dispute.144 Government approved of the additional lots in May, and some 753 additional claims in July—nearly 12% of the number of applicants approved at the

142 Murray to Horne, 28 Feb 1895, S.8168 (vol. 665), SGO-Cape.
143 Tudhope to Murray, 17 Feb 1895, S.8168 (vol. 665), SGO-Cape.
outset. The outcome was not the expansion of local judicial powers, but rather an official Select Committee inquest into the complaints received.

**Conciliation and Changing Strategies**

By the time the Select Committee met in July 1895, well over a dozen petitions along with other reports of grievances had passed into the hands of the Cape Parliament and the Prime Minister. J. J. Kelly, acting as spokesman pro bono, had forwarded a number of these complaints over land allotment to Cape Town in March and offered to provide specific evidence to any inquest held. The Select Committee accordingly focused on the question of allotments, with Kelly, Rhodes, Jenner, Sweeney, and the local field cornet Benjamin Musgrave providing the vast majority of evidence. The surveyors at work in the district were not asked to testify, as much for reasons of logistics as belief in their objectivity.

Rhodes, Jenner, and Sweeney defended the Act’s methods by invoking the end of civilization. In response to concern that title restrictions on sale and particularly the inability of a landholder to designate someone other than his eldest son to inherit his land might create hardship, Sweeney declared that “the more I see of the working of the Glen Grey Act, the more I like it.” But in fact all three defenders admitted that many people had been uprooted from long-cultivated lands and moved to far inferior plots, and that the award of extensive grants turned on the value of an individual to government rather than

---

145 Horne to Murray, 3 May 1895, S.8168 (vol. 665), SGO-Cape; Secretary of Agriculture to Surveyor-General, 18 Jul 1895, S.8168 (vol. 665), SGO-Cape.

146 Kelly to Milton, 16 Mar 1895, NA 225, KAB.

the area they actually cultivated. Sweeney’s bluster in particular had motives other than fairness. At the beginning of July, only weeks before his testimony, he had received copies of three letters purportedly written by the king of the baSotho (presumably in isiXhosa, though Sweeney only calls it “Kaffir”) and intended for delivery to the disempowered paramounts of the Transkei. The letters were copied down by a Sotho doctor visiting the district and sent along through informal channels, and they urged militant resistance to the labor tax and the surveying of the land because they would become “Hottentots and slaves ... our children will be dispersed ... you will lose your land.” Sweeney’s response was however to discourage any attempt to prosecute because it “might suggest opposition to the Glen Grey Act” and that disturbing the work over letters of unknown provenance and calling into question colonial resolve would serve to encourage resistance.

Musgrave, who was not politically invested in the Act, was far more circumspect and stated that the “main cause of the complaints” was the creation of agricultural blocks without due consideration of existing patterns of occupation. Musgrave’s testimony offers some insight into the deeper issues concerning labor, land, and use, that do not emerge from the direct conflict between magistrate, surveyor, and resident. The questioning automatically presumed that chaotic occupation led to stock theft, abuse of power, idleness, and other signs of barbarism. Musgrave in response cited the practices of grazing cattle on harvested land freely in winter, grazing them near the homestead and

149 Translation of letter from Lutuli to Mtaria, 29 Jun 1895, enclosure in Sweeney to Milton, 9 Jul 1895, NA 225, KAB.
150 Sweeney to Milton, 9 Jul 1895, 5-6, NA 225, KAB.
151 CPP, A.19-’95, Report of the Select Committee on [the] Glen Grey Allotments, §405, 47.
adjoining agricultural lands, and the need to retain unmarried sons to help till the land, and suggested that the people might be the best judges of land use—even though surveyed blocks were better for him as an administrator. Kelly put forth the complaints of various land claimants, and pointed to particular cases of abuse, unfair allocation, and even multiple allotments under aliases, which at the very least raised the concern that an embarrassingly large number of people were dissatisfied.

The report of the Select Committee therefore included a number of recommendations that addressed the ambition of the Act’s spatial reorganization. Upon their observation that lands were often reassigned miles away from a homestead, or that headmen sometimes received large allotments that displaced other people who had been working the land, they recommended that lands should be assured in their existing locations, and if not possible to do so, that “some compensating advantage” should be given to any person displaced. They recommended further that an independent officer “who has not been connected with the allocation of the land” should serve to convey grievances to government “before the matters complained about are placed beyond the possibility of appeal by the general issue of titles.” Other observations concerned the issues of tax and exemptions for labor, the inclusion of omitted names, the importance of respecting the extent of land previously cultivated, and the issue of inheritance which the committee thought was unsatisfactory for excluding particularly widows. The Committee did not consider effects on polygamous households at all, but in 1898, J. T. Jabavu told a further Select Committee dealing with inheritance issues that polygamy did not affect the working of the Act or the responsibilities of the eldest son, nor did he

---

152 Ibid., §495, 58; §409-413, 48-49; §422-424, 50.
153 Ibid., iii-vi.
believe polygamy to exist in Glen Grey in any case. Given that colonial policy discouraged multiple marriage and none of the petitions turned on provision for such relationships the omission is unsurprising.

No reversal of prior decisions on survey in Glen Grey took place after the Select Committee report, although the government made more concessions going forward. Charles Marais reported that many taxpayers left off the lists continued to come to him, and he commented on their persistence in making their case for inclusion to Sweeney. The government indeed approved more additional claimants and larger allotments for others, the former to be submitted “at the close of the survey” and the latter to be handled on a case-by-case basis. The recommendation to appoint an outside adjudicator to consider complaints was another concession, and claimants soon sought to bring their grievances. 78 men from one location, unhappy with the size of their allotments, sent such a petition forward through the law agent J. V. O’Brien in September and others followed thereafter. The official named to evaluate petitions, E. B. Chalmers, was the Civil Commissioner or Fort Beaufort district and formerly of Wodehouse. Chalmers however took a very similar viewpoint to Sweeney’s and in his report in July 1896 he only recommended compensation for improvements to the land that people lost, while stating unequivocally that there should be no interference with the survey. Nevertheless, the existence of any review procedure was an improvement. The issue of

---

156 Currey to Horne, 9 Aug 1895, S.8168 (vol. 665), SGO-Cape; Currey to Horne, 8 Nov 1895, S.8168 (vol. 665), SGO-Cape.
157 J. V. O’Brien to Milton, 10 Sep 1895, NA 225, KAB.
158 CPP, A.14-’96, Glen Grey. Report of E. B. Chalmers ... upon Complaints Made by Certain Natives in the Division of Glen Grey ..., 4-7.
the first titles to those who paid installments of the hefty survey fees (£5 per lot) in July 1895 also gave the legal change an increasingly tangible form, though many could not pay the survey cost, did not receive titles, and their rights were eventually considered forfeit.159

The surveyors also seem to have taken more initiative as 1895 went on. Tudhope reported in December 1895 that “the real onus of locating the applicants falls on the surveyor, for if a six morgen lot is marked out in a certain place the magistrate ... is obliged to place a man entitled to six morgen there” and that efforts to determine who was actually working a particular patch of ground and avoid diminishing the size of a land grant were the major cause of delay at that time—though the survey of additional lots awarded later or as replacements for uncultivable lots also took time and created irregularities.160 The surveyors completed thirteen locations by the end of 1895, a far slower pace than originally intended. Horne however proclaimed the survey to have “advanced materially” and Murray disingenuously declared that fewer problems were encountered than expected.161 Sweeney allowed at the beginning of 1896 that the survey was “from the first a difficult task” but still blustered that the abaThembu were treated fairly and that the Glen Grey system of survey and title was “one of the best enactments bearing on native policy ever passed, both for the native and the country.”162

The completion and aftermath of the survey did not produce the neat social revolution that the Act’s architects envisioned. Survey work only ended in Spring 1896.

159 Wagenaar, “History of the Thembu,” 322.
161 Ibid., 11-12.
A. E. Murray tendered his last plans tendered in October, and the final paperwork arrived early in 1897; the Surveyor-General announced that about half of the original survey costs were recovered by the end of that year. Further deposits however came in more slowly as did quitrent payments, because of a number of years with bad rainfall and the arrival of the deadly *rinderpest* epizootic in May 1897. Addressing a cattle plague like *rinderpest* did not depend so much on residence patterns once health officials knew of its approach and deputized abaThembu to manage countermeasures. The movement of agricultural lots away from the water-collecting kloofs, on the other hand, meant that harvests suffered significantly during drought; indeed the local council only characterized three crops between 1895 and 1903 as “good.” The machinery of the Act allowed for the reallocation of lands to others when payment of survey costs or quitrent lapsed through negligence but it also afflicted those who were merely unfortunate, a point even Sweeney allowed was often unfair. New applicants continued to petition for grants of land well past the end of the survey as well, pointing to a continuing shortage.

The lots themselves were also not sacrosanct. The beacons erected during the survey required redefinition between 1914 and 1917, owing to the destruction of many and cases of encroachment. Investigation between 1919 and 1922 further found that the occupants of nearly 40% of the allotments were not the registered holders of title and nearly 4,000 married men and their households were living on the commonage and

---

164 S. Cowper (Secretary to Prime Minister) to Sweeney, 28 May 1897, NA 225, KAB.
166 G.42-'98, *Blue Book on Native Affairs 1898*, 27.
167 L. M. Walton (Native Location Surveyor) to A. H. Cornish-Bowden (Surveyor-General), 5 Sep 1914, and section 2, 3-201 *passim*; S.8168 (vol. 665D), SGO-Cape
paying hut taxes without owning any land at all, but aside from land shortage the reasons
behind the irregularities went unrecorded.\textsuperscript{168} Indeed some of the landless household
appear to have been doing small amounts of cultivation on the commonage, characterized
as “a peach tree or a bit of tobacco” and as actually having a beneficial effect on the
land.\textsuperscript{169} Clearly the people of Glen Grey found other ways around the title system and its
expenses and did so within their familial and social networks, given that the magistrate
was able to find virtually all the legal holders of the titles within a year or so to divine
their approval of others working the land on their behalf, and no title cancellations
resulted from the discovery.\textsuperscript{170}

Government learned from the experience as well, and later allotment surveys
under the Glen Grey Act unfolded in a way far more amenable to the landholders. The
first target of extension was Fingoland, in part because the colonial government broadly
considered the Mfengu to be more industrious and appreciative than other isiXhosa-
speakers but also because the Chief Magistrate of Tembuland and Transkei believed the
losses of cattle to \textit{rinderpest} would mute any resistance to the introduction of individual
title.\textsuperscript{171} The attitude of Mfengu farmers and headmen towards the Glen Grey Act had
indeed been highly skeptical. In 1895, Mfengu in Butterworth strenuously opposed
extension of the Act and even the mixed population in Idutywa made common cause in

\textsuperscript{169} H. G. Turner (Magistrate, Lady Frere) to Cornish-Bowden, 11 Aug 1916, S.8168 (vol. 665D), SGO-
Cape.
\textsuperscript{171} See S. M. Molema, \textit{The Bantu Past and Present} (Cape Town: Struik, 1963 [1920]), 79; H. G. Elliot
(Chief Magistrate Tembuland & Transkei) to W. E. Stanford (Secretary for Native Affairs), 4 Nov 1897,
File A.1218, NA 571, KAB. W. E. Stanford later stated that the Mfengu were especially quick in
In 1897, cultivators in the same district made clear they did not oppose survey and titles but did “object most strongly to what they call the Glen Grey survey and the form of title issued under it,” a point J. T. Jabavu also made in testimony before a Select Committee on the Glen Grey Act in 1898. The universal intent of the Glen Grey Act and the prior application of its administrative provisions may have assured its use as a model, but such open skepticism assured modification.

Extension of the Act’s land tenure provisions to the four districts of Fingoland—Butterworth, Nqamakwe, Tsomo, and Idutywa—began with Proclamation 227 of 1898, which extended them specifically to Butterworth. From the beginning, the planners of the Act’s extension gathered any lessons available from the experience of Glen Grey, for in the words of the magistrate of Nqamakwe, “any attempt to impose, unmodified, the conditions of the title deed under the Glen Grey Act upon the local Natives would evoke the most general and serious opposition from all ranks,” even those in favor of the principle of survey and title. The Chief Magistrate suggested allowing women to inherit land, larger allotments in general, and no special consideration for headmen. C. J. Sweeney, in relating his fraught experience, suggested that land clauses that might “be altered with advantage in carrying out the work in other Districts” included a more thorough preliminary inspection process and power for the magistrate and surveyor to settle all disputes on-site. Perhaps most importantly, the urge for speed and the

172 CPP, G.5-'96, Blue Book on Native Affairs 1896, 90.
175 C. J. Levey (RM, Nqamakwe) to Elliot, 24 Mar 1897, 1, File A.1218, NA 571, KAB.
176 Elliot to Stanford, 13 Apr 1898; KAB, NA 571, File B.1218, Sweeney to Stanford, 14 Mar 1898, File A.1218, NA 571, KAB.
demand for spatial regularity were not pressed as they had been in Glen Grey, so both the preliminary work and the survey itself could be more thorough in addressing most of the residents’ concerns.

No triangulation or cadastral surveying of any kind existed in Butterworth or Fingoland more generally, meaning that the problems of subdivision were potentially greater. Therefore Jurisch and Horne supported a plan devised by E. Gilbert Hall to perform an extended secondary triangulation connected to the Geodetic Survey before dividing Butterworth into separate locations. Jurisch convinced a reluctant colonial government to approve the considerable expense (£600) in 1898 by specifically citing the purpose of the Geodetic Survey “to meet the many wants of civilized administration apart from its value from a scientific point of view” and the lost opportunity of Glen Grey. Hall completed the work in Butterworth by November 1898, well before the individual surveys could begin, and precise secondary triangulations would precede all later district subdivisions and surveys for individual tenure.

The Surveyor-General again appointed Murray as superintendent of surveys, but he and the Resident Magistrate, W. T. Brownlee, toured the district in a far less cursory manner than had prevailed in Glen Grey. Instead of calling meetings, interrogating headmen, and using old tax registers, they collected the names directly and then visited each Mfengu claimant to decide on the individual allotment size and location. Murray believed that relying less heavily on headmen would prevent a repetition of Glen Grey, and admitted that

177 Hall to Jurisch, 10 Mar 1898, H2/330, CDSM.
178 Jurisch to Hammond Tooke, 31 Mar 1898, H2/330, CDSM.
179 Hall to Horne, 2 November 1899, H2/1/3, CDSM.
[t]his process is necessarily slow, but is thorough and the only way it can be done, to avoid trouble during the survey—all disputes are settled on the spot—taking the opinion of the headman & of any others that may be interested the Magistrate, comes to a decision & the people appear to be satisfied ... we insure each man getting his own land sometimes a little less but it is all thoroughly well defined.\textsuperscript{180}

The longer investigation this method entailed also gave Hall more time to conduct his triangulation. Financial troubles in the Colony, the financial hardship of bad harvests and \textit{rinderpest} among the Mfengu, and then the South African War, however delayed the survey of allotments until well into 1900.\textsuperscript{181} In the meantime, Murray suffered an apparent heart attack in 1899 and nominated Hall first to complete the tour and later, when Murray’s health failed to improve, to be his permanent replacement as chief location surveyor.\textsuperscript{182}

The survey of the six Butterworth locations—nearly 4,000 lots—went smoothly on the ground. The general plans of the locations, as exemplified by E. D. Barker’s plan of Toleni, show part of the reason: compared to the location plans in Glen Grey, the lots are not rectangular, and they are scattered throughout the river valleys, with some lots entirely isolated and even on islands (see map 4.3).\textsuperscript{183} Reports of surveyors about unhappy grantees and petitions for inquests about the process of survey and the granting of allotments were conspicuously absent, in part because dispute resolution improved but also because surveyors took far greater liberty to make independent decisions.

\begin{footnotesize}
\textsuperscript{180} Murray to Horne, 25 October 1898, S.8140 (vol. 661), SGO-Cape.
\textsuperscript{181} Elliot to Stanford, 29 Jan 1898, File A.1218, NA 571, KAB; Minute from Stanford to J. G. Sprigg (Prime Minister) and reply thereupon, 4 Feb 1898, File A.1218, NA 571, KAB; CPP, G.11-1900, \textit{Report of the Surveyor-General for the Year 1899}, 5-6.
\textsuperscript{182} Murray to Horne, 17 Apr 1899, S.8140 (vol. 661), SGO-Cape; Murray to Horne, 23 Jan 1901, S.8140 (vol. 661), SGO-Cape.
\textsuperscript{183} E. D. Barker, “General Plan of Toleni,” Transkei Plan 4155, SGO-Cape.
\end{footnotesize}
Hall’s ascent to leadership over the surveys may have been part of the liberalization of negotiability in the terms of the survey. Horne considered Hall to be qualified because “he knows the Native mind and, I believe, speaks the language fairly well having resided in Tembuland for many years” though the question of language is open given that Hall still required an interpreter in his survey of Engcobo in 1916.\textsuperscript{184}

There is little doubt however that Hall was more conciliatory than Murray. Under Hall’s

\textsuperscript{184} Horne to Hammond Tooke, 5 Feb 1901, SG 2/1/2/93, KAB; G. R. Hughes (Secretary for Lands) to Cornish-Bowden, 13 Sep 1916, 3, S.8676 (vol. 711), SGO-Cape.
management the surveyors deviated even further from the allotment grants carefully
determined and approved for Mfengu farmers through Brownlee and Murray. Hall
readily admitted that the surveyors acted precipitously specifically “to prevent any native
complaining” even though following the four-
morgen rule would have been “much nicer”
from the surveyor’s point of view.185 Facing insubordination, the Secretary for
Agriculture wrote to the Secretary for Native Affairs, W. G. Cumming, to note that

> [t]he Surveyor has made it a practice to survey the area actually in
occupation and under cultivation by the respective natives instead of
adhering to the areas recommended in the approved lists, which have
already received the sanction of His Excellency the Governor. In a
number of cases this has resulted in a very appreciable increase of the
areas approved of – in some instances the areas have been almost doubled.
... It should be noted that if the extents as surveyed by the Surveyor are not
approved of the greater part of the survey will be upset.186

The response of the Secretary for Native Affairs was approval of Hall’s
independent decisions. The Secretary stated that “the guiding principle” for location
surveys was to “accept as far as practicable existing lines of occupation” and that “[t]o
disregard it would simply mean that the Natives generally would strenuously oppose the
introduction of the system of individual tenure,” a point underscored by proclamation in
1902 that actual cultivated and improved areas would be respected.187 There was no
acknowledgement that the principle was not really followed in Glen Grey, nor any
statement of what generated the change—but clearly both practitioners and policy had

185 Hall to Jurisch (as Surveyor-General), 5 Jun 1903, L.11097, LND 1/701, KAB; South African Native Affairs Commission 1903-5 volume II: Minutes of Evidence Taken in the Cape Colony (Cape Town: Cape Times, 1904) §13,011, 931.
186 W. W. Thompson (for Actg Under Secretary for Agriculture) to W. G. Cumming (Secretary for Native Affairs), 12 Jun 1903, L.11097, LND 1/701, KAB.
187 Cumming to Thompson, 15 Jun 1903, L.11097, LND 1/701, KAB; “No. 30, 1902” in Proclamations and Government Notices, 56.
moved towards favoring the wishes of the majority of people working the land. The Surveyor-General in 1923 adjudged Hall to have been “unnecessarily deliberate” in addressing local wishes and raising the cost of surveys, but he conceded that Hall had been “singularly successful in his dealings with the natives.”\(^{188}\) If the majority of people did not see themselves as under assault, the few people raising complaints could be more effectively marginalized.

The machinery of cadastralization and colonial legibility therefore made certain concessions in the introduction of individual tenure after Glen Grey to forestall complaints and, as Sweeney stated before yet another Select Committee in 1902, assure that the most people felt they had “a stake in the country.”\(^{189}\) Concessions to local feeling regarding the Glen Grey Act’s provisions extended to the hated labor tax, which the Secretary for Native Affairs later characterized as “difficult and expensive to collect,” was insulting to many, and had been dead long before it was abolished in 1905.\(^{190}\) The other administrative provisions came into force over the entire Transkei by 1926 (save Mount Currie in the far northeast, which had a large white farming population) and provoked little resistance because in practice headmen and chiefs dominated the councils.\(^{191}\) Individual tenure under the Act on the other hand itself sometimes became a concession to local interests, for it remained restricted to the western districts where headmen were most dependent on the colonial government for their authority: Glen Grey, the four districts of Fingoland, and the Xalanga, Engcobo, and Umtata districts of

\(^{188}\) A. H. Cornish-Bowden to the Secretary for Lands, 7 Mar 1923, 8-9, S.975/39, SGO-Cape.


Tembuland (see map 3.1). In areas such as Bomvanaland, Pondoland, and the lands of
the amaXesibe and amaMpondomise that retained strong hierarchies of chiefly
authority—in short, stronger and more independent civil societies—individual tenure was
never imposed and land titles remain communal even in 2008.

The ultimate termination of the Glen Grey model of survey and title came only in
the 1920s with the stalling of individual tenure for the last unsurveyed district of
Tembuland, Mqanduli. In that district, residents purportedly requested survey in the
early 1910s; preparations began in 1920 with some wrangling over the need for accuracy,
only to be postponed indefinitely at the order of the new Prime Minister, the
segregationist and former Secretary for Native Affairs, J. B. M. Hertzog.192 Surveys
ceased entirely in 1923, in the face of African recognition that it advantaged relatively
few in densely-populated districts and effectively dispossessed some family lineages
permanently, together with government recognition that its circumvention was
common.193 By that time, Hertzog’s brainchild, the Natives Land Act of 1913, had
enshrined a stridently segregationist model to be the standard for territorial division in the
Union of South Africa.194 That model, in turn, did not emerge solely from Cape politics
or the settlement evolved from the era of D’Urban and Grey forward, but rather took
some of its prompting from policies evolved far to the north.

192 Cornish-Bowden to Hughes, 27 Aug 1920; SGO-Cape, S.8676, Hall to Cornish-Bowden, 22 Sep 1920,
S.308 (unnumbered folder), SGO-Cape; Hughes to Cornish-Bowden, 14 Mar 1921, S.308 (unnumbered
folder), SGO-Cape.

193 Monica Wilson, “The Growth of Peasant Communities,” in The Oxford History of South Africa, ed. M.

194 Harvey M. Feinberg, “The 1913 Natives Land Act in South Africa: Politics, Race, & Segregation in the
Chapter 5

Spatial Rationalization and the Settler State in the Transvaal

Opening a sheet of the 1899 compilation map of the Transvaal (then the South African Republic, hereafter ZAR) produced by Friedrich and Charles Jeppe or those of their associate Gustav Troye produced in 1892 and 1896, one is struck by the network of lines crisscrossing the entire body of the state—confident, inviolably solid red lines and tentative but expectant dashed red ones—interspersed with names ascribed to the geometries they describe.¹ The patterns created, resembling nothing so much as a shattered pane of glass, represent construction as much as fragmentation; they were the result of some sixty years of territorial arrogation, occupation, and contestation, and formed the basis for the administrative organization of the various settler governments superintendent over the lands between the Vaal and Limpopo rivers. The creation of fundamentally imaginary cadastres and the erasure of existing occupation in the geographical archive were critical to the way the ZAR functioned. That cartographic processes that created the artificial landscape often deliberately excluded surveyors and eschewed accuracy, but it informed the colonial land policies that culminated in the 1913 Natives Land Act.

The red lines indicate variously intended divisions between town and country, mining and agriculture, and settler and “native,” all based upon the territorial unit of the farm or, in the telling Dutch term, *plaatsen* (literally “places”).² Each *plaats* was (and

---


² All translations of Dutch or Afrikaans terms and quotations are mine unless otherwise noted.
still is) represented in government offices by a cadastre, in the form of a short description usually accompanied by a sketch or, in later years, a carefully-framed diagram drawn up by a professional surveyor. In theory, these cadastres comprised a neatly interlocking grid of fairly regular polygons subtending the breadth of the state, forming a perfect representational mosaic. The reality however varied substantially.

The evolution of the cadastral structure so detectable in later compilation maps was however neither uniform nor without significant disruption and dispute. Of the regions within the Transvaal, the contest between representation and reality was clearest in the regions furthest from settler power by dint of distance, defensible geography, or inclement biology. In practice, these areas were the eastern Lowveld (today eastern Limpopo and Mpumalanga provinces) and the far north (today north central Limpopo province). The term Transvaal itself of course hearkens back to a colonial point of origin (Cape Town) and an idea of an integrated colonial territory, but it was also the basis of organization for the geographical archive and therefore must be our starting point. We must first consider the colonial state (whether under the control of Boers or Britons) and its survey practice, for that authority was both the producer and consumer of the geographical archive. In the outer Transvaal, the presumptions behind the term however meant little—and the independent chiefdoms there certainly did not ordinate on Cape Town.

Those areas were tellingly omitted within Europe’s metropolitan geographical archives, which predated land registration in the Transvaal. As Norman Etherington notes, this pre-existing lacuna may be to blame for the myth of the empty land and the
mfecane so long integral to South African historiography. The wedge-shaped region of omission in maps of the Transvaal that Etherington identifies in his work coincides exceptionally well with the most densely-settled areas of the region between the Vaal and Limpopo rivers—not coincidentally the lands of the powerful baPedi and vhaVenda, among others. This previously-missing land was not overlooked once settlers began inhabiting the region in large numbers, but other omissions and obfuscations took its place, usually regarding the identity and land rights of the people in those missing spaces. Whether those omissions stemmed from expedience, ignorance, malice, or a combination of all three, they served the purposes of the colonial state in claiming and then exerting power over territory.

The geographical rationalization and appropriation of the Transvaal environment and the compilation of its archive under consideration here went through three phases, roughly sequential but all coexisting at various times, which correspond well with Stone’s “phases of colonial cartography.” That correspondence is only evident at the broadest scale, as the convolutions and conditions of that system in fact raise questions about the contingencies involved in collecting geographical information and defining boundaries. Though scientific narratives portray the development of surveying methods and cartographic output as inevitably progressive in retrospect, the imprecision and uncertainty of the earlier forms of cartographic representation were indicative of the

---


spatial contestation in the colony between settlers, chiefs, bureaucrats, squatters, and speculators of all sorts. Indeed, accuracy and precision alike were sometimes the enemies of everyone involved in the expropriation and alienation of land in southern Africa.

Notional Territory: Inspection and Survey Systems in the Transvaal

The arrival of large organized parties of European settlers north of the Vaal after 1838 necessitated a system of identifying and registering lands granted to farmers or intended for town lands. Such arrivals operated under the rules created by the Boer government of Natalia in 1840 that entitled each male settler to two freehold farms and a township lot as their right (called variously burgher-, heeren-, plaats-, or grondrecht). Eventually this right extended to all white male citizens who took up residence within the eventual boundaries of the South African Republic before the end of 1852 and in attenuated form before 1868. The earliest burghers did not always take their entire entitlement immediately—indeed the government was still settling claims into the 1890s despite the termination of the right after 1868—and those who received land could not necessarily occupy all the ground they claimed. Given that farming and livestock were the major economic bases of the community in the south central Transvaal there was understandably a strong immediate demand for land and for security of tenure thereupon. At the same time a trade in the sale of poor Boers’ burgherrecht and the rental of ground to Africans and Europeans by investors and landlords also ensued. The

---

6 Petrus Naude, “Boerdery in die Suid-Afrikaanse Republiek, 1858-1899” vol. 1 (D.Litt. diss., University of Pretoria, 1945), 69-72. For settlers entering the territory after 1852 but before the termination ofburgerrecht, the freehold allotment was reduced to one farm and one lot.
ability of speculators to acquire large numbers of quitrent farms from government further increased demand for title. As the amount of available land in central areas diminished and hunting was no longer profitable, ever remoter areas were claimed, whether or not they could be taken up at the time or were already occupied.

The right to dispose of territory was itself hardly unproblematic. The ZAR claimed legal authority over a huge area based variously on the defeat of Mzilikazi, a treaty of 1846 with the Swazi kingdom, and a personal grant from the Pedi paramount Sekwati. But it had little machinery to enforce its land claims or demands for tax and labor other than the threat of commando.\(^7\) Often, claimed land was completely undetectable beyond cursory beacons made of whatever was at hand (bones, sticks, or even anthills) found at the site, meaning that all signs were obliterated in fairly short order and the farm’s location lost.\(^8\) Peter Delius has called such plots, theoretically occupied by settlers, crossed by inspectors, awarded deeds, and traded as commodities by speculators, “notional farms.”\(^9\) Delius also refers to the ZAR’s claim to the right to dispose of land in the east, based on the 1846 treaty with King Mswati which he almost certainly did not intend to confer such permanent rights, as “notional ownership.”\(^10\) That term can be extended to notional territory more broadly, because until the end of the nineteenth century, that is precisely what the bulk of the land claimed by the ZAR was.

---


\(^10\) Delius, *The Land Belongs to Us*, 32, 130; see also J.C. Otto, “Die Regsgronde van die Grondbesit deur die Boere in Noordost Transvaal,” *Historiese Studies* 1 no. 4 (1940).
On this imaginary landscape, lands lay open for the state’s disposal, and extant spatial formations and land use rarely figured except as onerous problems in need of resolution. Often the only indications of these earlier patterns were the names ascribed to the farms created. Just as Paul Carter notes for scientific surveys, inspections rendered space as “a conceivable object ... that the mind could possess long before the lowing herds.”

The mechanics by which rural land was claimed followed a basic pattern. First, in response to a request forwarded via the claimant’s local *veldcornet* (field cornet), a *landdrost* (district magistrate) would register the claim in his *aanteekeningboek* (or *landsboek*) and provide a small paper called an *uittreksel* to the prospective landowner. If the prospective farm proved inadequate for farming needs, the holder of the *uittreksel* could have it cancelled. If the farm was suitable, the settler could request an inspection for purposes of obtaining title. After enough inspection requests came from a particular area, a three-member inspection commission would be constituted (normally headed up by the local *veldcornet* with two supposedly neutral burghers).

The commission would generally inspect an entire block of farms for reasons of economy. In the process, they could collect the monies for their work, with only the admonishments that about one-tenth of the inspected farms should be reserved for government along with any that contained large African towns with clearly identified chiefs. The books of inspection reports, which ideally included both the textual descriptions of the parcel and sketch maps, then entered the geographical archive through

---

13 Delius, *The Land Belongs to Us*, 130. Just how large a “kaffir kraal” needed to be to qualify for reservation was never specified.
the _Registrateur van Akten_ (Registrar of Deeds). Following a further payment, deeds (_grondbrieven_) would be drawn up to confer title upon the _burgher_. Following a period of three months during which neighboring _burghers_ could lay protests if desired, the deed would be conferred upon the settler.\textsuperscript{14} Inspected farms without _burghers_ might be held for later claimants or those who had title to farms that could not be occupied.

The inspections themselves were fairly cursory. Though several methods of measuring these rectilinear plots of land developed, they took time to settle into a single accepted system.\textsuperscript{15} The earliest and most common was referred to as _een uur gaans overkruis_, meaning one hour’s ride at right angles from a central point (the _middelpunt_ or _aanvraag_). This method would ideally produce a square farm sixty minutes’ ride on a side and containing 3000 _morgen_ (about 6350 acres) of land, later 3750 once the problem of the assumed speed of the rider became apparent.\textsuperscript{16} The earliest inspections, centered around the Vaal river drifts from 1839 on, proved quite chaotic despite being based upon this very simple premise of a grid across the land. Until 1841, authority and registration


\textsuperscript{16} The _morgen_ used was theoretically the same as the Cape measure, that is, 2.116539816 acres, 0.0008565 km\(^2\), or 0.003307 mi\(^2\). See D. R. Hendrikz, “South African Units of Length and Area,” Special Publication No. 2 (Pretoria: Department of Lands, 1944).
were also chaotic. Only after 1841 was the Natal system of *een uur gaans overkruis* fully adopted as the single method for grants and inspections.17

Inspectors were to settle disputes at the time of inspection, as neighboring landholders’ presence was expected (a benefit that encouraged inspectors to perform inspections in blocks) and the instructions for inspectors gave basic guidance in handling them. In the case of *uitvalgrond* (excess ground, or gores) between farms the inspectors had basic instructions for dividing it among the neighboring farmers or inspecting it as a separate piece of government land depending on estimated size.18 This meant that the outside boundary or boundaries of one farm conveniently became the inside boundaries of the adjoining ones in the same block. If the work was performed with care and the results charted with diligence, the system could serve its purpose adequately. But that was rarely the case.

Because it was so dependent on untrained practitioners and without meaningful accountability or standards, the inspection system was easily abused. This potential was recognized in the stipulation placed in the 1869 law that inspectors could not themselves be interested land agents.19 Such restrictions did not prevent officials of the South African Republic from gaining great amounts of territory. Sometimes officials gained land through awards in lieu of pay, but often they engaged in open speculation and used their position in the information chain to best advantage, especially when debtors’ freehold

---

18 Art. 12 of “Instructie voor de inspecteurs van plaatsen” (1853) in Jeppe and Kotzé, De Locale Wetten, 27.
farms were auctioned. Those involved in inspections also had better knowledge of the character of land they traversed beyond the simple description on the report, and they could seek the lease or purchase of ground with better foreknowledge, thereby safeguarding their investment. The land surveyor Anthony Lennox Devenish, for example, owned at least twenty farms at one point, and in the years leading up to the South African War the Transvaal Land Exploration Company, chaired by Johann F. B. Rissik (Surveyor-General of the ZAR during the late 1890s), and with J. C. Minnaar (the Registrar of Deeds) as a director, held titles to over six hundred.

But outright graft comprised only one potential difficulty. Self-interested inspectors at least tended to take care in their work, but a large number of inspections were brazenly slapdash. The rapid, poorly-executed inspections of large blocks of *plaatsen* in response to the increased claims of the 1860s and 1870s often introduced new problems of disputed ownership and vague location through a lack of detail in sketches and lack of durable monuments on the ground. The effect was compound; each successive *plaats* was dependent upon the one before, but if none of them were actually beaconed or otherwise identifiable, newly-occupying settlers could not be assured of being in the right position or even on the right farm. Furthermore, the sketch plans usually omitted existing settlements, which would cause trouble when settlers attempted to take possession. The text accompanying these plans was generally little better, often

---


22 Tempelhoff, “Die Okkupasiestelsel,” 45.

23 Een Hollander [K. J. de Kok], *Toen en Thans: Mededeelingen en Beschouwingen omtrent de Twee Republieken in Zuid-Afrika* (Cape Town: Jacques Dusseau, 1898), 54-55.
noting only how well-supplied the land was for water and wood, and perhaps having some indication of where the parcel was located by the number of hours’ ride to a town. To be fair, some inspection sketches were quite detailed and precise despite their fundamental inaccuracies. But the tendency was to economize.

Prime examples of truly shoddy inspections, and the ones repeatedly invoked by those calling for reform of inspection and survey regulations, were those carried out between 1869 and 1873 in the district of Waterberg. In one particularly egregious example, *veldcornet* J.A. Smit tendered reports for 577 *plaatsen* ostensibly inspected between 4 October and 4 November 1869—a pace of over 18 farm inspections per day, seven days a week.\(^{24}\) By *een uur gaans overkruis*, even assuming the need to ride only two sides, two hours’ work per farm was necessary, plus time to prepare reports, settle disputes, and erect markers preliminary to later, permanent monuments. Such a pace of work was clearly impossible. The likeliest explanation is that Smit’s commission rode around a large area and divided it by reckoning without actually carrying out the individual inspections or erecting beacons within it, a practice that was not unknown but also not sanctioned. The quality was not even uniformly bad. The farm inspected for Viscount Alfredo du Prat within the same series, for example, is depicted with a fairly detailed sketch that stands in sharp contrast to its neighbors.\(^{25}\) But because many of the farms in these blocks were unclaimed ones inspected for government preliminary to their lease, there was little incentive to be so diligent. There was also little fear of sanctions.

---

\(^{24}\) Inspectie Rapporten Waterberg (voorzitter J.A. Smit), RAK 2762, Transvaal Archives, Pretoria (hereafter TAB). The reports further omit the specific date of each inspection and the time required to complete it, despite an entry for those items on the form used.

\(^{25}\) Inspection report of farm “Lisbon,” n.d., f. 36, RAK 2762, TAB.
Smit’s case was severe but hardly exceptional. The February 1869 inspection reports by C. G. Bodenstein (also in Waterberg) comprised 195 iterations of the same simple diagram at a rate of eight or more inspections per day, a pace that still stretches credulity.\textsuperscript{26} Smit’s own inspections from 1873 are improved, but the data is still sparse, with a maximum of one detail shown per quadrant as well as any notable feature of the farm edge or the \textit{middelpunt}. Virtually all of the inspection reports state that only one hour was spent per farm inspection, inadequate by any known method but in accordance with the computed rate of about seven farms per day.\textsuperscript{27} With such latitude given to local authorities and clear cases of abuse, it is not surprising that the Volksraad resolved in September 1871 to suspend the issue of \textit{uittreksels} and to withhold the issuance of further \textit{grondbrieven}. Until the system could be reformed and the legality of current claims could be ascertained, the suspension was to remain in effect, but inspections continued anyway.\textsuperscript{28}

Basic concordance between the Republic’s inspection diagrams and the ground they represented existed in the rare cases where truly distinctive features were noted, but for the most part the geographical archive those sketches and reports composed was unwieldy and suspect. No requirements existed for what had to be shown, aside from the ride times on the boundaries, which were presumed all to have been conducted at the same speed; normally, water would usually be noted, but beyond that topography was unevenly portrayed and contour mapping was out of the question. The \textit{veldcornet} rarely even had a compass for basic correction. The resulting cartographic output had use for

\textsuperscript{26} Inspectie Rapporten Waterberg (voorzitter C. G. Bodenstein), RAK 2673, TAB.

\textsuperscript{27} Inspectie Rapporten Waterberg (voorzitter J. A. Smit), RAK 2766, TAB.

administration and taxation but was completely worthless for compiling reliable maps, though cartographers certainly used whatever material existed.29

The geographical archive of the state as created by the inspection reports displayed primarily its settler geography, which was a key source of revenue.30 That body of information and its administration are important to understand relative to the Cape system because it sought a different sort of legibility. The sketches created in the ZAR were intended to register settlement already in situ or block off large areas, a practice different in order and accuracy from contemporary surveys in the Cape Colony that prefigured land sales, and for a very different purpose from explorers’ traverse maps used in topographical compilation at the time. The variability between the two systems is not unique to South Africa. Indeed in North America the Virginia (descriptive) and New England (prescriptive) systems of cadastral survey suffered many of the same problems as the ZAR and Cape systems respectively.31 The search for efficacy in land policy was a common theme of colonial survey, and suggests a struggle between the survey and enumerative modalities Bernard Cohn has identified in the administration of India.32

One potential solution to the issue of imprecision and inaccuracy, then, was the employment of land surveyors as in the Cape Colony. In contrast to the uneven, imprecise sketch of the inspector, a surveyor’s diagram was carefully framed with

29 Jeppe, for example, made note of the rough location of inspected farms but did not try to show their theoretical boundaries until his final 1899 map. See Friedrich Jeppe, “Notes on Some of the Physical and Geological Features of the Transvaal, to Accompany His New Map of the Transvaal and Surrounding Territories,” Journal of the Royal Geographical Society of London 47 (1877): 217-250 and map. Jeppe’s map went through at least five editions between 1877 and 1880, but none changed that detail.
mathematical data; the angle and side measurements were precise and accurate to the best possible standards (in the latter case using either Cape or Rhynland feet, though no standard measures existed for comparison). The aesthetic qualities of the surveyors’ diagrams were also far superior, in part because no numerical measurements were generally taken of heights, features, roads, or the like. Artistic rendering in watercolor was instead the preferred method of depicting occupation, vegetation, cultivation, and so forth, though the choice of what to include was up to the individual surveyor. Though an admitted surveyor was assumed competent, normal practice was for another surveyor to examine the diagram tendered to ensure it fit with its surroundings as depicted by other surveyors. In this, the surveyor was held to a far higher standard of consistency than the inspector, and the cadastres these professionals produced were expected to be usable for compilation, despite a lack of firm regulations. For the purposes of the state, the surveyor’s work was far more useful and reliable than that of the inspector, but it was also far more expensive and required a great deal of time from a limited number of qualified individuals.

For the preternaturally cash-strapped South African Republic, the major source of state wealth was the very land that needed measurement, creating the paradox that land needed to be alienated to pay for state functions including the measurement of land for alienation. As a result, the ZAR sought to underwrite its currency with that asset from the 1850s on.33 A national deeds registry, established in 1866, was critical to handling the increased demand for title and transfer that hitherto had been the province of each district’s landdrost by centralizing all inspection reports and title deeds. But the only

A really reliable way of guaranteeing the extent and value of the land represented by those deeds was with accurate diagrams as opposed to the uneven and unreliable inspection reports. Such diagrams needed to be framed by surveyors trained in European methods and instrumentation, which required their recruitment from far afield. In mid-1864, the Volksraad approved in principle the general survey of all government-owned lands, and in July and October of that year the executive council (Uitvoerende Raad) admitted Robbert Bristow Tatham and Magnus Forssman respectively as the first *gouvernements landmeters*, or state surveyors. Each surveyor was required by articles 216 and 217 of the 1858 *Grondwet* to provide evidence of credentials (no standard examination existed at the time) and to take out a bond of £500 against costs incurred in correcting poor work.

Tatham, as the senior government surveyor, claimed and was granted the title *gouvernements generale landmeter* (called only later *landmeter-generaal* or Surveyor-General) on 12 October 1864. At the time no actual description of that office and its duties existed, and there is some evidence that his appointment was a response to his threat to abandon the Transvaal entirely. In March 1865, Tatham resigned his position amid a flurry of recrimination about his low pay and lack of work. Forssman, who had enough other investments and business to avoid having to survive solely on his work as a

---

34 VRB Art. 142, 29 Sep 1864, in Breytenbach, *SA Argiefstukke: Transvaal No. 5*, 55; Gouvts. Kennisgeving No. 46, *Z.A.R. Staatscourant* 58, 19 July 1864, p. 1; Kennisgeving 99, *Z.A.R. Staatscourant* bijvoegsel, 1 Nov 1864. There was some demand for survey to settle disputes from the earliest days of government north of the Vaal, but surveyors themselves were not in evidence. As early as 1855 one surveyor, K. J. de Kok, had been invited from the Netherlands to practice, but there is no evidence any sanction was ever given; see Report of J. Stuart, [2] June 1855, in *SA Argiefstukke: Transvaal No.2*, ed. J. H. Breytenbach (Cape Town: Staatsdrukker, 1950), 315. De Kok eventually settled in the Free State instead.

35 Tatham to Volksraad, 22 Aug 1864, R627/64, SS 58, TAB; Gouvts. Kennisgeving No. 88, *Z.A.R. Staatscourant* bijvoegsel, 1 Nov 1864, 1; Tatham to M. W. Pretorius, 20 Sep 1864, R824/64, SS 59, TAB.

36 R. B. Tatham to Government, 15 Mar 1865, R302/65, SS 65, TAB. Tatham later begged for his position to be returned, but only his status as Government Surveyor was actually renewed. Tatham returned to Natal sometime in 1865 after his bond was withdrawn.
surveyor, was proffered to the Volksraad by President Pretorius as a replacement for Tatham on 10 April 1866 and approved as such. That Forssman had those other sources as well as government connections could not have hurt him, as the only other applicants for the position were two Natal land surveyors who probably shared Tatham’s liabilities.38

Despite his inauspicious (and hitherto utterly forgotten) tenure in the ZAR, Tatham did leave behind one legacy. In 1864 he “assisted to draw up for the Volksraad a short Land Beacon’s [sic] Act as used in the Cape Colony & Free State,” partially in response to the destruction of his own markers which entailed additional work for no additional pay.39 This evolved into the Beacons Law (No. 3 of 1864), given force in March 1866, which set standards for durable property markers, their protection, and the settlement of disputes between owners of properties where markers had been lost or had not actually been erected, as well as an improved standard tariff for land surveyors.40 However, the inspection law of 1869 still allowed for beacons to be only approximately (naar gissing or literally “by guess” in the law, a term also applied to distances and areas) situated in cases where the corner was not easily accessible, thus enshrining another source of error. Of course, this assumes that the inspection commissions adhered to the details of the law, but that does not seem to be the case because it was necessary in 1866 and 1872 to restate the inspectors’ responsibility for erecting beacons and pointing them

37 VRB Art. 733, 10 Apr 1866, SA Argiefstukke: Transvaal No. 5, 150.
38 R. Osborn to Staatspresident, 26 Apr 1865, R496/65, SS 66, TAB; T W Fannin to Staatspresident & Uitvoerende Raad, 26 May 1865, R614/65, SS 67, TAB.
39 Tatham to M. W. Pretorius, 20 Sep 1864, 2, R824/64, SS 59, TAB.
out to landowners.41 The principle behind beacon erection seems to have been totally lost on at least one inspector. J. A. Smit’s 1873 sketches show exactly where beacons were erected, and on none are more than one shown (see map 5.1).42 For a 3000-morgen piece of land with four corners, one beacon was patently inadequate for even a careful surveyor, and the veldcornet was decidedly not a technician.

The biggest problem from a geographical standpoint was that private landowners were under no obligation to obtain a proper survey, whether on freehold, quitrent, or loan tenure. By the 1866 tariff, survey costs for a farm of the standard 3000 morgen were £19/4/0 beyond the simple inspection that cost around £1/10/0. Given that the grondbrief cost a further £1/2/6, a proper survey was a luxury for most landholders. Furthermore,

---


42 RAK 2766 passim, TAB. In grids of inspected farms, the other farms’ single beacons might provide a check, but if those were inaccurately known the entire system fell apart.
surveys had the potential to upset landowners considerably in another way. A survey that revealed a farm’s extent to be greater than the 3000 morgen stipulated by the grondwet would entail additional cost and then incur additional taxation or quitrent. If the extent were revealed to be less than 3000 morgen, the value of the farm would diminish without any compensation or consideration granted to the owner. Therefore, aside from periodic requests for the survey of government lands or political boundaries and the laying out of towns (the latter two cases demanding numerical scientific precision), only land companies and mining concerns really generated any demand for proper surveys before the 1890s. From April 1866 to August 1867, Forssmann inspected a mere 53 diagrams, 52 of which were produced by only three surveyors and some of which were at least two years old.

This is not to suggest that the surveyor had an easy time of it otherwise. Forssman in particular apparently encountered, or at least anticipated, problems of a non-mathematical sort. In 1865, 48 petitioners including the local veldcornet requested that the Uitvoerende Raad bar Forssman’s passage “in our midst or over our farms.” Their reasoning was unclear, but probably reflected the suspicion that a survey, or perhaps even the surveyor’s idle glance, would reveal the true extent of their lands with the aforementioned consequences. Such reactions were common enough that by the time

---


44 Forssman to Staatspresident, 31 Aug 1867, 1, R861/67, SS 90, TAB.

45 F. A. van Jaarsveld, “Die Veldkornet en sy Aandeel in die Opbou van die Suid-Afrikaanse Republiek tot 1870,” *AYB* 13 (1950): 250. Van Jaarsveld suggests the reason for the hostility was affection for the older inspection system; if so, it was a venal affection.
Forssman met Thomas Baines a few years later he traveled fairly well-armed. Baines’s description suggests that the landowners were the primary danger to the surveyor, reflecting the fact that surveyors most often operated on ground already inspected and occupied by white settlers, or at the very least not in areas of the state actively contested by forces outside the ambit of the ZAR. As so often the case with officials in the cash-strapped republic, Forssman was often offered his salary both for surveying and as Surveyor-General in land. Given his knowledge of the land, Forssman negotiated the maximum benefit from this arrangement by selecting lots with the maximum value potential. During the 1870s A. L. Devenish encountered the same sorts of problems with shifted beacons and encroachment on both other private farms and (more often) government land, and when charged with reconciling the deeds Devenish found himself accused of conspiracy with the government to defraud landowners.

The role, establishment, and duties of the Surveyor-General were in fact only defined in 1870. This owed in part to the existence of so few gazetted surveyors in the ZAR by that time—nine at most, including Forssman himself—that the office really had been one of “first among equals.” This did not of course stop Forssman from revising the instructions for inspectors in an effort to attenuate his own headaches with their work. As a professional and a government official with personal connections to Pretorius, he could be assured of support in his efforts. With the legal definition of the Surveyor-

---


47 See, for example, Bylage 74 and 77 of 1865/66, 15 and 16 Mar 1866 in Breytenbach, SA Argiefstukke: Transvaal No. 5, 391-92, 393-94.


49 As per Index der Staatscouranten over de Jaren 1857 t/m 1870 (Pretoria: Staatsdrukkerij, 1897).
General’s duties in 1870 and the formulation of a set of instructions for surveyors between 1868 and their publication in 1871, Forssman gained some sway over inspections. By Article 4 of Law 5, 1870 it became the duty of the Surveyor-General to “look through and comment upon” inspection reports and marshal them to the Uitvoerende Raad, though it does not appear that any reports were ever rejected. As early as 1875, inspection commissions were supposed to include a surveyor, though there is no indication that this regulation was followed either.50 Despite what Forssman and others hoped for the advancement of surveying in the ZAR, there was only so much that could be done in the institutional climate of the time.

The expense of surveys meant that even land companies sought to cut corners and avoid laying out capital until income was assured. One strategy in particular was to have a very large block of ground surveyed—often a company’s whole concession—and then to have it inspected as farms by the old process within that discrete parcel. Such a process allowed the holder of the concession security of what they acquired from government immediately, although government generally required that farms drawn from such blocks be surveyed at some later time—even as early as 1864, as seen in the terms of the block concession to Alexander McCorkindale that became New Scotland.51 This strategy also created areas that became known by their block names—Industria, New Scotland, Moodie’s, Harmony, Alexandria, and so forth—and were long covered only by a single vetted diagram. Nevertheless, the demand for land surveys increased throughout the 1870s as land speculation and its value increased in the Transvaal as it had long before in

51 Art. 3 of agreement between McCorkindale and ZAR, in SA Argiefstukke: Transvaal No. 6, ed. J. H. Breytenbach (Cape Town: Staatsdrukker, 1957), 254.
the Free State, bringing with it an increase in the number and expertise of land
surveyors.52

But the profession itself was not immune to problems. Samuel B. Melvill, who
acceded to the post of Surveyor-General on Forssman’s death in 1874, began to demand
certificates of beacons’ proper erection be tendered with surveys, to alleviate the problem
of disregard for the Beacons Law by making the surveyor responsible as in the Cape
Colony.53 The surveyors’ diagrams, too, were sometimes more uneven than desired.
Melvill engaged in a fair bit of correction of both detail and figure in surveyors’
diagrams. In his first full year as Surveyor-General (1875-1876) Melvill reported
receiving 167 farm diagrams, of which he found 22 per cent grossly erroneous or wanting
enough in detail to be returned to the surveyors—a significant quantity, given that during
1876 only about 11 per cent were found wanting in the Cape Colony by comparison.54
Whether this is reflective of insufficient rigor by the surveyors or the real uncertainties on
the ground is a matter of conjecture; in all likelihood it was a mixture of the two.

Thus when Britain annexed the ZAR as the Transvaal Colony in April 1877, one
of the most pressing concerns before the new regime was getting the land situation in
order for security of title, the increase of state revenue, the maintenance of peace with the
chiefs, and hopefully development. Melvill’s exertions to bring the Transvaal survey
profession to a sound footing were therefore clearly appreciated, at least in comparison to

52 On the explosion of speculation in the Free State, see T. J. Keegan, *Rural Transformations in
Industrializing South Africa: The Southern Highveld to 1914* (London: Macmillan, 1987), 4-5. Keegan
paints the Transvaal case as significantly different until much later, but survey and transfer records do not
seem to bear this out.

53 See, for example, S. B. Melvill (Surveyor-General) to A. L. Devenish, 20 Dec 1875, LMG 78, TAB.

54 “Rapport van den Landmeter Generaal over het Jaar eindigent January 31 1876,” 1, R698/76, SS 206,
TAB; CPP, G.33-'77, *Report of the Surveyor-General* [for the Year 1876], 56.
any other possible candidate. Melvill early on indicated his desire to remain in the office of Surveyor-General and was retained there throughout the British period.\textsuperscript{55} The conclusion to which Theophilus Shepstone and his successor as Administrator, Owen Lanyon, came to upon investigation was that a new survey law including a trigonometrical survey was necessary to untangle the mess of barely-connected claims, inspections, and surveys.\textsuperscript{56}

After consultation with Colonel Charles Warren of the Royal Engineers and David Gill, the Astronomer Royal at the Cape, Lanyon agreed to advance Gill’s expensive proposal to link to the surveys of Natal and the Cape Colony and conduct surveys of all government land. This idea ran counter to Warren’s inexplicably idealistic suggestion that the inspection system should be continued because it was “excellent, cheap, and practical so long as the Government takes care that at least one nominee can be trusted to look to Government interests” and that survey “must follow and not precede the settler.”\textsuperscript{57} Warren’s advocacy of the continuation of the old system suggests that he did not fully appreciate the depth of its logistical problems. But as with so much in the Transvaal and in British colonies generally, the landholders were expected to shoulder the costs of Lanyon’s surveying enterprise. Such a costly unfunded mandate no doubt contributed to the burghers’ grumbling that culminated in open rebellion later in 1880 and Britain’s retrocession the following year.

\textsuperscript{55} Melvill to Theophilus Shepstone (Administrator), 12 May 1877, R1539/77, SS 233, TAB.
\textsuperscript{56} “Survey Law 1880” (draft), RGO 15/98, CUL.
\textsuperscript{57} “Colonel Warren’s Report on the Proposed Survey of the Transvaal, 1880,” 7 Jun 1880, 3, 8, unnumbered document, Pamphlet Collection, CDSM; CPP, A.104-’80, Despatches, Correspondence and Papers, &c., relative to Proposed Continuation of the Trigonometrical Survey of the Cape Colony in connection with the Adjacent Territories.
The retrocession of the Transvaal and its return to Boer administration marks the end of the old inspection system. From 1881 on, the tendency was to push for a synthesis between inspections (representing economy and speed) and scientific surveys (representing fidelity and security) in order to build functional boundaries that avoided the ridiculous level of unreliability in the older system. This tendency was broad and pronounced, and may be viewed as a part of the same bureaucratic standardization that characterized the later republican period, when economic development demanded greater control over and enumeration of the territorial, human, and mineral resources of the state.58 However, as Delius has noted, after 1881 the older pattern of profiting from one’s position and authority continued unabated despite the reform and extension of bureaucracy including the creation of a national department for native affairs.59 Overlap between old and the new ethics as well as institutions and practitioners was thus to be expected.

With the failure of the attempt at wholesale reformation of the survey system between 1877 and 1880, matters at first took an unproductive turn. With the return of Boer administration, Melvill was replaced by his capable assistant F. H. Rissik (the elder brother of the aforementioned Johann Rissik), who was nevertheless not to retain the post as he had hoped and, apparently, expected.60 Rissik was instead relieved in favor of George Pigot Moodie, a land speculator, railroad company director of questionable

58 Cohn, Colonialism and Its Forms of Knowledge, 8; Scott’s discussion of the Stolypin Reforms in Russia are also evocative of this shift; see Scott, Seeing Like a State, 39-44.
60 F. H. Rissik to Staatsecretaris, 28 Sep 1881, R3921/81, SS 563, TAB. Melvill himself went to Cape Town and became Assistant Surveyor-General.
character, and lastly land surveyor in special favor with the governing Triumvirate for his actions on behalf of the Boer cause in London during 1880 and 1881. But Moodie appears to have done little to advance the general state of surveying. The major event of his tenure, which ended in 1884, were the stipulations by the Volksraad in 1882 that inspection commissions could go into the field if they were accompanied by a sworn surveyor even though in practice nothing changed for some time. In addition, the incremental revision of standards for approval of diagrams echoed Warren’s pragmatic 1880 suggestions. The modernization of the Transvaal bureaucracy required a geographical archive more reliable than the old inspections provided, but still the state could not (and those on the land would not) afford it. The presence of the land surveyor as a brake on the excesses of the older system was the primary solution to the geographical archive’s shortcomings as a spatial representation until the state’s finances improved in the 1890s and a full survey of government lands could begin.

The post of Surveyor-General passed in November 1884 to the twenty-five-year-old Gideon Retief von Wielligh, a University-trained surveyor from the same program in Cape Town that produced many of South Africa’s surveying notables. Von Wielligh was energetic and idealistic, and as a Cape Afrikaner he was especially welcome to the self-consciously Boer government of the post-1884 ZAR. Von Wielligh had arrived in the Republic only in 1883, but he saw immediately the immense benefit of a rigorous trigonometrical survey of the country for settling questions of land and locality—in short, arranging and correcting the geographical archive of the state, and correcting the poor

63 C. D. Storrar, The Four Faces of Fourcade (Cape Town: Maskew Miller, 1990), 8.
practices of individuals. His first task was to produce a comprehensive recapitulation of
the land situation—grants, inspections, and surveys alike—for the Volksraad that may
very well have been modeled upon the blue books that laid out compelling case for
survey reform in the Cape Colony in the 1870s, and which would have been well-known
to von Wielligh. In making his case, von Wielligh fixed on the problems of poor
inspections so rife in the 1870s and before, and their unsuitability for planning further
grants, accurately assaying state resources, or compiling maps.

The solution he offered became the landmark General Survey Law (No. 2) of
1884, which was intended to reform the entire survey establishment in the ZAR and bring
it under firmer central control. The law was far-reaching and, as its centerpiece,
envisioned a comprehensive trigonometrical survey and the creation of a Staatmeter
Generaal who would control its execution. Von Wielligh, in the days following the
passage of the new law, asked Cape Astronomer Royal David Gill to be the technical
advisor to the anticipated project; Gill was all too happy to accept. At the same time,
von Wielligh moved quickly to issue instructions, to prepare for large-scale surveys of
government and private ground (in meetdistrikten, meant to keep government surveyors’
work areas discrete), to standardize the use of Cape measures. He also sought to draft
revised regulations for Beacon Commissions and inspectors to limit the scope for abuse
and to allow for surveyors to check their work, in advance of the anticipated start of the

64 Zuid-Afrikaansche Republiek, No. 1-1884, Rapport van den Landmeter-Generaal, gevelende een
historisch overzicht van de wijze van de vervreemding en het inspecteren van gronden, gelegen in de Zuid-
Afrikaansche Republiek en van Landmeten in het Algemeen; the Cape of Good Hope Blue Books referred
to are CPP, G.30-'76 and CPP, A.104-'80, respectively.


66 Von Wielligh to Gill, 1 Dec 1884, 2, LMG 84, TAB.
new regime on 27 May 1885. In the end, however, financial constraints—including, again, the resistance of landowners to expensive land surveys—prevented the general survey being undertaken; state frugality and hostility ruled the trigonometrical survey out completely by 1886.

The collapse of the General Survey Law because of its cost meant that reforms could only succeed incrementally and synthetically. The need for revision and improvement of poor inspections dating back to the 1860s—or earlier—was still acute, and was therefore the subject of the Special Commissions Law (No. 3) of 1887, governing the creation of a new land commission for Waterberg and other districts. The critical provisions of that law for geographical questions were the stipulations that a sworn land surveyor was required to be a member of such a commission, and that additional commissions could be constituted in other districts, or even in the same district, as needed. With the addition of the surveyor and better regulations for beacons, the results of the work were correspondingly more reliable. Even so, the results were still not highly scientific, as sides were still reckoned in minutes on horseback and corner angles were not determined. The inspections were therefore still far less accurate and precise than a true survey even if they were somewhat quicker to execute. The 1888-89 Special Commission for Middelburg and Lydenburg, for example, conducted 156 inspections over a period of some 11 months. A true compromise of expedience, the inspections of the special commissions had the survey’s form but not its essence, but at

---

67 “Rapport van den Landmeter Generaal ... 1885,” 6-11, R4657/85, SS 1103, TAB. The use of Cape measures was not a particularly troublesome one, given that most land surveyors in the ZAR were also licensed in the Cape or in Natal.

68 Wedepohl, “Historical Review,” 11.

69 Inspectie Rapporten Middelburg & Lydenburg (voorzitter F.J. Janse van Rensburg), RAK 2744, TAB.
Map 5.2: “Plan van 156 Plaatsen, in orde gebracht door de Speciale Commissie voor Middelburg en Lijdenburg, van 14 Jan. tot 9 Dec. 1888,” compiled by accompanying surveyor James Brooks. This block of farms was originally intended to be a square grid in 1869 and 1870. Source: TA Maps S.2/33.
least redrew blocks of inspection reports in a way that could allow their use in basic mapping (see map 5.2).

The general survey that was supposed to determine such matters of position only really got underway following the passage of the second General Survey Law (No. 9) of 1891, which was in effect a muted revision of the ambitions of the first law. The most important changes between the laws were the inclusion of the modified instructions promulgated for beacons, inspections, and surveyors as an integral part of the law, as well as the stipulation that private surveys were only to be conducted with the approval of Government. The success of the 1891 survey law, however, may have owed as much to rising land values, greater commerce generally in the country, and the great income realized from minerals as it was by reconciliation between von Wielligh’s ideals and reality. Perhaps the most important point was the omission of the requirement for a high-level trigonometrical survey; triangulations were generally only required for mineral claims (the Witwatersrand in particular) and the control of block surveys under the 1891 regulations. The resurvey of large blocks of rural land met with greater success, though the absence of rigorous overall control meant that the correlation between diagram and ground was still imperfect. If that were not enough, the cadastral body of the state had to deal with overlap and incompleteness in areas away from Pretoria, where the original inhabitants of the land formed a significant majority and were unlikely to accept outright dispossession.
“Native Territory” Within the Territorial Archive: Diagrams and Locations

The problems attendant on the inspection system were difficult enough on land over which the settlers held *de facto* power to dispose by dint of occupation, but where people already lived in numbers on the land, the situation was more complicated. I term that arc—today eastern Mpumalanga, northern and northeastern Limpopo, and northwestern North West provinces—the “outer Transvaal,” because it existed on the periphery both of the colonial state’s territorial claims and its power. The relationships over land in those areas fell into two categories: land under the occupation of smaller or isolated groups of people, and land under the occupation of large and cohesive African states. In neither case was there any effort to create small-scale African farming, as there was in the Cape; the ultimate goal was either exclusion or subordination in a system of wage labor or labor tenancy. When land was held out from white settlement, it represented a retrograde system of landholding and authority, with the term “location” (or later “reserve”) suggesting that African landholding and authority were either obstacles to development or retrograde areas allowed to continue in primitive splendor under more indirect rule. In general, land was held out only reluctantly and only for potentially troublesome chiefs or kings.

The inspection system encouraged the effacement of local occupation for two main reasons. First, the quick and cursory nature of land inspections of farms that were each ideally ten square miles in extent could easily miss small-scale habitation. Second, the things that made land valuable to African farmers and suitable for dense settlement also made it valuable to *burghers*. The standard instructions issued to the *veldcornetten*,
who usually led the commissions, stated that any land containing large African
settlements was to be reported to the landdrost, who would then decide in consultation
with the government whether it might be held out—a totally subjective measure.70 Such
settlements would have been on or near the best land and sources of water, so there was
an incentive to ignore the presence of all but the largest towns and most powerful kings
and chiefs. Furthermore, people without such sanction could be characterized as invaders
or squatters, and coerced to work or removed by force if necessary once the state had the
power to compel them.

As one case of erasure, consider the situation of the area that became known as
the farm “Dordrecht,” in the district of Waterberg. The inspection of the farm itself
happened in 1869, on an uittreksel tendered to Skalk Willem Hendrik Engelbrecht. The
director of the inspection was the aforementioned slapdash J. A. Smit, who felt confident
enough about the land that he deemed it good for wood and water—indeed, with precious
standing fresh water.71 The Registrar of Deeds only issued a grondbrief on 7 February
1888, probably because Engelbrecht did not (or could not) live on the plot and so had
never requested or paid for one.72 The title was based on the initial inspection report,
which included a typically vague Smit diagram (see map 5.3), but at least attempted to
indicate a cardinal direction though it did not show any detail whatsoever beyond the
riding times reckoned around its edges. The title request may have come solely because
of a court judgment against Engelbrecht, because it was transferred the next day to the

70 VRB, Art. 50, 17 Sep 1858, in Jeppe and Kotzé, De Locale Wetten, 97; Delius, The Land Belongs to Us,
130.
71 Inspection report 1171 (244/1888), farm “Dordrecht,” n.d. April 1869, transfer register 201/1888 to
300/1888, Registrar of Deeds, Pretoria (hereafter RA-PTA).
72 Grondbrief 244/1888, farm “Dordrecht,” 7 Feb 1888, transfer register 201/1888 to 300/1888, RA-PTA.
estate of G. J. Verdoom, which transferred the title on 9 February to the Oceana Transvaal Land Company, where it was then held until December 1889.73

Six years after the state awarded the title for the farm to Engelbrecht, a Special Commission set out to re-inspect Smit’s blocks of farms in that area. This Commission included the surveyor E. L. Ferguson, and spent October and November 1894 inspecting the hundred or so farms requiring new, non-conflicting diagrams. In the case of Dordrecht, however, the Commission stumbled across a large town—something they apparently did not expect—and they noted its presence opposite the road from the standing water Smit indicated on his inspection report (see map 5.4).74 By that time, the land had passed to the New Belgium Transvaal Land & Development Company, a speculating organization that owned many farms in the Republic and made the investment to have Ferguson frame a diagram with numerical angles and sides, though he did so in the accelerated time-frame of the re-inspections.75

Who were these inhabitants of Dordrecht, whose town was so diligently noted by later surveyors? The short answer is that there is no clear record of their identity or their fate. There is however circumstantial evidence that suggests the land company had the people evicted from the farm following the Land Act of 1913, because it was not in a “released area” for black occupancy. The Company then sold the farm to William and Edward Vestey in December of that year, suggesting that direct occupation became possible at that time. A section of the farm was detached for the government in 1939, but

73 Ownership history register LR, entry 578-LR, RA-PTA.
75 Diagram 578-LR, Oct-Nov 1894 (framed April 1895), SGO-PTA.
Fig. 5.3: Original 1869 sketch of farm “Dordrecht,” from the inspection report by the Waterberg Land Commission under J.A. Smit, April 1869. Source: Inspection report 1171 (244/1888), “Dordrecht,” n.d. April 1869, Transfer register 201/1888 to 300/1888, RA-PTA.

Map 5.4: Detail from the Special Commission re-inspection of the block of farms including “Dordrecht,” 1894. Note the difference in geometry from the original sketch of 1869 (5.3), as well as presence of a large “kraal” or town. Source: E. L. Ferguson, “Generaal Plan van Plaatsen in het Distrikt Waterberg, Wijken Zwagers Hoek en Nijlstroom Z. A. R.,” 1894, Plan GS 10, SGO-PTA.
it was not the section that included the initial occupants, which has remained in private hands to this day. There is therefore no indication of who the people were, when they originally arrived on that parcel of land, or where they went—only that the land has remained titled to whites ever since it entered the Deeds Registry in 1888. This story repeated many times around the Transvaal and beyond, sometimes with clear evidence trails, but often without. Silent dispossession had a ready ally in regulations that denied Africans the right to contest such actions in court and that continue to disallow claims that predate 1913. Dispossession also had help from the fact that the state issued title deeds and those deeds changed hands without the knowledge of the people living on the ground those sketches and documents represented.

Surveyors sometimes reported specifically upon the large towns they encountered on surveys or re-inspections, especially if no prior ownership claims were involved. August Bechtle, for example, noted one such settlement in his 1888 survey of the “Kaapsche Blok” for small farms in the Lydenburg district of the eastern Transvaal near the Swaziland border. Bechtle’s report, which the Surveyor-General forwarded to the Superintendent for Native Affairs, led to the government’s assumption of the farm’s title in trust as a reserve. But even in this case of recognition, the exception proves the rule. For the reserved farm, Bechtle clearly identified the chief in question (Matsafeni or “Mataffin”, chief of the Mdluli emaSwati), but the general plan he produced with his partner Charles Marais notes many other “kraals” that received no such reserve status or

---

76 Ownership history register LR, entry 578-LR, RA-PTA.
78 Bechtle to von Wielligh 20 Mar 1888, and note of the Superintendent for Native Affairs thereupon, 24 Apr 1888, 58-59, LMG 12, TAB.
even occasioned note from the surveyors.\textsuperscript{79} Even such notation was not proof against later dispossession. The isolated nature of the Mdluli lands meant that they were not included among the approved land for black occupation in 1913. The government expropriated the land in 1920 and sold it to a large agricultural concern in 1921, a situation that 6,000 members of the Mdluli clan only reversed through the land restitution process in 2003.\textsuperscript{80}

In areas abutting (or within) the lands of more powerful chiefdoms, such as those of Sekwati, the Ndzundza Ndebele chief Mabhogo (Mapoch), and the Venda paramount Makhado (Magato), such partial or total erasure was impossible. In those cases, local expedient dictated the form, if not the legal technicalities, of relations over land. For example, during the brief period when Lydenburg broke with Pretoria (1856-1860) one of its acts was to fix in 1857 the Steelpoort river as the boundary between the abbreviated Republic and the Maroteng paramountcy (Sekwati’s Pedi, who held the allegiance of many others) by treaty.\textsuperscript{81}

Such a boundary was \textit{in fact} one between equals. An 1853 resolution that chiefs’ lands were loan farms occupied at the pleasure of the central government, resolutions in 1855 and 1857 prohibiting private African ownership of fixed property, and article 7 of the 1858 \textit{Grondwet} (Constitution) of the South African Republic stating that “open lands”

\textsuperscript{79} “Plan van een gedeelte der Kaapschen Goudvelden,” March 1889, Plan M56, sheet 2, SGO-PTA.


belonged to the state, had little real meaning.\textsuperscript{82} Certainly, Sekwati and his successor, his second son Sekhukhune, did not see themselves as subjects of the Boers. The treaty of 1857 deliberately included no language that bore conclusively upon the question, though it implied that any Maroteng claims to paramountcy over chiefs in Boer areas were thus surrendered.\textsuperscript{83} In the Zoutpansberg region, Boer power was not even the equal of its local competitors. There, the heirs to the raiding state of the Trek leader Hendrik Potgieter were only one minor power in a region full of powerful and populous chiefdoms, which made the hundred or so Boer-associated families there reliant upon political and military judiciousness for survival.\textsuperscript{84}

The ZAR therefore could not simply impose itself with impunity in areas far from its power base. To cite a prime example of the limits of settler power, Boers abandoned the town of Schoemansdal on the southern foothills of the Zoutpansberg mountains in July 1867 not because of an attack, but because of a mere warning from the western Venda chief Madjie that they had overstayed their welcome. The Boers further south nevertheless recognized the implications of accepting such limits. The young military leader Paul Kruger and other Boers initially wanted to raise a military force and lay out a new town within months of the evacuation, on another farm adjudged more defensible

\textsuperscript{82} VRB Art. 124, 28 Nov 1853 in Breytenbach, \textit{SA Argiefstukke: Transvaal No. 2}, 190; Art. 235, Bylaag 1, 16 Oct 1857 in Breytenbach, \textit{SA Argiefstukke: Transvaal No. 3}, 468; Johan Bergh, “(To) Reserve to the Native Tribes Such Locations as They May Be Fairly and Equitably Entitled To: The Transvaal Location Commission (1881-1899),” \textit{South African Historical Journal} 54 (2005): 3. The 1853 resolution came in direct response to a petition from Lydenburg Volksraad member Hendrik Teodor Bührmann concerning various questions of native taxation, labor, and land; see Bylaag 103/1853 in Breytenbach, \textit{SA Argiefstukke: Transvaal No. 2}, 486-68.

\textsuperscript{83} Erasmus, “Re-thinking the Great Trek,” 120.

\textsuperscript{84} Roger Wagner, “Zoutpansberg: the Dynamics of a Hunting Frontier, 1848-1867,” in Marks and Atmore, \textit{Economy and Society}, 321-23. By “associated” I include those people of mixed heritage (such as the Buys family) who were part of the raiding, hunting, and trading economy that sustained the Boers.
but even closer to Makhado’s capital.85 These proposals did not bear fruit, and for decades afterward Europeans had a difficult time gaining entry to the region, creating a significant information gap until after the South African War (see chapter 6). In the eastern Lowveld similar relationships led to information gaps, though they did not persist for quite such a long time.

In the early decades of the South African Republic, the cartographic gaps and what they represented were contentious. It is therefore not surprising that on the first map of the Transvaal, published in 1868 in *Petermanns Geographischen Mittheilungen*, Jeppe and Berlin Society missionary Alexander Merensky opted to show not only the outline of the state’s boundaries but also the northeast also a second boundary describing a large divot devoid of the orange wash that indicated the body of the state. This divot extends a tongue down into the Steelpoort river valley and communicates the primacy of established chiefdoms and the absence of Boer power in those areas (see map 5.5). Had the map been sent for printing just a few months later, Jeppe and Merensky would likely have excluded the region around Schoemansdal just to the west.86 The cartographers’ scientific mien could not avoid taking account of the *de facto* geographical relationship so clearly extant. Similarly, Jeppe greeted President M. W. Pretorius’s proclamations of a greatly expanded Transvaal in April 1868 with skepticism and broadcast the same via *Petermanns*, stating that it should not be shown on future maps because it could not be enforced.87 Clearly there were limitations to just how notional territorial claims could

---


believably be, at least so long as there was no material in the geographical archive to abet the fiction of occupation.

Lack of state control however did not prevent claims to land outside its ambit. On the contrary, it probably encouraged them. Claims for farms, the issue of uit treksels, and even a few inspections had happened well within Pedi, Kopa, Ndzundza, and even Portuguese territories by the 1850s.\(^{88}\) These claims happened despite a few cases (for example, that of the baKopa under Maleo in the early 1860s) where the early Republic

\(^{88}\) Delius, *The Land Belongs to Us*, 132-33; Erasmus, “Re-thinking the Great Trek,” 73.
had undertaken some beaconing of African lands to avoid just this problem.\textsuperscript{89} Yet across much of the eastern Transvaal, it may have been difficult by the 1870s to find a spot for which an \textit{uittreksel} or a deed had not been written or could not somehow be applied.\textsuperscript{90} The grant of land in large blocks was also a weapon for pursuing extraterritorial goals relative to Europe’s colonies. One good example is Alexander McCorkindale’s 1864 New Scotland scheme, whereby he gained concession for a large amount of territory—some two hundred farms once divided—on the ill-defined eastern fringe of the Republic. He then intended to offer them for resale to settlers recruited in Scotland by McCorkindale’s London and South African Company. The territory the ZAR granted deliberately included a strip leading along the Pongola River toward the coast as a first step toward access to Delagoa Bay.\textsuperscript{91}

Though McCorkindale’s scheme was not successful in either of its goals, the territory surveyed and inspected still entered into the ambit of the ZAR. Echoes of this pattern of land occupation, survey, and appropriation can be seen in the Republic’s attempts during the 1880s to acquire territory by way of concessions in Swaziland, as well as more directly by inspection and occupation in Zululand and the freebooter republics of Stellaland and Goshen on the western edge of the country.\textsuperscript{92} Notional territory could thus be made real, or at the very least the claim to it leveraged into real

\textsuperscript{89} Theodor Wangemann, \textit{Maléo en Sekoekoeni}, trans. J. F. W. Grosskopf (Cape Town: Van Riebeeck Society, 1957 [1868]), 39. This effort was clearly unsuccessful, given that Boer \textit{commandos} destroyed Kopa power in 1864.

\textsuperscript{90} Erasmus, “Re-thinking the Great Trek,” 63.

\textsuperscript{91} Noel George Garson, “The Swaziland Question and a Road to the Sea, 1887-1895,” \textit{AYB} 20 no. 2 (1957): 273.

concessions, by its entry into the geographical archive as owned territory within the
colonial state followed by the recognition of other Europeans of the claim.

The inspection and award of farms in the heart of the Pedi polity in 1870, the
southern center of the “divot” on the 1868 map by Jeppe and Merensky, is therefore a
particularly useful example of state extension through notional territory. The inspections,
in number, were carried out by veldcornet S. P. Botha with G. J. Scheepers and T.
Wassenaar between 27 July and 26 August 1870, and covered the area north of the lands
of the Ndzundza chiefdom across to the heart of the valley just west of the Lolu
Mountains. Considered with the aforementioned Waterberg surveys of J. A. Smit and C.
G. Bodenstein, Botha’s inspections are a good example of the variation that was possible
in reports that were found acceptable according to regulations. Botha’s reports show data
describing the situation of beacons as well as the situation of and sometimes agreements
with neighbors on the diagrams themselves, with basic detail of roads, watercourses, and
major topography. Botha used no printed form but rather ruled off page sections to draw
the polygons and wrote in the requisite declarations of suitability for farming and
provision for water and wood wherever it fit. The results were fairly crowded
representations of the land inspected, though they were no better at representing the
territory (see map 5.6). Several irregularities hint at haste in the operation. The
uittreksels for the lands most clearly within the Pedi heartland had been issued in most
cases only within the previous year, and the detail on the reports diminishes greatly the
more eastward the corresponding farm.

93 Inspectie Rapporten Lydenburg (voorzitter S.P. Botha), RAK 2795/8, TAB.
The most jarring feature of the reports, however, is the lack of any note of extant settlement, save on a few of those farms reserved specifically for government. It is extremely unlikely however that only those few were occupied, given that nearly 20,000 people resided in the Pedi heartland by 1905 and cultivated heavily in the area. Other cartographic evidence suggested settlements and regular agriculture and grazing in the area, if only by the presence of forts, streams, and roads. The likelihood is that settlements were either not noticed or not noted, as that might have jeopardized the award of such valuable land. Either option gives Delius’s suggestion that land speculators anticipated the breaking of Pedi power added merit.

---

94 See “Index to Key Map of the Transvaal: Government Locations as Actually Defined or Established,” C27/16, TAB; Sketch map of the Pedi heartland, Maps 3/1164, TAB. The latter map is almost certainly the one produced for the Transvaal government by Alexander Merensky in 1878 or 1879. For the likely cover letter, see Merensky to Administrator, 24 June 1879, R2165/79, SS 348, TAB.

95 Delius, *The Land Belongs to Us*, 134.
The Pedi leadership was itself well aware of the inspections’ implications. Sekhukhune had broadcast complaints about Botha’s commission, and the act of inspection, far beyond the borders of the ZAR by 1873. At the same time he sought to uphold his own claim to territory as far as the Komati River to the east and beyond Pretoria to the west as well as some distance north and south. Delius hints at the inspections of Pedi lands as being part of a colonial strategy to break down Maroteng power by settling whites in their midst. Whether or not this charge was true, and despite it being the only clear case of core territory being deeded over to others, Sekhukhune certainly saw malice. That perception seemed confirmed when the Boers and their emaSwati allies made war on him in 1876. The British, watching events carefully, actually pointed to the 1868 map and Jeppe’s comments upon it as evidence that the Boers had no valid claim over Sekhukhune or his lands—which led the independent baPedi to believe that the British would uphold their sovereignty.

Sekhukhune’s expectations were bound for disappointment. When the British did annex the ZAR as the Transvaal Colony in 1877, Sir Theophilus Shepstone upheld the Boer system of land titles and its land claims, including the onerously invasive ones. Given that the British had taken over the entire body of the Transvaal state, their desire to maintain and extend the geographical archive underpinning its claims (as well as its precarious finances) makes sense. But to do so was effrontery to the baPedi, as was Shepstone’s turnabout on his denunciation of ZAR sovereignty over the boPedi during

96 Delius, The Land Belongs to Us, 185.
their 1876-77 war and his attempt to enforce an indemnity to the ZAR that followed that conflict.98 The cartographer Friedrich Jeppe himself reversed position after 1877 and disavowed any intent to show a lack of sovereignty on the 1868 map, though Jeppe worked in Shepstone’s administration and so was not neutral.99 The resumption of inspection requests for territory clearly within Pedi occupation after the arrival of the British was also ominous, particularly one request concerning two farms lodged in 1877 by D. J. G. Coetzee, who had long made his wealth from Pedi captives and, later, Pedi rents.100 Ultimately the unnamed fears and ambitions of local farmers served to push the British to send military forces to destroy independent Pedi power—a goal they only achieved in November 1879 after over a year of conflict.

Given the unrest in the area that began before the inspections and that continued through the war and beyond, the occupation of that contested territory was understandably slow in arriving if indeed it had even been intended. Of the 22 farms inspected for private owners within the area later adjudged to be the Pedi location, the majority were sold by the grantees to land companies or private speculators. Only three farms remained in the hands of their original title recipient and twelve were transferred to land agents or other purchasers within six months—some several times within a matter of days of the deed’s issuance.101 It is clear that the bulk of this land was never actively used

98 Delius, The Land Belongs to Us, 224, 226-27.
100 Memorie van D.J.G. Coetzee, R2230/77, SS 238, TAB; Delius, The Land Belongs to Us, 139, 172.
101 Data on these farms was obtained from the publicly accessible Transfer Registers at the office of the Registrar of Deeds, Pretoria, and the office copies of the grondbriefen maintained in the basement store there. The transfer volumes unfortunately have no numerical identifiers for citation.
or intended for use by those who laid claim to it, so boundaries, “squatter” occupation, and the like never became matters of significance to the ostensible owners. The final orientation, location, and extent of the farms inspected in 1870 would in fact only be determined in 1888, after the work of a special commission appointed for that purpose. The uncertainty had been so great and the markers so poor that even the three careful land surveys carried out among those farms had given wildly disparate results compared to each of the two rounds of inspections (see maps 5.7 and 5.8).

The situation in the lands of the amaNdzundza under Mabhogo, to the southwest of the boPedi, developed somewhat differently. The baKopa, the other major group of people in the vicinity, were destroyed as a state in 1864, their people had been scattered or taken into servitude, and their lands were long since carved into Boer farms. But the amaNdzundza under Nyabela (the regent to Mabhogo’s heir) remained in possession of their core area (ostensibly four farms, about 26,000 acres) into the 1880s, and had a different experience than the Pedi with overlapping claims in the British period. In addition to these core areas it was certain that large numbers of amaNdzundza occupied inspected private farms surrounding the chiefdom that had ostensibly been settled despite the uncertainty over the extent of amaNdzundza lands. As a result, a fair number of complaints ensued from both groups. Nyabela’s solution was to contest title to farms that from 1879 on were thought vacant, abandoned, or particularly integral to the chiefdom, often by a program of *de facto* occupation. Though maintaining wider territorial claims, Nyabela laid very specific claims on certain inspected farms, thereby

---

102 Bonner, *Kings, Commoners, and Concessionaires*, 82
Map 5.7: Detail from diagram of survey of farm Moskow 1137, district Lydenburg, by H.M. Anderson, 1885. Extent given is incorrect by nearly 35% compared with the area identified by the Special Commission in 1889 (probably owing to misidentification of a beacon) and this diagram was cancelled by the SGO accordingly in 1891. Note the misidentification of neighboring farms compared to later inspections (maps 5.8 & 5.12). Source: Ou plaasdiagramme (unnumbered), kelder, SGO-PTA.
Map 5.8: Detail of Sketch of farm Moskow 1137, district Lydenburg, inspected by the Special Commission for Middelburg and Lydenburg under F.R. Janse van Rensburg in 1888 according to provisions of Law 3, 1887; compare this diagram with 5.5 and 5.6. Numerical values are in minutes' ride as on the older style of inspections, while numbers 1-4 indicate beacons. The original shows the stream in blue and simple topography in lower right. Source: Report no. 79, RAK 2744, TAB.
paying homage to the cadastral system and abiding by the colony’s spatial terms of reference.\(^{104}\)

Even though overlapping claims were an untenable situation for all parties concerned, though the cadastral specificity of Nyabela’s claims may explain the mounting of an inquest in 1880 (which tellingly included a government surveyor) instead of a military expedition. The dispute surely contributed to the position of the amaNdzundza near the top the list of “native locations” to be fixed permanently in the years following retrocession. The news of a coming visit from a Commission to definitively beacon his lands actually prompted Nyabela to make preparations for a siege.\(^{105}\) The 1882-83 war that led to the destruction of the Ndzundza chiefdom thus had suspiciously convenient timing, given the territorial dispute and considering the punitive peace it generated. That “peace” recalled that visited on the baKopa in 1864, for it dispersed Ndzundza lands among the Boers of the *commando* as smallholdings and the people were distributed to local farmers as indentured servants by mechanisms that are still unclear.\(^{106}\)

This shift in African rhetoric from broad territorial claims to addressing the ownership of particular farms was not limited to the Ndzundza Ndebele. Africans throughout the Transvaal increasingly sought to purchase archivally established and defined *plaatsen* from Boers as groups using pooled funds. This was also not a wholly new development, as some groups of prosperous Africans began requesting the right to


\(^{105}\) Ibid., 174-77, 185-86.

do so as early as 1868. Many others purchased land in trust of private individuals and missionaries, a phenomenon that complicated post-1902 colonial attempts to reify African settlement patterns.

The Native Location Commission (Locatie Commissie) was a major part of the effort to reconcile flawed inspections with uncertain African land claims. As a stipulation of the Pretoria Convention of 1881 between the British and the new Boer leadership, a rotating three-member commission was to beacon and inspect chiefdoms’ lands to prevent expropriation and discharge a British promise to protect their rights. But the Commission was not at first required to retain the services of a surveyor. The governments initially determined the number of major chiefdoms for delineation to be seventeen, specifically including the Venda and Pedi chiefdoms. This system was a direct outgrowth of the system Theophilus Shepstone devised for “native locations” in Natal, whereby reserves for African societies were defined in situ and ruled indirectly, even though Shepstone’s own tenure as Administrator did not see success in its implementation. His system differed from the system at the Cape (called sometimes “the Grey System”) because it never envisioned assimilation of Africans into the colony


108 See High Commission for South Africa, South African Native Affairs Commission 1903-5. Volume IV. Minutes of Evidence (Cape Town: Cape Times, 1904), §42,095-§42,129, 649-52, for statements by headmen in this regard; see also TKP, Report by the Commissioner for Native Affairs relative to the Acquisition and Tenure of Land by Natives in the Transvaal ( Pretoria: Government Printer, 1904), 21-33, 66-69, 96-105, for the results of postwar investigations.

109 “Notulen der Locatiecommissie,” 9 May 1882 art. 8, SN 177, TAB; Johan Bergh, “Grondregte in Suid-Afrika: ‘n 19th-Eeuse Transvaalse Perspektief,” Historia 40 (1995): 45; TKP, Report by the Commissioner for Native Affairs Relative to the Acquisition and Tenure of Land by Natives in the Transvaal ( Pretoria: n.p., 1904), 34; Johan Bergh, “Transvaal Location Commission,” 8. The number was later increased, as the ZAR determined that the initial seventeen were meant to be “examples” of qualified groups.

as equals or sought to rule through government headmen. Instead, the Shepstone System envisaged indirect rule through a reified chiefly apparatus. That model fit well with the law the Volksraad passed in 1876 to reach boundary agreements with chiefs, but had not acted upon before annexation.  

British rule therefore refined the ZAR’s methods for rendering African presence legible to the colony. Understandably, their first order of business was to deal with those chiefs determined to be the most powerful and potentially troublesome to the extension of land settlement, particularly Makhado, Sekhukhune, and Nyabela. The Republic extinguished Nyabela’s rights after the war of 1883, and the case of Makhado was especially thorny and slow to move, as the following chapter will show. The location of the Pedi paramountcy—then under Kgoloko (Goloek or Geluk), the regent and uncle to Sekhukhune II—was however taken up as part of a series of adjudications. Kgoloko himself had in 1884 requested that the area be defined while inspections of new farms were underway to the north and east of the valley, in order to safeguard the land from further alienation to settlers and end the demands of the titular owners for rent. The Pedi regent was more acutely aware than anyone of the consequences of unchecked land claims and encroachment.

The Commission however only met regarding this question on 29 and 30 May 1885. The area they pegged out ostensibly included nine farms’ area (about 60,000 acres), with that of four more recommended to be added at the behest of Kgoloko. It

---

111 Brookes, *History of Native Policy*, 98, 122. Brookes also identifies the narrowing of distinction between the “Grey” and “Shepstone” systems by the time he wrote in 1923 and 1924.

112 J. A. Erasmus to P. J. Joubert (Superintendent of Native Affairs), 23 Aug 1884 and 8 Nov 1884, R4507/84, SS 985, TAB. The response from government recorded on the latter missive was that the Location Commission “zal alles regt maken” (shall make everything right). The need for a surveyor was decided on a case-by-case basis at first.

113 “Notulen der Locatiecommissie,” 30 May 1885 art. 47, SN 177, TAB.
was uncertain at the time precisely which of the farms inspected around 1870 fell into the area and which did not. Some seemed to be included in part, and others in their entirety, and the beaconing does not seem to have sought concordance with established farm beacons if they even existed. The government was required to buy any included private land from its owners, so this was a matter of some concern, and some of the transfers were not completed until well after the South African War as a consequence.\textsuperscript{114} The original inspection plan of the area and its sanitized revision reflect this uncertainty (see maps 5.9 and 5.10). Both are rough, imprecise, and inaccurate, and recall the vagaries of inspection reports from the 1850s and 1860s. The hegemony of kinship also extended much farther than the cadastres suggest, for many Pedi under Kgoloko’s paramountcy lived well outside of its boundaries.\textsuperscript{115} The location was merely the territorial basis upon which Kgoloko and the representatives of the government could communicate, though it was clearly most favorable to the ZAR and the white landowners.

The geographical miscompare between the location surveyed, the farms inspected in 1870, and the actual ground they represented in the end proved even greater than the Location Commission had suspected. When a special land-inspection commission finally revisited Botha’s 1870 work in 1888, they found the farm boundaries to be significantly misaligned and the reserve therefore to be much larger than believed. In fact, over twenty farms were within the location’s boundaries, and the geometry of the area was only vaguely as it had appeared on the sketches (see map 5.11). In 1895 the \textit{Uitvoerende Raad} instructed the Superintendent of Natives to see to the alteration of location boundaries to

\textsuperscript{114} Schoonord 894 (362-KS) was transferred to government in 1904; title to Eerste Regt 1189 (502-KS) was only finally obtained in 1911. See file NA1722/02, SNA 49, TAB; See also File 3487, LDE 307, South African Archives, Pretoria (hereafter SAB).

\textsuperscript{115} Delius, “Abel Erasmus,” 186.
Map 5.9: Original on-site inspection plan for “Statie van K Goloek,” May 1885, from which the version for presentation before the government (map 5.9) was drawn. Source: SN 178, TAB.
Map 5.10: Detail of rationalized inspection plan for “Locatie van K. Goloek,” inspected by the Native Location Commission, May 1885. Cardinal directions are not shown on the original. Note the “Tuinen” (Gardens) noted at the top center. Compare this with its predecessor and the Special Commission map (fig. 5.6). Source: Maps S.3/845, TAB. (Originally from R3264/85, SS 1078, TAB).
Map 5.11: Detail of “Plan van 156 Plaatsen, in orde gebracht door de Speciale Commissie voor Middelburg en Lijdenburg, van 14 Jan. tot 9 Dec. 1888.” The broken line indicates the comparative edge of Geluk’s Location as beaconed by the Commission, clearly showing the miscomparison between farms overlapped, the location as inspected, and how the two were determined to correlate. Compared to the inspection plans, it is rotated nearly 180 degrees. This copy was originally associated with government investigations for compensation to the owner of “Driekop” (in pink). Source: Maps S.2/53, TAB.
Map 5.12: Map created from sheets of 1902 compilation maps covering “Geluk’s Location” and showing the location of the dividing line between Kgolane and Sekhukhune II, indicated in 1896 and finally determined by coordinates in 1904. The check or red X in each individual farm indicates the presence of a grondbrief for the land, as the Transvaal Colony government was attempting to confirm state ownership of all the included land. Source: File 2641, SGO-PTA.
match the cadastral ones, presumably to simplify compensation claims, limit the number of claimants, and effectively define the location by cotermination with the inviolable lines of the cadastres.\textsuperscript{116}

The internal boundaries of the farms that comprised the reserve were therefore not altered, but neither were they determined. When in 1896 disputes arose between two claimants to the Pedi paramountcy—in large part precipitated by the interventions of the Lydenburg Native Commissioner, J. Abel Erasmus, in Maroteng politics—the government in Pretoria moved to divide the Location and had beacons erected to mark a dividing line between the two factions.\textsuperscript{117} As with the farm boundaries, the positions of these beacons were not properly determined (and there was no correlation between these beacons and those for the farms). Thus, when the British colonial government attempted to settle matters in the Location between the two groups after the South African War, they would be forced to determine the location of the 1896 beacons independently with the costs borne by the Location’s inhabitants (see map 5.12).\textsuperscript{118} This sort of uncertainty was repeated all over the country. Even the postwar British government found it necessary to reconstitute the Location Commission in order to settle questions of ownership and overlapping claims between settlers and chiefs, reimbursement, and the simple uncertainty of boundaries.\textsuperscript{119}

Just as the extension of state power and increasing land value required the determination of territorial boundaries within the ZAR, it also required the firming of the

\textsuperscript{116} Executive Council Resolution (hereafter URB) Art. 756, 5 Nov 1895.


\textsuperscript{118} “Division on Behalf Chief Sekhukhune & Kgolani,” File 684/2, SGO-PTA.

state boundaries themselves. In the east, discoveries of gold throughout the route between Lydenburg and Delagoa Bay in the late 1880s demanded a settling of the Swazi and Portuguese boundaries that had been stipulated (but never actually demarcated) in 1881 and 1869 respectively. The northern and northwestern boundaries between the ZAR and Swaziland, for example, were first defined in 1886 apparently in response to a complaint by Erasmus of difficulties in hut tax collection. This complaint hints at the use of the uncertain boundary by people living in the area to evade attempts by the ZAR to assert authority over them while avoiding confrontation with those same forces. That strategy was not a unique one, and elsewhere in Africa independent groups of people seeking to resist the colonial state often sought to use a peaceful relocation or exit strategy.¹²⁰

When Theophilius Shepstone lodged a protest after the beaconing on behalf of Swazi king Mbandzine that much of the rich goldfield near Barberton had been denied him, the Surveyor-General pointed out that the goldfields had been defined out of Swaziland some time before and nobody had shown up from the Swazi side for the beaconings.¹²¹ Taken with the disappointment of the determination of the Portuguese boundary and Shepstone’s failure to do anything about the concessions crisis except further drain Mbandzine’s treasury, it was clear that territorial rationalization had not been to Swaziland’s benefit.¹²² Indeed, European geographical science rarely bade well for non-Europeans, and this pattern was repeated throughout southern Africa and beyond.


¹²¹ Diary of G. R. von Wielligh, 1-3, 8, Von Wielligh Papers, A249/I, TAB.

¹²² Bonner, Kings, Commoners, and Concessionaires, 188.
These patterns were magnified by the fact that commissions had been inspecting land abutting the future boundary and granting title well before the beaconing was actually carried out. In particular, veldcornet David Schoeman inspected a block of twenty farms abutting the nominal northern Swazi boundary in mid-1885. Carl Jeppe, the nephew of mapmaker Friedrich Jeppe, obtained ten of these, two of which in fact were noted as containing “small kraals” with no further elaboration on the matter or apparent denial of title. The uittreksels presented for this land often dated back to 1870, and many had clearly been purchased from their former owners, suggesting that the speculators had chosen the moment and had been the responsible petitioners. Erasmus’s tax issue was not disconnected from this cadastral parceling, as the determination of positions would just as surely allow landowners to demand rent (at the very least) from people suddenly redefined geographically as tenants. In what was likely no coincidence, a few months earlier Jeppe had acquired eleven out of 43 farms (another agent, R. C. Green, took possession of sixteen more) inspected under Schoeman just on the Lydenburg side of the Olifants river; these farms were the ones located in the Pedi heartland, just on the other side of the Lolu mountains from what would become “Geluk’s Location” and that had presumably precipitated Kgoloko’s aforementioned 1884 request for a sitting of the Location Commission.

The geographical archive, then, served to allow for the appropriation of land as an idea preparatory to its appropriation in fact—a clear case of the map prefiguring the territory, though on a different scale from the maps usually considered that way. The creation of “locations” in the 1880s was therefore a retrocession of sorts and recognition

---

123 Inspectie Rapporten Lydenburg (voorzitter D. J. Schoeman), 1-3, [R4572/85], RAK 2741/1, TAB.
124 Inspectie Rapporten Lydenburg (voorzitter D. J. Schoeman), [R45/85], RAK 2741/1, TAB.
of limitations on territorial fiat, but it was importantly also an exercise of the state’s authority to judge that information and enter it too into the archive. In the far north and northeast, particularly among the kingdoms of the baHananwa, baLobedu, and vhaVenda, African population densities and more extensive African state power made this kind of clandestine expropriation impossible. That greater power, maintained over a longer period, led to very different confrontations over the bounding of land.
Chapter 6

From Independence to Incorporation in the Northern Transvaal

Transitions in Cartography from Boer to Briton

The discovery of mineral wealth, culminating in the opening of the main gold reef on the Witwatersrand in 1886, had immense repercussions for land issues in southern Africa.¹ Once the South African Republic (ZAR) had, after 1890, the funds and technology to make good on its claims to territorial supremacy between the Vaal and Limpopo rivers, its land claims became far less a notional and speculative matter. Areas where Boer power trod softly in the 1870s and 1880s became sites of contest and conflict over land. Their new power manifested in the formal Native Location Commissions and forward land policies backed with military force. But it also encountered pushback from the people the legal and economic systems of the colonial Transvaal sought to subordinate, whether under Boer or British rule. No single case better illustrates the entire development of relationships over land between African and colonial states than that of the western Venda paramountcy under the baRamapulana kings Makhado and Mphephu, which was the strongest independent power in the mountains of the northeastern Transvaal until its military defeat in 1898. Starting from the negotiated boundaries of an independent, sovereign entity facing the ZAR, the vhaVenda leadership shifted strategies after 1902 to work within the constraints of British rule and the

cadastral system to regain and retain as much of their authority over people and land as possible.

The practical development of the Republic’s surveying system and the office of the *Landmeter-Generaal* have been treated in the preceding chapter, but in the case of the mountainous Zoutpansberg region the vast gaps in the geographical archive were so persistent as to cross the boundary between the Boers and the British. Those gaps owed to the simple fact that the ZAR had no ability to impose its will until the 1890s despite efforts to negotiate supremacy over the many polities in that area, followed by the dislocation of the South African War (1899-1902). Therefore, there were few positional measurements, route sketches, inspection drawings, or scientific surveys within the area. Even the most basic land surveys in the extreme north waited until after 1902. Of all the people in the north, the baRamapulana had a uniquely lengthy history of contact as well as pronounced responses to the Republic’s efforts to exert force.

So poorly known were the northern mountains that the maps the Republic’s premier cartographer, Friedrich Jeppe, produced between 1867 and 1899 were fraught with errors. Jeppe, a German-born editor, draughtsman, postmaster, and even at one point Treasurer-General, was situated better than any other individual to compile maps from the geographical archive during the Republican period. But those maps naturally reproduced its lacunae and errors. His maps, compiled directly from data in the hands of the Republic’s Surveyor-General and Registrar of Deeds as well as material published in the major geographical journals of Europe, radically changed the depiction of the area north of the Zoutpansberg range with each new edition. The first map, which Jeppe produced in tandem with the Berlin missionary Alexander Merensky in 1868, collapsed
the considerable distance between the Zoutpansberg range and the Limpopo river entirely and utterly effaced the considerable Venda hinterland (see map 6.1). Jeppe’s major revision of 1875, published in London along with a description in 1877, had the benefit of some latitude measurements but stretched and misrepresented the area’s features based on verbal descriptions so as to fill the unknown territory between the river and the abandoned northern Boer town of Schoemansdal (see map 6.2). The lack of information certainly bothered Jeppe, who delayed his large map of 1888 for a year in order to redraw the entire area. The new data he awaited were sketch maps and route measurements received from the Swiss missionary Henri Berthoud, who lived at the foot of the mountains, and the results of re-inspection commissions then in the region. The result, combined with the novelty of longitude measurement on the highveld, was a significant lateral shift but little added detail in the hinterland (see map 6.3). Even the most authoritative, smallest-scale map Jeppe produced at the end of the century depicted a vast area with deformed hill-shading and fictitious rivercourses, reflecting the continuing absence of European knowledge and meaningful power in the region (see map 6.4). Other maps of the region, which drew from Jeppe or the same published sources he used, repeated and even embellished upon his misrepresentations.

---


4 Friedrich Jeppe to Henri Berthoud, 27 Jan 1890, 1, Berthoud Papers, A1529, TAB.

Maps 6.1 to 6.5: Four iterations of Friedrich Jeppe’s archive-based compilation mapping of the ZAR during the last 30 years of vhaVenda independence. All excerpts purport to show the same area centered on the Zoutpansberg range and including the Limpopo river. Note the movement of the mountains, and “growth” of the hinterland. Map 6.5 is a topocadastral section of the same general area, 2000.

Map 6.1: Detail from Jeppe and Merensky, 1868.

Map 6.2: Detail from Jeppe, 1877-1880 (all editions were identical). The fluid line was colored green and represents the “limit of the tsetse fly,” useful data for European adventurers with horses.
Map 6.3: Detail from Jeppe, 1889 (sht. 2). Note isolated cadastres with farm names in the upper left, indicating the few farms in that region which had careful survey diagrams on file in Pretoria at the time. All others were so poorly inspected (see ch. 5) that Jeppe could include only a note of their presence as he had in 1877.

Map 6.4: Jeppe & Jeppe, 1899 (Dutch edition, sheets 2 & 3). Note the proliferation of cadastral data, thanks to the Special Commissions Law and the General Survey Law of 1891.
Map 6.5: Topocadastral map of the Zoutpansberg area, 2000. Note the green spaces on the southern slopes of the mountains, some of which correspond to sites of contest in the late 19th and early 20th centuries. Compilation and scanning courtesy of Steven Jansen, CDSM.

Only after the South African War did a cadastral structure coalesce that the architects of Union, and later the Natives Land Act of 1913, could grasp. The war represented a moment of enormous upheaval in the region between the Vaal and Limpopo rivers, with the dislocation of both white and black rural populations thanks to warfare and the British policy of relocation to concentration camps. Although people “with chiefs” were not so relocated, the settlement reached at Vereeniging required the determination of claims and restitution for rural whites who were. Furthermore, the
arrival of a successor regime required the determination of “Native” claims to land and the confirmation of the work conducted under the auspices of the South African Republic, namely the Native Locations Commission. The question of remaining unallocated (but not unoccupied) land in the far north was also an outstanding concern for the administrators of the Transvaal Colony.

The South African War raised other difficult issues for those responsible for the Transvaal’s cartography. One of the major targets of blame for British difficulties in their initial advance, as well as their operations against the Boer *bitter-einders* who took to the field for two years after the fall of Pretoria, was the poor map coverage of the country. The general claim, repeated to this day, is that Britain’s parsimonious intelligence spending was largely to blame for the flawed state of mapping of the Boer Republics of the Orange Free State (Orange River Colony after 1900) and the ZAR (Transvaal Colony after 1900), and most maps of any value were created during the war.6 This view of inadequacy, rather than ineptitude, has its roots in the official explanation enshrined in the report of the Royal Commission on the South African War. Witnesses (and thus the report) claimed that getting reliable maps along with other sorts of intelligence was impossible thanks to a lack of financial and human resources.7 The reality was that the British Intelligence Division had proof sheets of the Jeppes’ 1899 map of the South African Republic as well as a large sun-print compilation atlas of the

---


7 Great Britain, Parliament (hereafter BPP), Cd. 1789, *Report of His Majesty’s Commissioners Appointed to Inquire into the Military Preparations and Other Matters Connected with the War in South Africa* (London: HMSO, 1903), §257-62 and Appendix A, part E.
Orange Free State well before the war. Though all maps compiled without triangulation and topographical surveying were suspect and even Jeppe’s map received criticism after the war, the Boers had nothing better and often very much less.

One advantage of painting the situation as one of material neglect was that after the South African War the British government could be induced to spent the money necessary to chart topography and lock down fluid and uncertain cadastral boundaries by extending the Cape-Natal geodetic survey, and then its secondary and tertiary triangulations, to the two former Boer Republics. The head of the Intelligence Division, Sir John Ardagh, stated this expectation openly before the Royal Commission in 1902. The appointment of one of the leaders of the wartime topographical mapping effort, Major H. M. Jackson, as Surveyor-General of the Transvaal in 1902 also assured a collaborative spirit in Pretoria’s civilian surveying establishment. Jackson had in fact built a working relationship with several of the prewar staff, had upgraded key equipment, and developed a working knowledge of the limitations of the Transvaal’s geographical archive, but made clear that limited reform of existing practices was inadequate over the longer term.

The ad hoc nature of much cartography and survey work during the ZAR period therefore changed in the wake of the war, in large part because the new administration

---

8 The Intelligence Division copies of these maps are still extant. See Jeppe & Jeppe, Map of the Transvaal or S. A. Republic, particularly the copy of sheet 5 at Cambridge University dated 1898, Maps AA.513.89.8, Cambridge University Library, Cambridge, UK; J. J. Herfst, Atlas van den Oranje Vrijstaat 2d ed. (Bloemfontein: Topographisch Bureau, 1896), M. T. 6. h. 2, British Library, St. Pancras (hereafter BL). For the acquisition dates, see War Office Library Catalogue, 85/N/TAB 1999/15, BL.

9 See BPP Cd. 1790, Minutes of Evidence Taken before the Royal Commission on the War in South Africa (London: HMSO, 1903), §758, 836.

10 BPP Cd. 1790, Minutes of Evidence, §5007-9.

demanded considerable rationalization of colonial structures of knowledge about land and ownership for a number of reasons. First, it was essential to determine the land that accrued to Africans and Boers alike for purposes of tax assessment and delimitation. Second, putting the Transvaal’s cadastral structure on a firmer footing that included a trigonometrical survey would allow the Crown to dispose of land and eliminate nebulous spaces, particularly in the far north, where Africans might support themselves and avoid the labor market. The South African Native Affairs Commission of 1903-1905 (the Lagden Commission) also sought to eliminate general inconsistencies in native policy and in doing so turned on questions of spatiality. \(^{12}\) Third, connecting the Transvaal and the Orange River Colony to the Cape-Natal trigonometrical and cadastral systems achieved a conceptual continuity that was an important precursor to political union of the South African colonies. That continuity was a long-prized goal of the Cape Astronomer Royal, Sir David Gill, and he pursued it along with other advents such as the adoption of a single universal South African time zone in 1903 and a South African meeting for the British Association for the Advancement of Science in 1905. \(^{13}\)

The imperial government underwrote much of the cost of the geodetic triangulation between 1903 and 1906, but the plan for a standing topographical survey department fell apart over questions of the colonies’ contributions in 1906. The colonies were only willing to underwrite secondary triangulation at that point in time, and only the Free State was mapped topographically because of the strong imperial contribution of


This selective continuation is not coincidental, because trigonometry could improve the reckoning of cadastral boundaries—topographical survey only aided military operations on a scale that the colony would likely not be asked to undertake alone. Cadastral fidelity struck directly at the colonial treasury. It was necessary not only to refine the cadastral body of the state, but to ensure that it encompassed all people with one set of boundaries and meanings. To do that, the cadastral subdivision of the north needed to be completed, and the accepted spaces for nonwhite ownership and occupancy more clearly defined by its standards.

This is not to imply that the cadastral structure created by surveyors in the Transvaal after 1900 was accurate, only that it promised greater precision. Primary and geodetic triangulations, after all, were of limited use to the survey of land boundaries because the stations were often too far apart and at too high an elevation to be observed by the small instruments and low-lying terrain of the land surveyor. For accuracy the intermediate steps needed to be completed, and in parts of the Transvaal these secondary and tertiary triangulation networks were still under construction as late as the 1950s, underscoring the continuing fluidity in arguments over boundaries and ownership. The lack of control meant that surveyors could still relate beacons to other beacons, and triangulate loosely within blocks of farms, but they were building a network with creeping error the further they moved from a geodetic or primary beacon. Nevertheless, the colonial presumption was that the performance of a surveyor necessarily conveyed

---


15 Isabel Hofmeyr, “*We Spend Our Years as a Tale That Is Told*”: *Oral Historical Narrative in a South African Chiefdom* (Johannesburg: Witwatersrand University Press, 1993), 74. Hofmeyr erroneously refers to all of this as primary triangulation, but the basic point stands.
authority to the numerical and graphical depictions of the land so surveyed, just as their trained gaze contributed greater truth to their assays of land’s value than that of mere inspectors.

The British thus inherited many of the problems of the Boers over land, and had to deal with new challenges as well. The new challenges might even be called universal in that they not only coincided with the rise of the new Western-educated African elite in the Cape Colony and Natal but also used British imperial egotism regarding morality and jurisprudence to press their case for equality. This was especially true in places, such as the Zoutpansberg, where the British administration took over before the ZAR could consolidate military victory and alienate the land in their time-honored fashion. Thus the British not only had to grapple with the legacy of the ZAR’s strained and often personal relationships with the people in the north, but they also had to deal with those peoples’ often confrontational, yet non-violent, challenges to the new British authority. To understand the issues surrounding space, place, and the nature of authority through Mphephu’s return, it is essential that we first explore the fraught relationship between the South African Republic (ZAR) and the western Venda state under his father, Makhado, in the two decades before the South African War.

Makhado, the Boers, and the Struggle for the Land, 1883-1895

During the nineteenth century the vhaVenda lived in three kingdoms among the broken terrain of what today is northern and northeastern Limpopo province. These three kingdoms split from a single large empire with common leadership around 1790,
following the death of the king Thohoyandou, so their affinities were still very close
during the ZAR era. The westernmost of the kingdoms was that of the baRamapulana,
which most directly faced challenges from Boer power yet thrrove until the late 1890s.
The western vhaVenda are remarkable because their power under the paramount
Makhado (d. 1895), combined with a steadfast refusal to consider demarcation and their
early recognition of its implications, mooted the power of the Republic’s land surveyors
and inspectors over them. The surveyors were, instead, only active to the south and west
until much later. The lack of imagery such as maps and scientific edifices such as
beacons meant that the Venda territorial state was always a subtractively-constructed
body, and within the geographical archive it was merely “unsurveyed and uninspected
government ground” awaiting disposal. The interactions between Makhado and the
government in Pretoria provide insight into strategies and meanings of resistance to
cadastralization.

As with most polities in the region, vhaVenda subchiefs (for whom white
authorities used the Dutch term kapiteins or the Zulu term indunas, but are more correctly
called mahosi, singular khosi) enjoyed a great deal of local autonomy and power within
their own communities, though networks of allegiance and a well-developed council
system served as a brake on tyranny. The vhaVenda also enjoyed a certain cohesion by

---

17 The quoted text in fact appears across the Venda hinterland on the English edition of Fred and C. F. W. Jeppe, Jeppe’s Map [1899], sheets 2 & 3. For an example of legible territorial counter-definition’s potential power, see Thongchai Winichakul, Siam Mapped: A History of the Geo-Body of a Nation (Honolulu: University of Hawai’i, 1994).
dint of being a salient of Shona-affiliated culture southward into a region dominated by Sotho-Tswana highveld societies and occupying a formidable natural defensive position of the Zoutpansberg Mountains. The flexibility of the system combined with strong defenses and a relatively large population compared to people further south meant that Venda society was resilient, prosperous, and dynamic, although it was also prone to fission. Conflict arose among the male heirs to the position of a *khosi* because a sitting *khosi* was not generally permitted to designate his own successor, and the various wives who were the heirs’ mothers generally came from competing clans within a given territorial division.

The seeming impenetrability and remoteness of the region and its people relative to the colonized coast led to exoticization of both among the Europeans who visited or took up residence in the area. Reinhold Wessman, one of the Berlin missionaries in the area in the period around the South African War, to write that

> [t]he are no districts of South Africa more exquisite to the senses nor invested with greater romance than the lands of the Northern Transvaal which are the demense of the Bawenda. This tribe was the last to surrender its independence.

This impression of the far north and the lands of the vhaVenda was powerful; indeed, it still endures today, abetted by the “wild Africa” imagery of Kruger National Park located

---

19 The mountain stronghold was so central that later analysts pointed to it as a standard characteristic of Venda towns and cities; see H. du Plessis, “Die Territoriale Organisasie van die Venda,” *African Studies* 4 no. 3 (1945): 123, 126-27.

directly to the east. In the persistence of dramatic textual and pictoral imagery of romantic and ahistorical vistas, the Zoutpansberg region is hardly alone in the world—a point Mary Louise Pratt has made convincingly for other narratives of exploration—but compared to other parts of South Africa, it seems unusually persistent.

At the same time as Wessman pointed to the mystery associated with the northern Transvaal, he sought to puncture any myths about the region’s people. Wessman characterized vhaVenda themselves to be “characteristically bon vivants. They are, moreover, cowardly unto disgust; yet on the other hand violent unto murder.” Wessman’s pessimistic assessment doubtless reflected the Berlin Missionary Society’s lack of success in converting people in the three decades before 1900 at their three stations scattered around the edge of the Venda polity. By one estimate, only 0.35% of the Venda population and just one exiled khosi converted. The impression Wessman intended is that the impenetrability and power of the heathen vhaVenda were myths, reinforced solely by the different priorities of the Boer government and the foolish gullibility of the British who followed them after 1900 in treating the various Venda chiefs (mahosi) with cautious respect.

Some descriptions of the people were even more contradictory. Even those who claimed more respect for the vhaVenda, such as Johannes Flygare (who nevertheless


23 Wessman, Bawenda of the Spelonken, 10.


25 Wessman, Bawenda of the Spelonken, 116, 125.
depended heavily on the BMS station at Ha Tserwasse [Tshivashe]), painted such a picture of ineffable nature, with apologetics about how “still raw” Venda culture and spirituality were instead of Wessman’s more dire characterizations. Indeed, Flygare’s paternalistic ideas of the vhaVenda as powerful, proud, and capable of decency, yet still lazy and irrationally stubborn, continued to carry the weight of authority thirty years later. Commentators recognized their power and autonomy, but in the same breath lamented their ignorance and unrefined savagery by whatever measure was suitable at the time. Such odd juxtapositions of images arose from the Venda kingdoms’ ability to hold the Boers and their hunger for land and labor at arm’s length. The strength and stability of vhaVenda society and state naturally diminished the appeal of alien missionaries as surely as it prevented the South African Republic from exerting power over the area until the 1890s.

The evacuation and destruction of Schoemansdal in 1867-1868 were the key events in the rollback of direct Boer influence and cemented official respect for Makhado, known as the “Lion of the North.” This rollback remained effective despite the maintenance of a titular ZAR official in the person of the Portuguese trader João Albasini, who was already living in the area as a veritable warlord over people displaced from the Mozambican coast. Even the establishment of the Berlin Missionary Society

26 Johannes Flygare, De Zoutpansbergen en de Bowenda Natie (Pretoria: De Volksstem, 1899), 5, 1. Flygare’s foreword (p. 1) testifies that the vhaVenda, whom he tellingly terms a “nation” (natie), were of a far higher character than the “many tribes” (vele stammen) of South Africa.

27 See Stayt, Bavenda, 21-22.

28 This respect continued after his death despite his defiance, even among many of his opponents. See G. G. Munnik, Memoirs of Senator the Hon. G. G. Munnik (Cape Town: Maskew Miller, 1933), 145.

stations nearby in the 1870s did not bring back Boer landhunters. As mentioned in the prior chapter, the British retrocession of the Transvaal in 1881 made provision for “native locations” to be determined by the Location Commission (Locatie Commissie). The signatories of the Pretoria Convention in 1881 determined the initial number of chiefdoms in need of delineation to be seventeen in number, and specifically named the vhaVenda kingdoms.

Such utterly theoretical provisions and assignations that the British, Boers, and Berliners made regarding the vhaVenda were of limited relevance in light of the actual situation on the ground. As a king who had demonstrated his power to the Boers, Makhado was particularly unlikely to hew to the fantastic ideas of state power imagined in far-away Pretoria, the more so given that Boer settlers had proven utterly unable to impose their will unilaterally in the north. The relatively loose formal institutions that characterized the broader Venda polity were much like those connecting Pedi groups under the Maroteng paramountcy, and Boer coercion and military power had failed against the Pedi as well. Furthermore, with the retrocession of the Transvaal to the Boers, the proven military danger of British arms suddenly vanished. In the eyes of Makhado and other rulers in the Limpopo region, the resumption of Boer rule in Pretoria in 1881 would have constituted a positive development for their security.

Makhado and the other kings and paramount chiefs of the north were thus understandably dismissive of—if not simply offended by—any pretensions of imposition

---

from Pretoria. The Location Commission nevertheless sought to determine the amount of land they felt the polities of the north were “entitled” to occupy based on a minimum acreage per household, a model employed at the Cape as well as in other settler societies.\(^\text{32}\) This was a number that was itself hard for the Commission to settle upon in the face of efforts by the Executive Council (\textit{Uitvoerende Raad}) of the Republic to keep the amount as small as possible, likely for reasons of labor extraction that were also hypothetical in the early 1880s.\(^\text{33}\) The Location Commission, feeling that Makhado occupied far too large a swath of land despite utilizing it, assigned to him eight standard 3000-\textit{morgen} (6350-acre) farms in August 1883 based on the presumption that he had only 524 households based on taxes. At the same time, they resolved to send a surveyor to beacon that area “as soon as possible,” and even collected tenders from land surveyors in September and October.\(^\text{34}\)

The government only actually moved to define locations for Makhado and others in the Zoutpansberg district in 1887, at which point the Superintendent of Native Affairs recognized that the Commission needed to consider the matter afresh. The timing may have had a great deal to do with matters of state and the need to reach an accommodation


\(^{33}\) Bergh, “Transvaal Location Commission,” 8-9. The Commission recommended from five up to ten “English acres” of arable land per household, while the Executive Council sought to push it down to two or three \textit{morgen} (about 4½-6½ acres), with later adjustments permitted for the quality of terrain and grazing needs. See “Notulen der Locatiecommissie,” 3 Oct 1882 art. 15, SN 177, TAB; Bergh, “Transvaal Location Commission,” 8.

\(^{34}\) Extract from Minutes of Location Commission, 31 Aug 1883, in Stiemens (Secretary, Location Commission) to W. E. Bok (Staatssecretaris), 3 Sep 1883, 194, R4176/83, SS 860, TAB; Van Bijlon, \textit{Grensbakens}, 380-81; J. S. Marais (Auditor General) to Bok, 31 Oct 1883, 183, R5043/83, SS 860, TAB. Van Bijlon mistakenly transcribes the number of households as 424; see “Lijst van Afgebakende Locaties,” n.d. [1883], SN 178, TAB. The assignment was based upon 6 \textit{morgen} per household plus a commonage allowance of about 35 \textit{morgen} per—a relatively small area compared to the Kei Valley.
with Makhado if one was possible. The settlement of boundary issues with Britain, the passage of the *Occupatiewet* (Occupation Law), No. 6 of 1886, designed to further white settlement and occupation by the grant of farmlands in the north (which would benefit from cheap African labor, generate taxes, and provide a standing militia), and the discovery of vast taxable gold reserves at the Witwatersrand that also needed labor—and might pay for military confrontation if that was necessary.\(^{35}\) The presence of *Commandant-Generaal* and Superintendent of Natives for the Republic P. J. Joubert as chairman of the Commission further suggests the effect of other considerations, including confrontation, upon timing.

The Location Commission, including Joubert and Antionio Albasini (the son of João Albasini) traveled to Makhado for an audience, arriving at mid-day on 22 February 1887 under “his mountain” near the Venda capital whereupon Joubert then announced himself.\(^{36}\) Together with the surveyor F. H. Rissik, the captain of the Transvaal Mounted Police and Artillery, and Albasini’s interpreter, the Commissioners received an invitation the following day and met with Makhado and his interpreter September. The prompt invitation notwithstanding, Makhado immediately made clear that he felt the status quo was in no need of modification and that all he needed to say he had already told Albasini long before—presumably referring to his position as ultimate arbiter of his lands.\(^{37}\)

---

\(^{35}\) On disputes and brinksmanship concerning the freebooter “republic” of Stellaland, see Kevin Shillington, _The Colonisation of the Southern Tswana 1870-1900_ (Johannesburg: Ravan Press, 1985), 170-71; for the passage of the *Occupatiewet* and its own preconditions, see J. W. N. Tempelhoff, “Die Okkupasiestelsel in Distrik Soutpansberg,” *AYB* 60 (1997): 12, 20-22. The occupation farms under the *Occupatiewet* were smaller than full-size Boer farms (500-1500 *morgen* as opposed to 3000) in order to build up a standing military reserve.

\(^{36}\) Joubert *et al.* to S. J. P. Kruger (Staatspresident), 24 Feb 1887, 1 (70), R1526/87, SS 1364, TAB.

\(^{37}\) Transcript of Conference, 23 Feb 1887, 1 (73), R1526/87, SS 1364, TAB.
Joubert’s response specifically addressed the influx of people to the mines and thus to look for land in the north, and stated that

... [d]aarom heeft de Regeering my gestuurd, om bijtijds te zien en om die locaties af te bakenen, zodat de naturellen ook weten wat hun grond is en niet kunnen verdrukt worden. ... dan zal het Gouvernement er dadelijk naar zien en ook de Naturellen helpen dat zij niet verdrukt worden en de overtreders straffen, maar omdat te kunnen doen wil het Gouvernement vóór de menschen intrekken de bakens opmaken en de lijnen afgebakend hebben.

... [t]herefore the leadership sent me to see and beacon the Locations, so that the natives also know what their land is and cannot be oppressed. ... then the government shall see to [it] and also help the natives not to be oppressed and punish trespassers, but because the government wants to be able to do this before people move in [they want] to make [your] beacons and have the [boundary] lines beaconed off.38

The implied threat of pressure and loss from new settlers would have been familiar to people in the Kei Valley, as would the paternalistic guarantee of government to uphold “native” rights. The government had indeed already announced the opening of Spelonken, the vast ward including the Zoutpansberg mountains, under the Occupatiewet on 6 October 1886, and inspections for occupation farms began about the same time that the Commission was visiting Makhado, heightening the brinksmanship.39

Makhado’s responses showed his awareness of divisive tactics and questionable assessments on the part of the Commission. His initial response to Joubert was that yes, he knew all of these things, and that there were already foreign farms on the flatlands where his sheep graze and which were otherwise under cultivation and use. Makhado further advised that before anything was decided, Joubert should speak with the other chiefs. Joubert’s response, that each chief would get their own location and that

38 Ibid., 1-2 (73-74).
Makhado needed to deal with the Commission singly, did not sit well with the paramount who refused to agree to give up any part of the plains south of the mountain where his animals grazed or the less arable region north of the mountains where people often migrated. The Commission’s request for a population count from Makhado, so they could assign a location size, met with the wry retort that if the Superintendent of Native Affairs wanted a population count, he could go count the people himself. Attempts to convince Makhado to delegate to his subchiefs along with a lack of any guarantee that they might have their own land guaranteed further roused the suspicion of the king, who further declared that he could not show the Commission the limits of his land because he really did not know them. This uncertainty, Makhado explained, arose because “before, the entire land was Ramapulana”—suggesting that any peaceful land occupation by white settlers represented sheer hospitality and sufferance on Makhado’s part.40

But there was another element to Makhado’s position, given that the Venda state used a levy in labor to cultivate state land—and thus, production in the most fertile areas at any given time was essential to the cohesion and prosperity of the state.41 For the ZAR, the consideration of boundaries was a cadastral, financial, and administrative one, allowing them to incorporate and alienate land. Makhado’s statements on the other hand were articulations of sovereignty and control over the body of the state. This basic misalignment in the assumptions behind the two positions was surely as clear to Joubert and Makhado as it would be to their successors. The repetition of engagement (and

---

40 Transcript of Conference, 23 Feb 1887, 3-4 (75-76), R1526/87, SS 1364, TAB.
attempted engagement) between the Location Commission and Makhado itself reflected moments in changing power relations.

The only definite information the Commission got out of Makhado in 1887 was a statement of what the *onderste vlakte* or closest fields were. According to Makhado, those boundaries were the Doorn River from Levhobo and parallel to the mountains to the source and from there to Machaba, then back towards the Zoutpansberg mountains along the Brak River, including the salt pans to the west of the mountains, and from there to the Krokodil (Limpopo) river (see map 6.6).\(^42\) As with most of the major kings and Paramounts of the north, he defined his lands not by population, but by those territories actually under his effective power—and that definition had not changed since he had expressed these boundaries to the Boers in the 1860s.\(^43\) Joubert refused to guarantee such an extent, stating that it was the surveyor (Rissik) who would ultimately decide on the extent of land the paramount could retain based on his census. This was unacceptable to Makhado, who expected that tendering taxes to Pretoria—really considered a gift, as it was mostly tendered in cattle—should exempt his lands from “being cut up” (*gesneden worden*). Makhado refused to make any hard concessions, preferring instead to offer vague agreements with sentiments for peace and fairness while listening intently to the statements Joubert made about locations to gauge their intent. Joubert offered safe passage to Pretoria should Makhado have complaints or wish to say anything further, because the Commission needed to move on—perhaps recognizing that they had no power to compel agreement.\(^44\)

---

\(^42\) Transcript of Conference with Makhado, 23 Feb 1887, 92, SN 179, TAB.


\(^44\) Transcript of Conference, 23 Feb 1887, 5-7 (77-79), R1526/87, SS 1364, TAB.
Map 6.6: Key locations overlaid on Jeppe & Jeppe 1899, sheets 2 & 3. Mphephu’s location is only shown for rough reference; the rivers and topography are severely distorted in the unsurveyed lands. The green line indicates where inspection of new occupation farms ceased in 1889 as per Jeppe 1893 (see map 6.7).
After they had safely retired to a nearby farm the next day, Joubert sent a letter to Makhado stating that he had “assayed the land and the mountain,” and noted that even the area Makhado claimed as his core was about “600 Boer farms stretched out” (400,000 acres) and included a missionary station, the former grounds of Schoemansdal, and about sixty white farms. Joubert did not find this acceptable, and noted that according to that size, Makhado’s population would have to be about 300,000 households, but the hut tax paid via João Albasini in 1881 (the last year of British presence and presumably the last year Makhado bothered to tender it) was only a sixtieth of that (£364). Joubert therefore offered to beacon about twenty farms’ equivalent (12,500 acres or 6,000 morgen) for the paramount, which he characterized as charitable. He based the estimate on 10,000 householders, requiring a hut tax of £5,000 per year to be paid, and suggested that arrears of at least £15,000 might be asked. Joubert followed this statement with an uncharacteristic but certainly insincere apology that he could not recommend the area Makhado claimed as a location, at least not without a census.45

Makhado’s opinion of this remarkable letter is unknown, but the lack of a response is telling on several levels. It would have been insulting to say the least that Makhado’s claim to land was too large and incompatible with the presence of white farmers and missionaries under his authority. But it also shows a great deal about the way Joubert and the Commission considered “native” land as accruing in a quantity per household and being exclusive of any other claims to the land (save possibly mission stations). The idea of overlaps in authority and land use was not alien to the vhaVenda, but the ZAR was not prepared, and the Location Commision not officially empowered, to

45 Joubert to Makhado, 24 Feb 1887 (unpaginated), SN 179, TAB.
recognize such vast and nebulous claims. On Makhado’s side, he, like the other major
chiefs in the north, recognized the threat that locations represented, and like them, refused
to conduct a census that would serve to legitimize it.\textsuperscript{46} Furthermore, the tender of
cattle—seen as a precious source of wealth reserved for great \textit{mahosi}, and given as gifts
to equals—entitled him to better respect from guests.\textsuperscript{47} As matters stood it was
“completely impossible” for Rissik to undertake the beaconing without new instructions,
and the Commissioners sent a resolution to that effect to the government along with
reports of the proceedings, but no map—a map, no matter how flawed, would have
granted undesirable legitimacy to Makhado’s side of the impasse.\textsuperscript{48}

The Commission reconvened one year later, this time on 9 February 1888 at the
fortress of the district “Native Commissioner,” Captain Oscar Dahl, to make a raft of
resolutions regarding reserves in the Zoutpansberg district—including, as their last order
of business, the case of Makhado. The Commissioners again included Joubert and
Albasini, as well as Dahl, but no surveyor as they were not on-site. Albasini related
directly that he believed Makhado had only 3,000 households, many on “private” land,
and further was neither obeying government regulations nor paying any taxes at all. The
only resolution reached was to grant him a location as an independent chief, though what

\textsuperscript{46} Mulaudzi, “Agrarian Transformation,” 43-44.

\textsuperscript{47} Stayt, \textit{Bavenda}, 37-39. In the 1890s, other pastoral people in the area employed the tender of valuable
cattle as peace offerings, while showing their arms and maintaining that they had no obligation to pay taxes
on their own lands to the Boers. See, for example, the account of Colin Rae, \textit{Malaboch: or Notes from My
Diary on the Boer Campaign of 1894} (Cape Town: Juta, 1898), xviii-xix.

\textsuperscript{48} Tempelhoff, “Okkupasiestelsel,” 268 (Tempelhoff is however mistaken on the size of the reserve offered
in the letter); Joubert \textit{et al.} to Kruger, 24 Feb 1887, 2, 3 (71-72), R1526/87, SS 1364, TAB.
that meant was not made clear.\textsuperscript{49} Makhado apparently made clear his disapproval of any such imposed land settlement later in the year.\textsuperscript{50}

Certainly Makhado stood to lose by making any such arrangement, and it was clear that there were necessarily conflicts of interest in the small Zoutpansberg settler community when it came to locations and land. João Albasini’s militant following among the amaTsonga (called \textit{Knobneuzen} or knob-noses), who had first moved inland from the coast in the 19\textsuperscript{th} century, in fact received recommendation for their own location of about 65,000 acres from the Commission in early February 1888. In this arrangement the government recognized Albasini as the paramount chief, and the fact that his son and eventual successor was a Commissioner certainly helped his case.\textsuperscript{51} The amaTsonga under the Albasinis unfortunately lived close enough to Makhado’s lands that the two parties came into conflict in the late 1880s, which could not have made him feel any better about the pretension of the ZAR to deal with him fairly over land.

The continuing unsettled state of colonial boundaries for the vhaVenda encouraged efforts to hem Makhado in through security. The establishment of forts ever nearer his capital, encroaching on land he had claimed, was openly provocative—as was the parceling out of occupation farms in the forts’ shadows, which brought European grantees into conflict with people already living on the land. To Joubert and the other local commissioners, this was a vital response to unrest in the area that was driving white farmers off of land and generating an uptick in complaints of theft and trespass.\textsuperscript{52} He

\textsuperscript{49} “Notulen der Locatiecommissie,” 9 Feb 1888 art. 114, 66, SN 177, TAB.
\textsuperscript{50} Tempelhoff, “Okkupasiestelsel,” 268.
\textsuperscript{51} “Notulen der Locatiecommissie,” 9 Feb 1888 art. 111, 64-65, SN 177, TAB. On the movement of the amaTsonga and related peoples inland, see Mulaudzi, “Agrarian Transformation,” 29.
\textsuperscript{52} Tempelhoff, “Okkupasiestelsel,” 269.
sought therefore not only to beacon all the locations of lesser chiefs first, but also to place a fort as close as possible to Makhado’s capital, specifically to push him towards a settlement of taxes and boundaries—a provocation Makhado categorically warned him against.\textsuperscript{53} At the same time, Makhado was in intermittent conflict with some of those nearby peoples (some of whom were ZAR clients, such as Albasini’s), and would neither meet with Joubert nor send any significant representatives to do so—a slight that incensed him.\textsuperscript{54} Joubert, in turn, hoped to beacon Makhado’s location with the backing of a significant military force and made numerous inquiries of the resources available locally while he also sought to convince neighboring chiefs to pressure him.\textsuperscript{55}

The government, on the other hand, would not allow Joubert to provoke Makhado in that way for fear of starting a real war at an inopportune time, and the State Secretary was alarmed enough to send a telegram categorically refusing to allow him to erect the fort or to demonstrate military force even though they felt that both Makhado’s claims and even Joubert’s counterproposed location were unacceptably vast.\textsuperscript{56} Indeed, the government went so far in its efforts to avoid confrontation in 1889 as to order Joubert to “put Magato on notice that the government by itself ceased the Occupation across the

\textsuperscript{53} Minutes of meeting 5 Aug 1889, SN 178, TAB; Minutes of meeting between Joubert and representatives of Chief Umswaas and Chief Lerami, 16 Aug 1889, 2, SN 178, TAB. The Umswaas mentioned in this case was not the Swati king, but a minor chief to the east of Makhado.

\textsuperscript{54} Transcript of remarks from Joubert to Machinga and Jan (Makhado’s messengers), 16 Aug 1889, enclosure D in Joubert to Kruger, 12 Oct 1889, SN 178, TAB; minutes of meeting between Joubert and messengers Salomon & Jan, 20 Aug 1889, SN 178, TAB.

\textsuperscript{55} P. J. Joubert, Draft minute, n.d. [just before 12 Aug 1889], enclosure D in Joubert to Kruger, 12 Oct 1889, SN 178, TAB; D. S. Maré (Landdrost, Ward Spelonken) to Joubert, 5 Sep 1889, SN 178, TAB; transcript of meeting between Joubert and Piet & Rakatha, 10 Aug 1889, SN 178, TAB.

\textsuperscript{56} Staatsecretaris (W. J. Leyds) to Joubert (telegram), 5 Sep 1889, SN 178, TAB; Tempelhoff, “Okkupasiestelsel,” 269; Leyds to Joubert, 5 Sep 1889, BB 2911/89, SS 8683, TAB.
Doorn River [because] it may appear that the present location may be too small” and remind him that he must “understand well [that] the goal is to keep the peace.”

Peace meant leaving Makhado’s claim unchallenged by any alternate definition of the lands under the baRamapulana. The moratorium on new occupation farms (though not on the granting of old ones) further underscored a colonial presumption of incompatibility between European landholding and African authority that ran counter to practice before the realization of Boer state power. The jagged edge of this cadastral flow only appears on Jeppe’s 1893 published map of the Zoutpansberg Goldfields with his article in the Royal Geographical Society’s *Geographical Journal*, wherein he states:

> Negotiations are still pending with regard to the territory claimed by Magato, who occupies a stronghold in the Zoutpansberge, considered almost impregnable. The Republic has been several times on the point of deciding the dispute with this pugnacious and impertinent chief by force of arms, but the wish to avoid bloodshed and arrange matters in a peaceful manner has been predominant with the authorities.

The version Jeppe produced at the same time for the official purposes of the State Mining Engineer, Josef Klimke, does not include the line even though part of the line appears on the draft version of the map from May 1892 (see map 6.7). The reluctance to show that tentative boundary on any map issued through a government department is clear, given that other bounded native locations were clearly shown on all states of the map.

---

57 Staatsecretaris (W. J. Leyds) to Joubert, 7 Sep 1889, SN 178, TAB.
60 The manuscript draft that includes the eastern part of the cadastral edge is “Schets Kaart aantonende de Zoutpansberg Goudvelden verzameld op Grond van Metingen, Inspectien, en Persoonlijke Waarnemingen van den Staats Mijn Ingenieur J. Klimke, door Fred. Jeppe Landmeter Generaals Departement Mei 1892,” Maps 3/1114, TAB. The published version without the cadastral boundary under the auspices of the ZAR is F. Jeppe, “Schets Kaart aantonende de Zoutpansberg Goudvelden gecompliceerd van Metingen en
The cessation of new grants on Makhado’s side of the Doorn River did not stop the further extension of the general immigration to the area, which meant further conflict over the land was certain. In the short term, the changes included road construction and the settlement of traders to service the new landholders, some of whom erected their posts only after receiving approval from Makhado.\(^{61}\) In May 1890, the ZAR sanctioned the construction of a town on Albasini’s land less than 15 miles to the east, at the foot of the mountains, and resolved in August the following year to establish a settler town directly at the foot of Makhado’s capital, probably at the urging of Joubert.\(^{62}\) But the former settlement developed poorly and the latter one could not be created while the vhaVenda remained independent and Makhado remained vigilant. Indeed, the Doorn River became known by 1894, in the words of Leo Weinthal of the *Pretoria Press*, as “the famous border ‘rubicon’ of Magato’s territory” which they would defend.\(^{63}\) Perhaps the most telling point of the whole confrontation is one that was never specifically articulated anywhere: even as they carved out occupation farms to the west of the Sand River, inspectors never parceled out the valuable salt pans that Makhado had deliberately included in his territorial claims, and left them as one large unalienated plot.\(^{64}\)

Indeed, the vhaVenda were more than self-sufficient and had little incentive to accept impositions on their territory and prosperity. Commentators as late as 1894

---

64 See map 6.6.
Map 6.7: Detail of three states of Jeppe’s map of the Zoutpansberg Goldfields, showing the area bounding Makhado’s southern claims. From top: Draft version, May 1892 (from Maps 3/1114, TAB); Published “official” version from the State Mining Engineer, February 1893 (from Maps 3/1115, TAB); Published version from the Geographical Journal 2 no. 3 (September 1893), but submitted originally in April 1893 (see JMS 2/294, Archives of the Royal Geographical Society, London). Note the sudden termination of the cadastral line just west of the Doorn River in the top (draft) state, its total omission in the middle (ZAR) state, and its restoration and completion in the bottom (RGS) state. Also note the convenient placement of the map title and cartouche in the middle state as well as its omission of the location of Schoemansdal.
remarked on their healthy crops and vast herds—the key measures of African wealth and land use. Laborers to the mines could afford guns and other implements, and there was reportedly a regular surplus for sale to the coast and to the towns that found an ever greater market as greater numbers of people came to the area and the infrastructure grew, which together explain Makhado’s willingness to suffer the traders. Rumors of gold-bearing ore in the region as early as 1858 and the ultimate proclamation of goldfields in areas to the south and east of the Zoutpansberg range in the years after 1887 (six by 1893) further intensified the movement of non-farming consumers into the area and thus improving the market for Venda produce and raising the price paid for their labor.

Pressure nevertheless kept pace with opportunity. Though the state itself tried to avoid confrontation, Joubert made several direct threats to Makhado between 1891 and 1894. He threatened in 1892 that the government could do to the vhaVenda what it did to Mabhogo’s amaNdzundza in 1883, and admonishing him in late 1894 to cease interference with the administrative efforts of the ZAR’s new district native commissioner, Adolf Schiel. Makhado saw Schiel as a threat because he, like Albasini, had titular authority over a group of his enemies, in this case amaTsonga also from the northeast. In response to Schiel’s efforts to obtain a census and collect monies for tax, the mahosi gave him pittances and obstructively answered “one hundred” to any request.

---

66 See Mulaudzi, “Agrarian Transformation,” 31-32. This also suggests strongly that many of the new white farmers struggled compared to the western vhaVenda, and the latter apparently even built their own roads for trade purposes—an interesting parallel to early processes of commercial production in the Transkei.
67 For the timeline of discoveries and proclamations to 1893 see Jeppe, “The Zoutpansberg Goldfields,” 218-22.
he made for counts of huts, men, women, children, and lands.\textsuperscript{69} There are a number of reasons for this obstruction beyond \textit{realpolitik}, including the desire to keep Europeans from crossing the land in making a census which threatened the temporal and spiritual power of a \textit{khosi}. Indeed, such a census created those problems in Zululand in 1904.\textsuperscript{70}

In this non-cooperative atmosphere, Makhado’s forces drove away a Location Commission sent in 1894 as well as a separate visit from Joubert the same year, despite the assurance of the Landdrost in Pietersburg that Makhado was prepared to accept a location and pay taxes.\textsuperscript{71} Makhado may have had other motives for chasing the Commission away. Its lead officer, H. P. N. Pretorius, was the Commandant of the Mounted Police and Artillery and was asked to perform military reconnaissance while in the area.\textsuperscript{72} In the early 1890s, British officers from Rhodesia to the north also visited with Makhado and developed friendly relations, including the limited supply of military hardware and advice, which was a direct affront to the Republic’s claims of sovereignty over the kings and chiefs within its boundaries and added to their eagerness to manifest power in the region.\textsuperscript{73}

By the end of 1894, ZAR military actions against other powerful paramounts in the north using powerful new weapons enjoyed devastating military successes, which did


\textsuperscript{71} Nemudzivhadi, “Conflict,” 27-28; B. Vorster to Joubert, 26 June 1894, CR2084/94, KG 81, TAB.

\textsuperscript{72} H. P. N. Pretorius to Joubert, 22 Oct 1894, R10613, SS 4496, TAB.

\textsuperscript{73} The reaction of the ZAR to Anglo-Venda relations was supremely ironic, given that the British claimed suzerainty (though not direct sovereignty) over the Republic itself and responded with similar alarm to German interest in the ZAR. The cultivation of a trade in weapons also continued until the very eve of the war; see Tempelhoff, “Okkupasiestelsel,” 274; Nemudzivhadi, “Conflict,” 116.
not fail to impress Makhado if not alarm him outright.\textsuperscript{74} As a result he became a bit more receptive to meeting the Commission, which precipitously requested a surveyor for the purpose in early April 1895.\textsuperscript{75} A new commission, under not Joubert but rather H. P. N. Pretorius, embarked after after hearing from the mineral prospector E. P. Scrutton that Makhado would agree to a census and beaconing, though they did not bring a surveyor at that time. The Commission arrived at the foot of the mountain on 8 May and requested an opportunity to meet with Makhado.

This meeting, unlike earlier occasions, was treated in protocol as a state affair. A body of 30 to 40 armed soldiers escorted the Commission into the mountains to the village of Makhado’s junior wife, and Pretorius noted the presence of “many armed Kaffers on both sides of the path,” a show of military power that was certainly intentional.\textsuperscript{76} At the capital, the Commissioners did not meet Makhado, but a number of “\textit{indunas}” along with Funyufunyu, whom the Boers called “Tromp” and the Commission labeled the “head \textit{induna}.” Funyufunyu was however probably Makhado’s \textit{mukoma}—in effect, his private secretary, sent in the king’s stead as his eyes and ears.\textsuperscript{77} Funyufunyu stated plainly that his purpose was to convey the words of Makhado that he refused to allow a count of huts or a census of people, and he would also not allow the land to be divided. He disavowed any acquaintance with Scrutton, suggesting that Scrutton misled the Commission for reasons of his own. Funyufunyu further castigated them for the Boers’ broken word over the sanctity of the land:

\textsuperscript{74} Tempelhoff, “Okkupasiestelsel,” 270-71.
\textsuperscript{75} Stiemens to Joubert, 9 Apr 1895, 232, SN 179, TAB.
\textsuperscript{76} “Notulen der Locatiecommissie,” 8 May 1895, 165, SN 177, TAB.
\textsuperscript{77} The position involved distilling visitors’ business for a chief or headman, and a \textit{mukoma}’s employment would be in keeping with state protocol. See du Plessis, “Territoriale Organisasie,” 123 n. 2.
Tromp also said “See what Barend Vorster [Jr.] has done; he promised the land from the Doorn River to Witklip and from there past the Zoutpan to the Krokodil River to us, and he [Vorster] and his father had [sic] already taken away a portion of this ground again.”

That Vorster the younger might have made such a promise beyond his authority, and then broken it, was in keeping with the “ambitious and haughty” behavior that helped him provoke a war with the chief Mmalebogo to the west in 1894. Vorster in fact had arranged a mineral concession for Scrutton in 1894 covering all of Makhado’s lands, by claiming to represent Makhado in order to register Scrutton’s rights with the ZAR’s Registrar of Deeds despite having no clear sanction from the Venda king. Provoking Makhado into a losing war with the Republic may therefore have been the next step in realizing those mineral rights, given that Scrutton resurfaced after the South African War to claim them. The matter required direct communication between the king and the Commission. Funyufunyu reiterated that he did speak for Makhado, and they would not allow the land to be divided nor a census taken, and that the money they paid was “for the corn that we eat and the land upon which we live,” but Makhado sent word that he would meet with the Commission in person the following morning.

---

78 “Notulen der Locatiecommissie,” 8 May 1895, 166, SN 177, TAB.
80 Precis of that Portion of Minute R12007/96 relating to Scrutton’s Concession,” n.d. [1906], 1, file 477a, SGO-PTA.
81 “Notulen der Locatiecommissie,” 8 May 1895, 166, SN 177, TAB.
The audience with Makhado—for it was again held in his dwelling—served simply to put an official stamp on Funyufunyu’s words. When asked directly if that answer was final, Makhado responded that his mahosi—all still present at this meeting—could speak freely on the matter, at which point all echoed Funyufunyu’s sentiments. The response of Pretorius showed how little had changed in the eight years since Joubert first made his arguments—that the demarcation line he had conveyed was not binding on the government (for it was neither beaconed nor surveyed), that new immigrants would continue to come in, and without a census the boundaries could not be fixed and Venda lands “assured.” Makhado recognized that acceptance of cadastral integration meant the loss of land and abdication of sovereignty. His final response to Pretorius was that it was unnecessary to talk further, because the southern boundaries were good as they were, loosely at the Doorn and Sand Rivers where he stated Vorster had indicated. But such natural boundaries were too imprecise and bounded too vast an area ever to meet with approval from Joubert, much less the government in Pretoria.

After hearing of the Commission’s failure to exact concessions and the complaints with Schiel, Joubert proposed that stronger measures be taken in the next year, and in fact Joubert apparently approved an attack on Makhado by Commandant Vorster in the winter of 1895 that was only narrowly averted by a direct telegram from President Kruger. But Makhado’s death in September 1895, likely from brandy poisoned by family members, changed matters entirely. Indeed, he may have been murdered specifically to allow the pursuit of a more conciliatory attitude towards the

---

82 Ibid., 166-67; Report of the Commandant-Generaal, 13 May 1895, R4809/95, SS 4805, TAB.
If poison was the culprit, then the conspirators severely miscalculated the ultimate effects of Makhado’s removal.

The Fall and Rise of Mphephu, 1895-1908

Regardless of the reasons for Makhado’s death, the result was a sudden and significant weakening of the Venda polity. Without his powerful central presence, cracks developed among the Ramapulana leadership. The clear heir was Mphephu, who at the time of his father’s death was in disgraced exile for various sorts of excess, working in the mines in Kimberley along with many loyal comrades from his age-set and a number of elders. Another claimant was Makhado’s second son Sinthumule, who resided at his father’s request in the Rhodesian town of Tuli near Bulawayo. In fact, Makhado’s youngest son Maemu took the throne, despite having the weakest claim of the three to it and virtually no support outside of his own mother’s clan. The weakness of Maemu’s position meant that he immediately embraced the ZAR, offered his fealty, and sought its support. The majority of the vhaVenda turned to support Mphephu when he returned from Kimberley, though some supported Sinthumule. In the end, Mphephu and Sinthumule ousted Maemu and his supporters, who fled to the south. The ZAR, for its

---

86. Tuli was also the site of a large British South African Police post, and thus Sinthumule’s presence there may have been an official one as well. See Nemudzivhadi, “Conflict,” 84.
part, initially regarded Mphephu as a usurper, which lent credibility to Sinthumule’s potential claim to leadership and the idea that the Boers were in league with Maemu.87

Despite his suspicions, Mphephu made some noises about changing course and meeting with representatives of the Republic, and Schiel’s difficulties with Mphephu notwithstanding, the ZAR in turn saw the opportunity to overcome the stubborn failure of their efforts to confine the vhaVenda. In November 1895, before succession matters had quite settled, Joubert requested the dispatch of another Location Commission to arrange a census, retain a surveyor, and beacon a location, despite receiving no indication that he would receive such a Commission.88 H. P. N. Pretorius again led the expedition, which Joubert admonished to collect a great deal of information on matters not connected to surveying but to military and diplomatic posturing.89

From the hints in the correspondence file for the initial request, it appears that the Commission was not dispatched until June 1896 despite a number of false starts. Kruger himself was apparently of the opinion that the time was not ripe for trying to compel a census of Mphephu’s people in February, but that it should be brought up in March, at which point Joubert was of the opinion that unrest was too great to move forward then.90 On 30 March 1896 he promised that the Commission would decamp around the first of May barring any trouble, and Pretorius felt confident enough to inform the younger

87 Ibid., 38-41, 49, 61-62.
88 Joubert to Kruger, 20 Nov 1895, R11316/95, SS 5076, TAB.
89 Copy of Joubert to Pretorius, 25 Nov 1895, R11316/95, SS 5076, TAB.
90 Minutes of Correspondence, 6-8, R11316/95, SS 5076, TAB.
Barend Vorster—writing on Scrutton’s behalf—of what he thought the boundaries would be.91

In June 1896 the situation indeed looked promising. The surveyor A. L. Devenish, along with the local veldcornet, met Mphephu a number of times in the second week of June 1896, and after consulting his mahosi, the paramount agreed in principle to delimitation though the surveyor was apparently not prepared to do the work at that time and there is no indication that he agreed on a boundary.92 Mphephu further put his mark on a note to Joubert in mid-June 1896 that stated he was willing to accept the necessity of a census and a location, and requested a Commission.93 The prospect of Mphephu’s cooperation with the Republic proved in the end to be a dead letter when hostilities broke out between Mphephu and Sinthumule later in June, and the eastern Venda paramounts Tshivashe and Mphaphuli (Pafuri) also refused Joubert’s request to submit to a location survey despite their far friendlier relationship with the Republic.94 In August the government notified the successor to Joubert as Superintendent for Native Affairs, P. A. Cronjé, that demarcation simply could not go forward.95

Matters might have remained difficult but not immediately perilous to Mphephu but for two major factors beyond anyone’s control: water and disease. In the late 1890s, the northern Highveld experienced several years of drought, dropping crop yields dramatically at the same time that the land was under pressure and unrest depressed the

91 Ibid., 8; Translation of Minute, Pretorius to Vorster, 1 Apr 1896 (Original missing), C27/22, TAB; “Precis of That Portion of Minute 10027/96 ...,” 2, File 477a, SGO-PTA.
93 Ibid., 8-12; Declaration of Mphephu, 18 Jun 1896, Appendix VI in Nemudzivhadi, “Conflict,” 176. As Mphephu was not literate, there is doubt whether he fully concurred with the contents.
94 Pretorius to Joubert, 1 Jun 1896, R6286/96, SS 5456, TAB.
scale of cultivation. This alone was not devastating, in that the people knew how to deal with times of want through alternate sources of nutrition, stockpiling in years of plenty, and of course, their livestock. But the money economy had encouraged the sale rather than stockpiling of maize in the 1880s and 1890s, the price of buying maize during the drought was totally prohibitive, and the gradual encroachment of *Occupatieplaatsen* limited the area over which people could forage for “famine breakers.” The result was that many people turned to raiding, sought relief at mission stations or with other chiefs further afield, had to seek labor (often with the aid of the chiefs), or even sold children into slavery. As if this situation were not already difficult enough, the devastating cattle epizootic of *rinderpest* entered the region in early 1897, killing well over 90% of the cattle and creating a situation of general dislocation and want.96

The numbers and stability alike of the independent vhaVenda were therefore crippled at the same crucial moment when political fractures were deepening. The land was not producing, therefore seeming in “disuse,” The Volksraad of the ZAR had already devised a *plakkerswet* (squatters’ law) in consultation with the Orange Free State in 1895 with the goal of eliminating sharecropping and regulating the concentration of numbers of nonwhites on white farms so as to distribute labor evenly, though its enforcement was slow and fraught because many people could simply move to unoccupied land.97 The Volksraad in 1897 thus advanced stringent new regulations prohibiting African occupation of “government farms”—in effect, any land inspected but not yet apportioned or sold, regardless of its *de facto* ownership. At the beginning of 1898 Cronjé further

---


demanded the collection of all tax arrears as well as a new, crushing levy of £2 per household. 98 In these changed conditions, the ZAR could for the first time consider enforcing these measures, which further diminished the strength of Mphephu’s state by continuing the dispersal of its fighting men as migrant labor and its productive women and male heads of household as labor tenants on white-owned farms.

This volatile situation made it easier for the ZAR to cleave Sinthumule and other prominent leaders further away from Mphephu. Mphephu, for his part, saw the Republic’s overtures to them as an attack on his paramountcy and interference with internal matters, as indeed it was. This sort of infighting and the involvement of the Boers was not new—indeed, Makhado himself had enjoyed the support of Hendrik Potgieter’s people at Schoemansdal in 1864 when he deposed his own elder brother—but it certainly was never before capable of creating permanent weakness in the succession by maintaining and guaranteeing the security of these alternates. 99 Indeed, Mphephu still sought to eliminate his half-brothers as threats in 1896 and 1897 through armed incursions, and the Republic’s efforts to dissuade Mphephu on the heels of their redoubled efforts to impose taxes and beacon a location were absolutely alienating.

Despite this environment, the ZAR still made further attempts to constitute a Location Commission starting in 1897. At some point in the early months of 1898, the Landdrost of Spelonken, G. G. Munnik, visited Mphephu at his capital. There, he and the district Commandant, Daniel du Preez, conveyed the demand of the government for a

98 Rapport van den Superintendent van Naturellen ... 1897, 3, and appendices G and H.
census within a month, in preparation for a location survey. According to Munnik,

Mphephu responded in a manner worthy of his father:

> Without a moment’s delay, he [Mphephu] said, “Tell the Government I know the boundaries of my location, and if anyone comes here to mark off those boundaries I will put him outside of them.”

The exact words are questionable, as none of the official records survive from that effort to convene the Location Commission beyond confirming its existence. But the insistence on self-defined borders is consistent both with vhaVenda precedent and actual practice. Munnik further states that the government sent Commandant du Preez and the land surveyor Devenish (who was known to Mphephu) back a month later to obtain this information and beacon the location, whereupon Mphephu’s soldiers promptly escorted them back across the long-claimed Doorn River boundary and “told them that if they came back, there would be trouble.”

Venda testimonies collected in the 1930s and 1940s and edited into a narrative by Dorothea Möller-Malan in 1953 also include an account of “chosen warriors” chasing away a survey party in the fall or winter of 1898.

Devenish certainly had his own distinct problems over land with the vhaVenda. Like many long-time surveyors in the Republic, Devenish owned a number of pieces of land and mineral claims, some within the Venda regions. Indeed, in early 1898 Devenish registered complaints not only about unnamed Africans working his mineral claims, but

---

101 See note in SS 6430, TAB, regarding R7033/97 (missing).
102 Munnik, *Memoirs*, 156. This probably happened in April 1898, given that the Cronjé called up the 1895 file in April 1898, and Devenish died suddenly in May of that year. See Minutes of Correspondence, 13, R11316/95, SS 5076, TAB.
also large numbers of vhaVenda occupying a piece of land titled to him but north of the Doorn River.104 According to the memoirs of Devenish’s widow, in early 1898 he

... went to have a look at it and have it surveyed and found it a most promising property indeed. He also noticed that the natives looked at him as if he had no business there, but did not actually interfere with him. He later on went with the Field cornet of the district to lay formal claim to it, with the result that the natives ordered them off in a most threatening manner, a hint they thought best to take. ... [T]he sheriff [either Du Preez or Pretorius] was sent to the natives with a writ of ejectment, unless they quietly submitted to his occupation. On the sheriff’s arrival he was met by the Head Induna of the kraal to whom he handed the writ. This document was contemptuously torn up in his presence and the Chief told him that if he did not instantly take himself off, his person would be treated in the same manner. He further emphasised his threat by ordering a score of armed warriors to escort them with all speed off the farm.105

These stories and their characters are thus certainly plausible. In any case Mphephu and those living within his kingdom certainly would have maintained their right to the land, a matter so clear that Munnik erroneously overemphasizes it as the major cause of the ZAR government’s decision in late 1898 to send Joubert to war against Mphephu.106 The actual decision in Pretoria was driven by other matters connected to sovereignty. Mphephu’s attempts to extend his own overlordship and collect taxes from other groups of people, his unwillingness to pay taxes to the ZAR, and Boer fears that Mphephu’s defiance was attracting other groups of people and creating him a stronger center of power, were all cited directly by various military and civilian

104 The location of the claims is unclear, but the farm was Welgevonden 232, indicated on map 6.6. See Cronjé to Staatsecretaris, 21 Feb 1898, R2206/98, SS 7031, TAB; Staatsecretaris to Staatsprokurer (Attorney General), 6 Jan 1898, SPR 176/98, SP 158, TAB.


106 Munnik, Memoirs, 156.
officials. But the unresolved issue of territory could not have been irrelevant, especially as demand for land and prospecting rights continued to grow, so we must consider the possibility that these confrontations over land were intended as the mode for direct challenges between the two parties. Unlike the evacuation of Schoemansdal in 1867, in this particular standoff the ZAR’s Europeanized colonial military machine prevailed.

Following the assault on Mphephu’s fortified capital and further attacks on his retreating forces’ other positions in the mountains between October and December 1898, refugees streamed out of the area towards the north and to the east. Mphephu fled to the north with several thousand people, and crossed the Limpopo into the British South Africa Company territory of Rhodesia. As a fugitive from the Boers, Mphephu naturally sought assistance from the British, whose help he had hoped to receive in the initial confrontation but who now only allowed him to settle at Vhuxwa with around a thousand people—some of whom stayed permanently. The ZAR effectively ended any recognition of their land rights, but some who had fled north following the hostilities began to return across the river in “great numbers” the following summer, according to the alarmed response of the police post at the major crossing point of Nylstroom to the west. The returnees naturally sought to resettle their homes and lands and resettled in

---

110 Post Commander, Nijlstroom (District Waterberg) to Staatsprokurer, 28 Jan 1899, GCPM23/99, SP 885, TAB.
the mountains, despite laws and orders intended to remove people who remained in the
mountains to Sinthumule’s lands on the flats.\textsuperscript{111}

Those opposed to Mphephu entered the Republic’s system of subordination.
Sinthumule’s acquiescence to the Republic’s authority led it to recognize him as the
paramount \textit{khosi} of the baRamapulana.\textsuperscript{112} It also led to the creation of a location of about
16,000 \textit{morgen} for Sinthumule around his town at Tshifhefhe just south of the Dorps
River, which the surveyor H. M. Anderson inspected and sketched in August 1899 at the
same time that he sketched the town lands of Louis Trichardt.\textsuperscript{113} The state emplaced
Maemu and his smaller group on the farm Rondebosch, which was carved from the open
lands seized after the war against Mphephu, and moved him about 40km southeastward
later.\textsuperscript{114} Other former enemies of Mphephu received similar consideration, enshrining the
fission of the baRamapulana territorially. In all cases, the imperative of the Boers was
that their potential enemies should be on flat, indefensible territory—another parallel to
British colonial policy towards semi-independent chiefs in the Kei Valley, and a policy
the ZAR had followed with the Pedi and attempted to follow with others in the north.\textsuperscript{115}
Indeed, to dissuade the occupation of the old mountain regions, the Boers erected a fort
on the mountain and laid out the town of Louis Trichardt at the mountain’s foot.

Although the ZAR and many landless whites hoped to capitalize on the rich
agricultural land taken from Mphephu, the South African War changed matters. Though

\textsuperscript{111} Tempelhoff, “\textit{Okkupasiestelsel},” 277; Du Preez to Joubert, 19 Jul 1899, CR4769/99, KG 371, TAB.
\textsuperscript{112} See “\textit{Report on Senthimula and Mahimo’s Location},” 8 Apr 1907, 1-2 and appendices, C27/21, TAB.
\textsuperscript{113} Möller-Malan, \textit{Chair of the Ramabulanas}, 193; Anderson to Rissik, 11 Aug 1899, LMG 64, TAB.
\textsuperscript{114} Tempelhoff, “\textit{Okkupasiestelsel},” 277; F. J. Newnham (Secretary, Location Commission) to Secretary
for Lands, Pretoria, 16 Feb 1906, File 1082/18, LDE 202, SAB.
\textsuperscript{115} It is noteworthy that Mphephu and then the ZAR allotted Sinthumule the same low ground for precisely
the same reasons; see Nemudzhivadi, “\textit{Conflict},” 44-46.
the vhaVenda were not significantly affected by the military aspect of the conflict, the sudden attenuation of ZAR control and the flight of white land claimants meant that many people took up residence on vacated lands and otherwise disregarded restrictions on their activities. Mphephu’s vhaVenda in particular reoccupied their old dwellings in the mountains and resumed their grazing and farming activities.\textsuperscript{116} The northern part of the Zoutpansberg district, in particular, was not subject to the same “scorched earth” anti-guerilla tactics employed further south between 1900 and 1902 and therefore cultivation and supply to the British were profitable activities; indeed, the Boer guerillas recognized that the area was the only one in the Transvaal that still produced food, but that local African power made any attempt at raiding ultimately counterproductive.\textsuperscript{117} Many of those who occupied the vacated lands further expected that a new British administration would recognize their right to those farms on the grounds that it represented the restoration of rights unjustly taken by the ZAR.\textsuperscript{118}

In legal reality, the British restored the rights of the Boers to their titled land by the terms of the Treaty of Vereeniging (1902) and offered them an indemnity besides. In addition, the British enforced the collection of hut taxes more systematically, and as a result they encountered broad resistance in the countryside from people insistent on their right to the land they occupied and angry at taxes that they had previously avoided, ignored, or simply had not been collected.\textsuperscript{119} In the far north, conversely, the British trod

\textsuperscript{116} Mulaudzi, “Agrarian Transformation,” 72-73.

\textsuperscript{117} Bill Nasson, \textit{The South African War 1899-1902} (London: Arnold, 1999), 224.


\textsuperscript{119} Krikler, \textit{Revolution from Above}, 143-44, 196.
comparatively softly, which may have reinforced the idea that the end of Boer rule indeed meant the restoration of land rights.

Mphephu and his retinue were doubtless also expectant of restoration to their old lands and homes. As early as July 1901 he sought the permission of the authorities in Rhodesia to return to the Transvaal with his wives and property, claiming that he had the permission of the British military officer in Spelonken, Captain Alfred Taylor, to return.\textsuperscript{120} Mphephu reportedly did not have any such permission from Taylor; rather than awaiting this discovery, he returned to the Zoutpansberg on his own initiative, perhaps hoping that the \textit{fait accompli} would allow him to reinvest his prime position as other former foes of the ZAR in the north had managed.\textsuperscript{121} Once back, Mphephu quickly regained his titular position and following, whereupon he sought to reassert his primacy among the baRamapulana. This alarmed the British, who ordered him and three of his principal \textit{mahosi} removed from the Zoutpansberg area and sent to Pretoria for detention.\textsuperscript{122} Ultimately, the British transported the four back across the Limpopo to their exile in Rhodesia, but many of the western vhaVenda had already reoccupied the areas supposedly cleared and opened to white settlement in 1898, including the old capital.

Once again in Rhodesia, Mphephu actively campaigned for his return to the Transvaal and many people in-country who supported him also made representations on his behalf. The government, on the other hand, wanted to put off a decision about Mphephu until a definite location had been beaconed—thus avoiding the recalcitrance of

\begin{footnotes}{120} Resident Commissioner, Salisbury to High Commissioner, Johannesburg, 12 Jul 1901, 101, NA Pret 12/01, SNA 1, TAB.
\end{footnotes}

\begin{footnotes}{121} Taylor to E. Moony (Native Commissioner, Spelonken), 28 Sep 1901, 11-12; Kriel, “African Reaction to White Penetration,” 61-62, NA 209/1901, SNA 8, TAB.
\end{footnotes}

\begin{footnotes}{122} Commissioner, Spelonken to Police Commissioner, Johannesburg, 27 Oct 1901, 18, NA 211/1901, SNA 8, TAB. Mphephu in October 1903 refers to “four men” with him; the identity of the fourth is uncertain.
\end{footnotes}
the years before 1898. But the desires of the government ran headlong into the desires of those of Mphephu’s people and subordinates still in the Transvaal, who asked after the question of the king’s return on many occasions starting in July 1902. The target of these queries was the Native Commissioner of Spelonken ward, C. G. Murray. He in turn wrote to the Native Commissioner of the Northern Transvaal, C. A. Wheelwright, with increasing concern. Murray noted at the beginning of June 1903 that the whole matter had assumed

a different complexion, for since then a Commission has sat which has practically granted the Boer farmers the land they were then and are still occupying and in addition given them to understand that such rights to the farms have been granted to them that they will have full control over them even as regards the native side of the question and that the natives will leave as soon as their crops are reaped. ... [I]t was wrong of the Commission to inform the Boers, without having more settled ideas as to the site of the Location, that the natives would leave when their crops were reaped.

Indeed the Boer land claims in question did not even have valid titles or surveyed boundaries themselves, and included lands that formed the western Venda heartland. Many Boers had begun squatting on Venda lands at the beginning of 1899, despite proclamations and notices from the ZAR meant to dissuade uncontrolled land invasion. The vhaVenda uprooted following the war of 1898 had also reoccupied many of the old towns during and after the South African War.

123 Murray to Wheelwright (Confidential), 20 Jan 1904, 2, former NCS 1/04, file 191/335, BAO 6746, SAB.
124 Murray to Wheelwright, 4 Jun 1903, 2-3, former NCS 276/03, file 191/335, BAO 6746, SAB.
125 Joubert to Government, 3 Mar 1899, R3215/99, SS 7737, TAB.
126 Wheelwright to Secretary for Native Affairs, 26 Nov 1902, former SNAZ 691/02, file 191/335, BAO 6746, SAB.
After the end of hostilities in May 1902, surveys and inspections for white settlement resumed in areas vhaVenda actively occupied, and they in turn made complaints directly to the overall Commissioner for Native Affairs, Sir Godfrey Lagden, who recognized the peril inherent in antagonizing the vhaVenda. The Colonial Secretary concurred, and ordered all such surveys ended, but the episode assuredly did not sit well with the vhaVenda.\textsuperscript{127} New waves of impatient land-hunters and local land commissions further complicated matters in the north generally by 1904, creating a situation where multiple claims existed on the same territory and raised the specter of direct conflict.\textsuperscript{128}

The entire matter was thus careening towards administrative disaster, and government sought to define locations and separate “whites” and “natives” in order to defuse it. The surveyor sent in July 1903 to assay the land and identify particular encroachments from Boers, Ralph E. Antrobus, was unable to find the particular squatters, but recognized the vastness of the area as a problem.\textsuperscript{129}

The preparatory work for a location had already begun in 1902, but emphatically did not envision the return of Mphephu. The rough area the British considered at first covered much of the western mountains and the lowlands to their southwest, including the land of Sinthumule, with the warning that if Mphephu were to return then the plan must be “altered entirely.”\textsuperscript{130} Wheelwright opined at the time that Sinthumule should be acknowledged as paramount chief at the location where the Boers had placed him, and Mphephu left in Rhodesia. When Antrobus and the District Lands Commissioner,


\textsuperscript{128} Ibid., 151-52.

\textsuperscript{129} R. E. Antrobus to Resident Magistrate, Pietersburg, 31 Jul 1903, file 191/335, BAO 6746, SAB.

\textsuperscript{130} Wheelwright to Secretary for Native Affairs, 26 Nov 1902, 2, and sketch plan (modified from “SNA Z691/1902”), NA 2645/1902, file 191/335, BAO 6746, SAB.
Mostyn Jones, visited the region under consideration as a location, they believed that land south of the Dorps River (see map 6.6) was “more suitable for Natives than for Europeans owing to the climate” but noted disapprovingly that other local officials preferred that Venda lands be situated away to the west, which Jones felt would compromise the viability of occupation farms by depriving them of labor.\footnote{Jones to D. Pollock (Secretary for Lands, Pretoria), 31 Oct 1903, former NA 2252/03, file 191/335, BAO 6746, SAB.} In 1904, Lagden wrote that the latter location envisioned was problematic because the area proposed was “very much less than that which was formerly under beneficial occupation by the Chief Mogato. There are pressing matters affecting settlement concession and prospecting dependent upon it.”\footnote{Lagden to Lieutenant Governor, Transvaal Colony, 29 Jan 1904, former NA 312/04, file 191/335, BAO 6746, SAB.} Government’s real concern was clearly less with the viability of the people but the legal determination of the value of concessions claimed by others such as E. P. Scrutton, who reappeared at about this time to lay his claim to the minerals under any and all land accruing to Makhado’s heirs.

In an effort to buttress his own standing and show empathy with the vhaVenda, Murray met with 35 of Mphephu’s mahosi, including Makhado’s mukoma Funyufunyu, on 9 June 1903. When Murray claimed a lack of answer from the government on the question of a return, Funyufunyu replied as spokesman that the people would like to know “what he has done that he can’t come back.”\footnote{Minutes of meeting between SNC Spelonken and deputation of indunas, 9 Jun 1903, 4, former NA 1410/03, file 191/335, BAO 6746, SAB.} Murray promised to forward their pleas, but he promised nothing, and notably did not make any statement to them about land disputes. For their part, the deputation did not ask for one, which suggests either that they hoped Mphephu’s return would include such a settlement or else that the
farmers were not pressing the matter. Murray did report their visit to Wheelwright, and opined that he now supported Mphephu’s return under certain conditions, one of which was a beaconed location that clearly did not include the former capital.\footnote{Murray to Wheelwright (Confidential), 11 Jun 1903, 3-4, former NCS 1/03, file 191/335, BAO 6746, SAB.}

If Murray hoped his meeting and the end of Boer land invasions would serve to mollify the Venda mahosi and prove Britain’s dedication to fair governance, he was mistaken. Wheelwright noted at the beginning of 1904 that

\begin{quote}
[p]etitions from the Indunas have now become incessant and barely a week passes without a body of them waiting upon Mr Murray the S. N. C. Spelonken on the matter. I enclose in these papers a letter from Mpefu to his mother Midana asking her to petition the Government on his behalf to be allowed to return to the Transvaal. The people unfortunately are even going outside of us and are asking some white people in the District to intercede on their behalf. ... As I have said previously the matter of Mpefu’s return must depend entirely upon the fact of his tribe being given a Location or not.\footnote{Minute from Wheelwright to Secretary for Native Affairs, 26 Jan 1904, former Z 164/04, file 191/335, BAO 6746, SAB.}
\end{quote}

Midana, as Queen Mother, still lived near the center of the old stronghold and possessed a great deal of authority to mobilize the king’s mahosi. In the letter sent in October 1903, Mphephu characterized himself as a prisoner charged with no crime, and without even the opportunity to defend himself and prove his innocence.\footnote{Mpepu [sic] to Midana, 17 Oct 1903, file 191/335, BAO 6746, SAB.} The letter actively plays upon the right to speedy trial, calculated with British jurisprudence in mind, and appears on the letterhead of the Native Commissioner of Bulawayo giving it an important sheen of officiality. Mphephu further requests his mother to take his case to the legally-constituted colonial authorities, and only asks after “the health of all his indunas and...
people.”137 Given the characteristics and rhetoric of the letter, it appears that Mphephu used his two years in Rhodesia to familiarize himself further with his rights under British rule and how best to articulate them—as well as the ways he might rebuild his own position within its constraints.

The matter within the western Venda lands was becoming critical by January 1904, because according to Murray many people were speaking of a mass-migration to Rhodesia to join Mphephu rather than wait without any guarantee that his return would ever happen. Murray did not consider this an idle threat, and he characterized it in terms of the loss of “at least 1000 to 1500 able-bodied men apart from women and children which the country can ill afford at the present moment” besides simply the loss of vhaVenda confidence in Murray himself.138 It was also vital, Murray stated, that Sinthumule’s separate location be fully surveyed and beaconed to British satisfaction before Mphephu returned, in addition to one for him, most likely to officially forestall attempts at the reformation of a single western Venda polity.139

Such a dilatory course of action only strengthened Mphephu’s support. Sinthumule’s prior cooperation with the ZAR tainted his viability as a possible paramount, and his continued security under the British did not help his standing among Mphephu’s faction. Mphephu’s other enemies also remained free while Mphephu resided in exile. Support for the king therefore cast his return as a necessity for restoration of society and became a focus of resistance to past injustices.

137 Ibid.
138 Murray to Wheelwright (Confidential), 20 Jan 1904, 3-4, former NCS 1/04, file 191/335, BAO 6746, SAB.
139 Ibid., 6.
Such injustices certainly seemed to be ongoing, especially where they concerned land. The upsurge in poor Boers looking for land after the war led to new inspections and widespread squatting, despite British efforts to stop both. The “latitude” the British gave the prospecting agents of E. P. Scrutton and others suggested further impending exactions at outsiders’ hands.\footnote{Notes on H. C. Hull to Commissioner for Native Affairs (G. Y. Lagden), 27 June 1903, file 191/335, BAO 6746, SAB.} By 1904, both Murray and Wheelwright accepted the possibility that the return of the exiled king was the most efficacious way to solve the problem. At the same time the central government of the Colony resolved to go ahead with a demarcation and management strategy that presupposed Mphephu’s continued exile.\footnote{Copy of Resolution E.C.N.A.26/04, 24 Feb 1904, SNA 551, TAB; Lagden to Pollock (Commissioner for Lands), 19 May 1904, NA 2307/04, SNA 236, TAB.}

The summary of Venda history that the Native Affairs Department in Pretoria produced in January 1904 for the use of a new Native Locations Commission was just one such sign of their disconnection from the situation on the ground. That memorandum placed the blame for the position of the vhaVenda and Mphephu’s exile firmly on their leadership—namely Makhado and Mphephu—for failing to pay their taxes and take the census asked of them.\footnote{“Baramapulana or Bavenda Tribe under Magato” n.d. [Jan 1904], C27/16, TAB. A working draft of this summary exists in file 191/335, BAO 6746, SAB, attesting to its origin.} This uncritical presumption of the Boers’ territorial rights was not surprising given that the British intended to inherit them, but it has strong parallels to the case of Sekhukhune’s baPedi in 1877 and the attitude was likely every bit as unjust and confusing to the vhaVenda who encountered it.

The initiative was ultimately not in British hands. Mphephu himself made that fact manifest when he vanished from southern Rhodesia at the beginning of August 1904, leading the government of Rhodesia to telegraph Lagden directly to warn his department.
that “Mpefu has left without permission presumably for Transvaal Police and Native Commissioners informed.” He suddenly appeared at Wheelwright’s office in Pietersburg on the morning of 8 August, in the company of six mahosi. The king carried only the pass issued by the local Native Commissioner in his area of Bulawayo, meant for “travelling in District, etc” for twenty days. Mphephu had used that twenty days to cross to his home and surround himself with his most trusted advisors before going to Pietersburg to place himself “in the hands of the Government and to learn what is to become” of him—thus deliberately forcing the issue of his return at a crucial moment in colonial deliberations over western Venda land and leadership.

Mphephu stayed in Pietersburg for some weeks, while the government devised the conditions under which he could remain in the Transvaal Colony. There was a conspicuous lack of any objection to the king’s return. Even more surprisingly, Wheelwright stated that he had no objections to Mphephu reoccupying his old mountain towns, a sentiment that others did not share. But he was as adamant as anyone that Mphephu’s lands should be marked off and separated from those of Maemu and Sinthumule as clearly as possible—indeed, it was “the most essential point” surrounding Mphephu’s return. Lagden’s opinion was that Mphephu’s obligations and lands must be defined, but also that he should not be allowed “under any circumstances to recall people living on farms or living with other chiefs who may formerly have been his or his fathers adherents” and relocate people onto his lands, a clear statement of intent to

143 Telegram 1341/1904, Chief Secretary, Rhodesia to Lagden, 2 Aug 1904, NA 1817/04, SNA 277, TAB.
144 British South Africa Company Pass 8258, 18 Jul 1904, NA 1817/04, SNA 277, TAB.
145 Wheelwright to Secretary for Native Affairs, 8 Aug 1904, NA 1817/04, SNA 277, TAB.
146 Minute of C. A. Wheelwright to Lagden, 13 Aug 1904, 2, file 191/335, BAO 6746, SAB.
frustrate any reformation of the larger social and political body along with the previously-stated intent to frustrate it territorially. The Executive Council agreed to these conditions for Mphephu’s return at the beginning of September and, in recognition of the new circumstances, voided their earlier resolution on the location issue.

Despite the officious rhetoric of government, Mphephu came out ahead in the transaction. Mphephu had forced the issue upon the Transvaal government at a time of his choosing, knowing full well at that point that the British could not afford to expel him if they expected peace in the north. Therefore, their approval of his return did not bear the same semantic imprimatur of colonial supremacy that his rivals’ agreements with the ZAR and the British did. Wheelwright not only understood the importance of settling the location issue as soon as possible, but also knew that under the circumstances any arrangements made without Mphephu’s approval were untenable. He therefore included Mphephu and his mahosi in the inspection and provisional beaconing of a location “about 30,000 to 40,000 morgen” in extent on 19 September 1904. The area Wheelwright pointed out provisionally was directly north of the old mountain capital, in the central valley of the Nzhelele River, which conveniently was also an area not yet under pressure from land-hunting white settlers. Because they conducted no survey, the full extent and conditions of the territory was poorly understood, but the boundary beacons were as far from the valley floor as possible. Wheelwright sought to move the people there as soon

147 Memorandum of the Native Affairs Department, 15 Aug 1905, 2-3, file 191/335, BAO 6746, SAB.
148 E.C.N.A. 93/04, 7 Sep 1904, SNA 765, TAB.
149 Wheelwright to Lagden, Telegram 1155, 10 Sep 1904, file 191/335, BAO 6746, SAB; Ibid., Telegram 311, Warwick (Acting Secretary for Native Affairs) to Wheelwright, Telegram 311, 12 Sep 1904, file 191/335, BAO 6746, SAB; Wheelwright to Lagden, Telegram 31, 13 Sep 1904, file 191/335, BAO 6746, SAB; Location Overview, n.d. [Jan 1906], LDE 202/1082/17, TAB.
as possible because “delay may cause serious trouble.” Over the next few months, most of the mahosi and their immediate clans moved, most in time to plant and plow that spring in the Nzhelele valley. Sinthumule and the other Venda factions retained lands to the south of the Dorps River, in the location originally approved before Mphephu’s return.

Mphephu had his own reasons to agree to the Nzhelele territory. First, with the guarantee of the colonial government underlining his military security, he might move to the most productive land near the confluence of the river’s tributaries. Centrally located in the mountains, the valley also allowed for further expansion and extension onto land that might be otherwise unused. Indeed, Murray promoted an eastward extension of “about 3600 morgen” in early 1905 to cover more of the fertile land at the confluence of the two major waterways, land where people apparently had already erected dwellings and sown crops (see map 6.8). The centrality of the location was also important for the many vhaVenda households claiming allegiance to him but living on various white-owned farms as labor tenants. Wheelwright’s lieutenant reported later that Mphephu deliberately ordered those families—as much as seventy percent of the people under his leadership—to remain on the farms so as to retain a presence in the broader area and “court popularity” among the farmers. Finally, it served Mphephu’s intention to re-assert his moral power among vhaVenda as paramount, because well-worn paths connected it to his old capital, the symbolic site of his independent authority and power.

150 “Sketch Plan of Proposed M’Pefu Location, District Zoutpansberg,” n.d. [Oct 1904], Maps 2/1200, TAB; Wheelwright to Lagden, Telegram 908, 10 Oct 1904, file 191/335, BAO 6746, SAB.
151 Sketch Map of Proposed Mpefu Location, dated. 20 Mar 1905, Maps 3/1473, TAB.
152 W. E. Peachey to W. Windham, 29 May 1907, NA 1489/1907, SNA 361, TAB. The figure is based respectively upon the Location Commission summary in TAB C27/22 and the location census in Memorandum of Sub-Native Commissioner, 29 Feb 1907, file 191/335, BAO 6746, SAB.
This last point seems to have been the most important, because it struck at the heart of Mphephu’s leadership. Mphephu was reportedly alarmed that Maemu was moving people onto unnamed “sites” being vacated by Mphephu—possibly including some of the mountain lands—and that some of Makhado’s widows and others were moving elsewhere rather than go to the valley.153 The course for Mphephu was clear: he needed to maintain a presence at the old capital, despite its position on ground designated for white settler ownership and the colonial government’s demand that he relocate totally to the valley. According to Murray’s official protest in July 1905, Mphephu had been moving to invest himself at the old capital ever since he returned the year before, and spent much of his time there living in a house that was “more or less an emblem of his

153 Murray to Wheelwright, 2 Jan 1905, former NZ 100/05, file 191/335, BAO 6746, SAB.
residence there” which Murray feared would “give the natives the idea that he has still a perfect right to reside there.” Murray claimed a need to guard corn buried in pits there, and then in March stated that he needed the time to arrange its transport. Murray inadvertently legitimized his occupation by charging him the rent due on Crown lands, but demanded that he pull his house down by August lest he send people to do it. At the beginning of September, he had still made no moves to leave the capital, and Murray wrote the South African Constabulary post to send a force to pull down the house. After that was completed on 8 September, Murray gave Mphephu until 12 November to vacate the capital entirely.

At the same time that Murray sought to expel Mphephu from the capital, he was pursuing his own strategies aimed at staying there. In early October 1905, Mphephu retained an attorney from Pretoria, and sought through him to make representations against his removal directly to the Lieutenant-Governor, Sir Arthur Lawley, who was visiting the district for a group meeting. The act of communicating through an attorney was immediately offensive to the colonial administrative structure, and Lawley responded through Murray that Mphephu must make his case “through the proper channel which is that of the Native Affairs Department” but that Lawley would still deign to hear him out.

---

154 Murray to Wheelwright, 30 Jun 1905, former 1123/05, file 191/335, BAO 6746, SAB.
155 Receipt of M’pefu for Native Squatters’ Rent Paid, No. 6106, 16 May 1905, file 191/335, BAO 6746, SAB.
156 W. Windham (Secretary for Native Affairs) to SAC post, Ford Edward, 4 Sep 1905, NA 346/1905, SNA 252, TAB.
157 Memorandum by Murray, 12 Sep 1905, file 191/335, BAO 6746, SAB.
158 C. P. Bawden to Murray, 12 Oct 1905, file 191/335, BAO 6746, SAB.
159 Ibid., draft reply on verso.
The meeting itself, on 18 October, was typically imperial in its paternalism. It was a group meeting, with many chiefs and headmen from around the region, and Lawley spoke through an interpreter. Lawley opened with an admonishment for chiefs not to bring in “outside parties, black or white” in communicating, and he clearly considered himself a greater paramount over children. The welcome the delegation gave him was extremely self-effacing, meant to stroke the ego while making muted complaints about the burden of taxes and rents. Lawley’s response was that whites paid taxes too, that it was expensive to run a country, and that there was plenty of work for them in the mines where he maintained that workers “are well looked after.” Furthermore, the rents they paid were for land beyond that which they were entitled to, and a new Location Commission would address any complaints.\(^{160}\)

Mphephu’s petition was another matter. The petition introduced him as paramount of the vhaVenda, and as direct successor of Makhado, he was entitled trusteeship over “the Magato lands.” The king further stated that the British colonial government had deprived him of vital parts of his rightful territory. Not only did these areas include the old capital which Mphephu noted was under notice, but also included the graves of previous kings which he claimed on the basis that “the successors and people shall look over and guard” them. Finally, Makhado carefully reserved “with all due deference to Your Excellency any right I may have in the event of Your Council [sic] not conceding to me, what I deem to be my own, of appealing to your Supreme Court and if necessary to the Privy Council.”\(^{161}\) It is not clear what boundaries he envisioned, as he did not articulate them, but it is likely he intended the bounds of the Dorps and Sand

---

\(^{160}\) “Memorandum of Proceedings,” 18 Oct 1905, 1, 2, 9-11, file 191/335, BAO 6746, SAB.

\(^{161}\) Petition of Mphephu to the Transvaal Government, n.d. [Oct 1905], file 191/335, BAO 6746, SAB.
Rivers at the very least, but his specification of the capital and the graves spoke directly to the heart of his paramountcy’s legitimacy. The righteous tone and the reservation of legal recourse in the petition were also highly irregular; the legal caveat may owe to the attorney’s advice, but the goal was certainly his own, as he made clear to Lawley.

The response to Mphephu’s unexpected attitude was curt and laid down the Government’s position. In response to the legal reservations, Lawley accused Mphephu of trying to scare him and of speaking to him as a child, and scolded him in turn. The Lieutenant-Governor furthermore stated that the decision over the land was his, and that he had made it. Mphephu, he maintained, lost his rights to any land after the war of 1898, and the British were not inclined as heirs to the ZAR to reverse it; indeed, allowing his return at all was an “act of grace.” Furthermore, he repeated the conditions of Mphephu’s return, and demanded that he leave the capital and move to the location. Mphephu held that his people were dying because the valley had no shade, it was too hot, and it was good only for cattle—conditions Lawley promised to investigate for himself. It is doubtful Mphephu found any of this convincing, because he remained at the capital at the end of November and reportedly told Murray he intended to mount a legal challenge against his removal.

The Native Commissioners nevertheless began to make plans to demolish the huts and structures in December, with the blessing of the Executive Council and in the presence of Mphephu. At the same time, more people had apparently moved into the old capital and built new structures and gardens. Their numbers were great enough that

---

162 “Memorandum of Proceedings,” 18 Oct 1905, 3-7, file 191/335, BAO 6746, SAB.
163 Wheelwright to Windham, 24 Nov 1905, file 191/335, BAO 6746, SAB.
164 Lagden to Windham, 30 Nov 1905, file 191/335, BAO 6746, SAB.
Wheelwright did not feel he could eject them during the summer, before their crops were ready for harvest. The discovery was especially frustrating given that the Surveyor-General, W. H. Gilfillan, postponed the surveys of surrounding farms in November 1905 pending the firm settlement and survey of location boundaries. Mphephu’s remaining people finally moved early in 1906.

Mphephu’s movement to the Nzhelele valley did not end his contests, nor the colonial government’s recognition of his power. The colonial authorities were not willing to alienate the land of the capital (“Hanglip”) in 1906, unanimously stating it “impolitic” to do so, nor would they grant the land on which the ancestral graves lay (“Alexandria”). Mphephu in fact petitioned the Native Affairs Department in April 1907 through his attorney, asking for permission for people to return to the mountains and tend the graves, on the grounds that the land was not special to the British, that his people would pay rent, and that the vhaVenda were “naturally a mountain tribe” and so were dying in the valley. The Minister for Native Affairs, who was in 1907 the last ZAR Surveyor-General, Johann Rissik, interviewed Mphephu on 16 April. Rissik was adamant that Mphephu could not occupy the old capital or the mountains, but promised to do what he could on the question of the graves and find other land if the location was unhealthy. Though the local commissioners concurred that the lowlands were fever-prone and unproductive in dry seasons, they laid the blame on the idleness and

---

165 Wheelwright to Windham, 2 Jan 1906, file 191/335, BAO 6746, SAB.
166 Minute 3402, 3 Nov 1905, LDE 202/1082, SAB.
167 Murray to Wheelwright, 24 May 1906, NA 1923/1906, SNA 368, TAB; Lagden to Commissioner of Lands, 16 Jun 1906, NA 1923/1906, SNA 368, TAB.
168 Petition of M’Pefu, n.d. [Apr 1907], NA 1489/1907, SNA 361, TAB.
169 J. F. B. Rissik to Mphephu, 17 April 1907, NA 500/07, SNA 354, TAB.
superstition of the vhaVenda for being disposed against the waters of the Nzhelele river as being feverish and not practicing irrigation in land that could otherwise be fertile.\textsuperscript{170}

When faced with Mphephu’s ultimate appeal, the imperial government deferred to the Transvaal government’s recommendations.\textsuperscript{171}

The Transvaal Colony’s goal was to harden location boundaries through the completion of the work of the ZAR’s Location Commission. This new Commission included a surveyor, W. E. Kolbe, among its three members. Kolbe would also be the surveyor to survey the locations once they were set down, so his opinion on land carried extra weight with the authorities. The reconstituted Commission met on Mphephu’s lands to consider the question of his boundaries and claims on 16 August 1906, and made its recommendations the following May. In the meantime, they collected further information, to decide on the question of lands and recognition for Mphephu. Kolbe believed that Mphephu should not be recognized as paramount, an opinion that S. P. E. Trichardt, the ZAR military officer who in 1899 appointed Sinthumule as paramount, seconded in March 1907.\textsuperscript{172} The matter of recognition was not settled until 1910, though that recognition did not give Mphephu any temporal power over his brothers.\textsuperscript{173}

The Commission as a whole apparently sought to diminish Mphephu’s power. Kolbe in particular felt that Mphephu’s location in the Nzhelele valley was of inadvisable strategic importance as well as unhealthy, while other members of the commission felt

\textsuperscript{170} W. E. Peachey to W. Windham, 29 May 1907, 4-5, NA 1489/1907, SNA 361, TAB.
\textsuperscript{171} Lord Elgin (Secretary of State for the Colonies) to Lord Selbourne (Governor, Transvaal Colony), 12 Jul 1907, NA 1489/1907, SNA 361, TAB.
\textsuperscript{172} Trichardt to Kolbe, 8 Mar 1907, C27/20, TAB.
\textsuperscript{173} See Motenda, “History of the Venda and of the Lemba,” 61. In a rhetorically suggestive move, Motenda juxtaposes the timing of Mphephu’s recognition with the accession of George V to the British throne that same year.
that the reserve pointed out was excessive and should be reduced to 3000 *morgen*—points on which the local Native Commissioners differed. Rather, they believed the reserve should be granted “as pointed out by Mr Wheelwright,” fearful that a sudden diminution of Mphephu’s lands or an order to move would provoke trouble—a concern underscored by the suspicion he gave beacons erected by mineral prospectors in the valley in 1907.\(^\text{174}\) The idea of moving a distance away to purportedly better land was also anathema to Mphephu, who responded that they could not consent to “leave the ground of their forefathers.”\(^\text{175}\) Rissik, upon whom the decision devolved, chose to follow the advice of the local native commissioners, and the general area was set aside by resolution of the Executive Council on 10 January 1908.\(^\text{176}\)

The final shape and extent of the lands set aside became victims of other concerns. The Native Affairs Department recommended that the location should be extended to the west and contracted in the north; later, they opted to expand it to the east instead.\(^\text{177}\) The Surveyor-General fixed the date of the location survey as 2 November 1908, as the last of his charges in the Zoutpansberg district.\(^\text{178}\) But Kolbe moved very slowly and only completed a “preliminary” survey, mostly based upon the farm beacons to the south, by May 1909.\(^\text{179}\) That survey included Murray’s eastward extension as well as a westward one, but did not extend as far north—a meaningless contraction to the

\(^{174}\) “Report of the Sub Native Commissioner, Spelonken on the recommendations of the Locations Commission re Mpefu’s Location,” 2, former NA 1461/1907, file 191/335, BAO 6746, SAB; “Report by Location Commission on Mpefu,” minute by E. Stubbs, 29 Feb 1907, file 191/335, BAO 6746, SAB.

\(^{175}\) Dales to Wheelwright, 26 Jun 1907, former NCS 394/07, file 191/335, BAO 6746, SAB.

\(^{176}\) “Mpefu’s Location,” n.d. [1908], file 191/335, BAO 6746, SAB.

\(^{177}\) Acting Secretary for Native Affairs to Gilfillan, 10 Jul 1908, File 702, SGO-PTA.

\(^{178}\) H. E. Schoch (Assistant Surveyor-General) to Kolbe, 29 Sep 1908, f. 17, File 1747B vol. 2, SGO-PTA.

\(^{179}\) Report on the Survey of the Native Locations in the Zoutpansberg District, Transvaal, n.d. [Jan-Feb 1911], f. 103, File 1747B vol. 2, SGO-PTA.
vhaVenda because no farms were yet defined on any of those three boundaries (see map 6.9). Based upon the preliminary survey, the reserve came out smaller than believed—just under 15,585 morgen (33,000 acres), about half of that estimated at first, but for those living on the ground it looked like an increase in territory. The miscompare highlights how poor the colonial understanding of the terrain in the north was even after the Act of Union, and how reluctant authorities were to fix any unnecessary boundaries. Within the cadastral patchwork of the Transvaal Colony, the preliminary survey therefore returned a net gain for Mphephu.

The full definition of the location’s boundaries waited until 1916, when the Surveyor-General retained Antrobus to carve new farms of 1000 to 1500 morgen to the north and west of the location—work that required the settlement of that boundary.\(^{180}\) Antrobus’s survey changed the reserve’s shape yet again. It returned the land’s northern

---

\(^{180}\) Schoch (as Surveyor-General) to Antrobus, ff. 26-28, File 1747B vol. 2, SGO-PTA.
and western boundaries to the 1904 extent, but they were careful to include the eastern extension Murray had suggested in 1905 and Kolbe had included in 1909, where many people lived (see maps 6.8, 6.9, and 6.10). Until it was necessary for other reasons to freeze boundaries, the authorities both locally and in Pretoria were loath to define them.

The Prime Minister of the Transvaal Colony, the former Boer general Louis Botha, believed along with others in government that the key stumbling block in mollifying Mphephu’s broader ambition was the issue of the graves, and ordered that “a limited number of families will be authorised to take up their residence on this [gravesite] reserve, and when this has been done Ministers have reason to believe that Mpefu and his people will be satisfied.” Accordingly in 1908 about 160 acres were set aside for five families on the farm “Alexandria” near the ancestral gravesites, giving Mphephu a key marker of his legitimacy as paramount. The gravesites themselves, some of which were also on town lands, were surveyed and excluded from disposal. The government moved a few years later to mark and merge both the former capital and the gravesites as its own version of “sacred space,” forest reserves, and thereby make them inalienable. The colonial government justified the designation on the grounds that “native tradition will be less likely to be interfered with than if the ground were to become private property” but those words hid the obvious concern for direct conflict. That respect still exists, given that both parcels of land remain forest reserve in 2008.

The acceptance of this settlement and the approval of the nebulous location in

---

181 Prime Minister’s Minute 230, 13 Jun 1907, NA 1489/1907, SNA 361, TAB.
182 Rough Sketch of Lands Proposed for Reserve, 5 Nov 1908, file 191/335, BAO 6745, SAB; G. R. Hughes (Secretary for Lands) to Windham, 22 Jul 1908, C.3505, LDE 307, SAB.
183 Chief Conservator of Forests to Secretary for Native Affairs, 3 Oct 1911, former F/6048, file 191/335, BAO 6745, SAB.
1908 were nevertheless not the end of Mphephu’s efforts to reclaim the capital.

Mphephu represented the land given to the caretakers of the graves as unsuitable for agriculture, and requested that land be granted for agriculture only on another part of the mountain. The response, from the local Native Commissioner, Ernest Stubbs, was that this complaint was a wedge strategy typical of “Mpefu’s insidious attempts to resettle his people on the Magato Mountain in the vicinity of the old Hoofdstad” and must not be acceded to. Indeed Stubbs believed that all such territorial requests aimed at reclamation of the capital, and any concession has “the effect of encouraging them to

---

184 Minute of E. Stubbs (Sub Native Commissioner, Northern Division), 18 Dec 1909, former SNCKS 336/09, NA 1489/1907, SNA 361, TAB.
believe that the government is gradually giving way to their agitation—which is by no
means dead—to get back to the tribal lands.”

Stubbs may not have been wrong in his presumption of Mphephu’s ultimate goal, even if he did not understand its full reasoning. After the creation of the Union of South Africa in 1910, Mphephu continued his agitation and retained new legal counsel in 1912 to make the case that he should be allowed to move from the valley to what unsurveyed land remained on the mountain and give the valley up for white settlement. The government remained unmoved, in large part because they felt the gain in available labor would not warrant it. The colonial government also did not alienate the reserve lands in any other way. The South African authorities further confirmed the five caretaking families’ rights to live at the gravesites in 1936, noting that “the whole of the Bavenda Tribe in this district is interested in the matter and not only the Mpefu section.” The stewardship of the graves remained vitally symbolic to all of the people under the various baRamapulana mahosi, underscoring Mphephu’s victory in holding the central position long after his own death in 1924 and perhaps even helping his descendants attain the leadership of the short-lived Republic of Venda bantustan.

Mphephu therefore did not recover his territorial autonomy, but still won back substantial power within Venda society through the pursuit of territorial rights. More than this, his campaign represented a shift from the strategy of direct sovereign

---

185 Minute of E. Stubbs, 16 May 1908, 4, NA 1489/1907, SNA 361, TAB.
186 S. P. J. Daneel (attorney) to J. B. M. Hertzog (Minister for Native Affairs), 10 Aug 1912, file 191/335, BAO 6745, SAB.
187 Stubbs to Wheelwright, 2 Sep 1912, file 191/335, BAO 6745, SAB.
188 Secretary for Agriculture and Forestry to Secretary for Native Affairs, 9 Dec 1936, file 191/335, BAO 6745, SAB; Native Commissioner, Louis Trichardt, to Native Commissioner, Northern Areas, 24 Dec 1936, file 191/335, BAO 6745, SAB.
confrontation he and his father pursued earlier against the ZAR. Mphephu retained legal
counsel and leveraged his influence and knowledge in order to pursue the restoration of
the social and territorial rights befitting a paramount chief. Though colonial land policies
eventually divided and even alienated much of the land previously under the rule of the
baRamapulana, direct and indirect resistance circumscribed their freedom in doing so.
Mphephu managed to gain access if not control of key spaces important to his standing
within the constraints of colonial authority.

Mphephu was not alone in his particular struggle for territory within the multiple
contexts of British colonialism and his own society in the period, which exposes a
broader change in strategy relative to British settler colonialism. For example, the
Maasai in the East Africa Protectorate pursued similar strategies for land claims through
the machinery of British law in 1911 and 1912, and the emaSwati attempted to recover
lands through the legal machinery of the British-dominated land market. These
particular challenges to colonial land policy arose from established African authorities’
adaptation to changed circumstances, but their innovations formed only one front of the
changing struggle over the land in the early twentieth century.

Chapter 7
Epilogue and Conclusion

Epilogue: SANAC, Tsewu, and the Land Act

The political aftermath of the South African War was British sovereignty over the four colonies that claimed the lands of present-day South Africa and their accumulated stores of knowledge. The old question of unifying the territories as a single self-governing entity was salient to colonial officials for the first time since 1880, but the two intervening decades had seen enormous, divergent changes in colonial rule. One critical piece of the puzzle before the British in 1902 was the status of African landholding, and indeed “native policy” in general. In the 1870s, the presumption that a South African confederation would not pursue any kind of progressive policy helped to sink it.1 In 1902, the Governor and High Commissioner, Lord Milner, actively sought to establish a stronger British presence although the conciliatory peace that ended the war diminished that power.2 The period between 1902 and 1913 was one of struggle between groups of people with a wide array of identities and philosophies. In the case of policies governing Africans’ land, labor, and livelihood, the key division for colonialists fell between segregationists and assimilationists. Ultimately, the push towards the Union of South Africa served to reconcile the varying philosophies of the colonies under the idea of a

segregationist territorial cordon. That model portrayed Africans’ spaces and land rights as fundamentally different from other ethnicities’, and ended the surveyors’ interventions within those spaces. But ultimately such a model needed a common, legible cadastral framework to orient its systems of knowledge upon, and agreement as to what territory meant.

The first major inquest specifically regarding the future of native policy across South Africa paid a great deal of attention to Africans’ position within the territorial and legal bodies of the state. The commission charged with the inquest, the South African Native Affairs Commission (the Lagden Commission or simply SANAC), held hearings in various towns around the subcontinent between 1903 and 1905 under the chairmanship of the Transvaal Commissioner for Native Affairs, Sir Godfrey Lagden. The Commission’s inception in September 1903 followed on an inter-colonial conference held in Bloemfontein earlier in 1903, and specifically envisaged “the coming Federation of South African Colonies” including Basutoland and Rhodesia. SANAC expected to consider six key areas, the first of which was “the lines on which natural advancement should proceed” and the second of which was African land tenure and the state’s obligations regarding it. The primacy of detailed questions relevant to African land and ownership indicate their centrality to the colonizers’ search for knowledge and control, true to Cohn’s description of survey and enumerative modalities in India.


A comprehensive analysis of SANAC and its procedure is beyond the scope of the present study, but the varying level of involvement of administrators, surveyors, and key African witnesses in providing evidence to the Commission in 1903 and 1904 is well worth noting.\(^5\) No surveyors or survey officials from the Transvaal tendered any evidence to the Commission or were asked to do so, though one member of the postwar Location Commission did in his capacity as Resident Magistrate. In the Cape Colony, on the other hand, both the Assistant Surveyor-General (A. H. Cornish-Bowden, who later became Surveyor-General himself) and the lead location surveyor, E. Gilbert Hall, testified regarding surveys under the Glen Grey Act. Agitators for African land rights testified in Transvaal and at the Cape, including editors John Tengo Jabavu and Solomon Plaatje, and most came from the mission-educated elite. Others were invited to give evidence but could not, including the Cape Surveyor-General, Max Jurisch, and a few members of the Eastern Cape’s prominent Soga family.\(^6\) The majority of the evidence came from European officials and mission-educated Africans, while the average African farmer was entirely absent—underscoring the colonial belief that “native opinion” was something intangible and knowable only through the knowledge of trained specialists or outsiders with long acquaintance.\(^7\) A variety of opinions nevertheless entered the record.

At the Cape, the questions turned heavily on the Glen Grey Act and the social and material “progress” of the people. The Mfengu headman Veldtman from Butterworth, empowered by the Cape many decades before and a great beneficiary of its protective

---


\(^6\) No reasons for their inability to appear are given. See List of Witnesses Alphabetically Arranged, in *SANAC*, Annexure No. 6, 1:13-26.

largesse, conflated the general survey with the administrative changes under the Glen Grey Act as a necessary advance in accountability and security. But Solomon Zazela, a headman of Nqamakwe, described individual tenure in far less flattering, but more passive terms that suggested state imposition upon the relationships of clientage headmen enjoyed:

Then came the question of the survey, and it was agreed that we should ask the Government to cut up our country for survey, this country which was made a present to us by the Government, whose dogs we are. They gave us this country and gave us a title to it, and then it was decided that each individual should have a free plot of ground.8

Non-Mfengu witnesses were even less enthusiastic. The Ngqika chief Edmond Sandili, heir of the paramount Sandili, spoke as the ranking authority for both amaNgqika and amaGcaleka to whom the administrative provisions of the Glen Grey Act had only recently been extended. Sandili demanded the preservation of beer drinks and ritual dance while also speaking against the concept of survey and the presence of independent schools as things that attacked the fabric of society. On the question of land survey he was unequivocal:

We do not want the survey at any price—all we Gaikas and also the Gcalekas. First we object to the survey because it brings about a lot of little disputes and troubles. As soon as you have survey it means that you are going to have quarrels and rows, such as over a foal trespassing on that plot, or a goat gets on to that ground and the owner says, “This is my ground and I impound it.” Or it may be a sheep, and so on. It means that a man has not got a large bit of ground where he can run his own stock. ... Immediately these disputes take place, they are followed by fights with sticks. ... We agreed to a Magistrate, and we thanked the Government for a Magistrate. ... and they [Sandile and the Magistrate] worked well together, and they agreed.9

8 Statements of Capt. Veldtman and S. Zazela, 15 Mar 1904, in SANAC, 2:943-45. Veldtman, it may be recalled, was granted a large surveyed farm carved in Gcalekaland in 1883 by order of the Cape Government; see Farm No. 6, “Veldman’s Farm,” Transkei Plan 5678, SGO-Cape.

Sandili raised the additional concern that small fixed patches of land were incompatible with the broader social responsibilities of the head of a household to multiple sisters or wives. He further noted that the amaNgqika were not from Kentani, but from “across the Kei ... where I wish to die, as a Gaika,” and therefore they did not want to receive ground in lands belonging to amaGcaleka. The connection of authority, autonomy, culture, and land were thus complete for Edmond Sandili. At the prompting of W. E. Stanford, the former Chief Magistrate in the Transkei, Veldtman responded to Sandili’s charges as uninformed and baseless. Veldtman stated that individual titles might have prevented the loss of Sandile’s land in the first place, by giving non-rebels the right to prove loyalty and retain their land instead of being dispossessed en masse. The authority of the colony to dispose of the land according to rules it devised went unquestioned, as did the actual needs and desires of those working the land.

Veldtman deliberately did not address the other questions of social cohesion and authority that Edmond Sandili felt were linked to the question of land, possibly because he agreed with their preservation. The Resident Magistrate of Kentani, N. O. Thompson, was in favor of individual tenure for a corollary reason, that without it “you can do nothing at all with [natives] under the present system, where a man, without regard to character or ability, capability, or anything else, simply marches up to the Headman and demands the land. ... There is no inducement for the man to progress or move forward in any way.” The presence of an unattenuated hierarchy in Kentani and Willowvale

---

corresponding to the heirs of Sandile and Sarhili meant that imposition was totally unadvisable and indeed neither district ever came under individual tenure, pointing directly to the limits of the colonial surveyor’s intervention.

In the Transvaal, SANAC found that officials harbored similar kinds of opinions. William Windham, Secretary for Native Affairs, believed individual landholding should be an eventual goal because under communal tenure the individual was treated “as a child” by chiefs and headmen. At the same time, he believed that they should not be allowed to purchase land because he did not think Africans were “sufficiently responsible to deal with such important property as land property” even though many had the means and desire to buy farms. Windham considered the system used in the Transvaal where Africans could not own land in their own names to be a good one, and the people in the Zoutpansberg especially to be “in a very raw state indeed, and totally unripe for individual holdings” much less large gatherings and participatory government on the Glen Grey model. C. A. Wheelwright, Native Affairs Commissioner in the northern Transvaal, saw no problem with the concept of survey for individual tenure but only when a “Native there living [in a location] shows himself to have improved to such an extent as to make him eligible.” The former Landdrost of Zoutpansberg, G. G. Munnik, underscored the point before the Native Location Commission in 1906 by stating that Africans were “not sufficiently advanced” for individual tenure and should remain under communal holdings lest they simply dispose of land and become vagrants.

15 Written evidence of C. A. Wheelwright, 13 Nov 1903, in SANAC, 5:296.
Officials in the Transvaal colony thus applied typically evolutionary assumptions to systems of land and authority, whereby improvement led to ownership through survey and registration. This application was largely self-serving because it explained the relatively greater power of African authorities in the Transvaal as unenlightened and inertial compared to their Kei Valley counterparts. The processes of fragmentation and atomization were therefore a series of stages to colonial officials. E. H. Hogge, a member of the Transvaal Native Locations Commission and formerly a magistrate in the Transkei, indeed said outright that he would “consider these Natives are at least twenty to twenty-five years behind those of the Cape Colony,” and as such any application of a Glen Grey style of survey and representation might be useful “in years to come, but not at the present time.”

The laws of the chiefs and communal tenure, Hogge suggested, were best left in place, along with other policies in line with the ZAR’s precedent. Hogge’s statements, and his subsequent participation in defining native reserves according to Boer practice, were convenient concessions to the path of least administrative resistance.

A few Transvaal chiefs gave evidence before SANAC, but seemed unsure of their long-term position relative to the land. Many were plowing on private ground bought in trust, held under another name or the government, because they did not possess the right to register land in their own names. A few had no idea what the Commission wanted to know from them or what the possible effect of their words might be. Solomon Makapan, a chief of the baKgotla who lived on two farms purchased in trust near Pretoria, stated that they “were not given sufficient time to understand the matters that

---

were going to be asked of us, and the language written on the papers is English, and we have to take time to understand the meanings of the headings. Such caution reflects long experience with the capricious nature of colonial rule, which demanded participation on its own terms. As a group the nine chiefs present requested more time to compose their statements, but mentioned immediately the policy of the ZAR that prevented nonwhites owning land in their own names—a policy the British had opted to continue.21 They presented their statement the next day, complaining of unfair treatment that denied them access to markets and education, and hoping for land and voting rights as well as continued autonomy in laws and customs regarding the use of that land.22

The consultation of chiefs throughout South Africa had an undeniably cursory quality. At the Cape, questioning occurred in the context of large meetings before magistrates and sometimes, as in the case of Veldtman, officials may have coached elements of the testimony. In the case of the Transvaal, all of the chiefs summoned came from near Pretoria, did not know the purpose of their visit before they arrived, were never even asked about questions of land tenure, and spent less time before SANAC than virtually any other witnesses. SANAC weighted the words of officials, capitalists, and settlers far more heavily in making such decisions, and simply presumed the existence of separate “tribes” that might be defined and divided however the state wished.23 There is no evidence whatsoever that the words of African informants changed any minds at all,


but rather represented viewpoints to be explained away. The fact that the various colonial experts had different opinions was far more meaningful.

The final report of the Commission resolved regarding the system of landholding by Africans that:

[r]ecognising the attachment of the Natives to and the present advantages of their own communal or tribal system of land tenure, the Commission does not advise any general compulsory measure of sub-division and individual holding of the lands now set apart for their occupation; but recommends that movement in that direction be encouraged ...  

Although the Commission report looked favorably upon the progressive and conservationist ends of the land tenure provisions of the Glen Grey Act, they omitted any suggestion that it should be a direct instrument for labor provision and in fact noted the utter failure of the labor tax. The Commission also recommended that the location system at work in the Transvaal and other colonies should offer greater security of tenure than the simple retention of location ground as unalienated Crown land. The final report indeed employed language markedly different from the earlier coercive utterances of reports and correspondence in the South African Republic and the Cape Colony alike.  

Despite its clear purpose in developing a unified system for extracting labor across South Africa, SANAC’s language about creating sustainable land policy for those areas was remarkably restrained.  

At the same time, SANAC made strong pronouncements regarding patterns of African occupation that had developed to preserve the viability of societies under

---

26 The restraint may reflect the British belief that they had established their legitimate sovereign rights over the land. See Ashforth, Politics of Official Discourse, 35.
pressure. The report indeed refers to African systems of agriculture and landholding as retrograde vestiges of primitive and inferior societies, as with beer-drinks and other communal activities.\textsuperscript{27} Regarding Africans who lived outside of the titled reserves, SANAC declared that “unrestrained squatting of Natives on private farms, whether as tenants or otherwise, is an evil” and that only servants under contract should be allowed to do so—pushing the proletarianization as well as the enumeration of the African population, and illusorily separating those aspects of policy from the question of African land tenure.\textsuperscript{28}

Furthermore, the report of the Commission expressed their belief that “there is a manifest effort on the part of Natives to-day being made to possess land which is not counteracted by any reluctance on the part of European holders to dispose of it,” and resolved that “it is necessary to safeguard what is conceived to be the interests of the Europeans of this country” by restricting African land purchases to certain areas of the country and prohibiting any purchases that would “lead to tribal, communal, or collective possession or occupation by Natives.”\textsuperscript{29} W. E. Stanford registered a strong dissent to the effect that such restrictive separations were unworkable, had been circumvented in the past in the Boer republics, and that the European seizure of African lands was much more the norm in any case—perhaps inadvertently suggesting that restrictions against African land acquisition be mirrored against Europeans.\textsuperscript{30} Stanford did not contest the foundational assumption of separation the recommendation entailed. Ultimately, the


\textsuperscript{29} Report of the Commission, in SANAC, §191-193, 1:35.

\textsuperscript{30} Report of the Commission, in SANAC, §198, 1:36-37.
official mind of the colony was in agreement on the desirability of separate spheres of
citizenship and territoriality within the body of the state, and that single point of
agreement solved the incongruity of different systems of tenure for Africans.\textsuperscript{31}

One witness before SANAC would eventually create the legal crisis that pushed
forward the Lagden Commission’s recommendations for separate spheres of citizenship
and territory. That witness was Edward Tsewu (1856-1931), a Presbyterian Mfengu
preacher from the Eastern Cape who became a central figure in challenging the denial of
land rights to nonwhites in the Transvaal Colony. Tsewu represented the new generation
of Western-educated, Christian Bantu-speaking Africans, a “new elite” that was in some
ways even more alarming to the colonial order in South Africa than the older chiefs and
headmen like Mphephu or Edmond Sandili. People like Tsewu could mobilize the
colonialists’ own signs and language to contest their exclusion from equal rights in the
unified South Africa then under design. The new generation included people from many
places who spoke from a point of view that recognized unity beyond tribalized ethnicity,
and applied experiences from far afield to new localities. Tsewu, for example, aligned
with the strident, U.S.-based African Methodist Episcopalian Church for a number of
years.\textsuperscript{32} Tsewu eventually brought the expectations of educated Africans up against the
legal regime of the Transvaal—and in doing so successfully, forced the colonial state to
articulate and enshrine its segregationist trajectory in law.\textsuperscript{33}


\textsuperscript{32} James T. Campbell, \textit{Songs of Zion: The African Methodist Episcopal Church in the United States and

\textsuperscript{33} Martin Chanock, \textit{The Making of South African Legal Culture 1902-1936: Fear, Favour and Prejudice}
(Cambridge: Cambridge University Press, 2001), 361-62. Chanock specifically describes the march to the
1913 Natives Land Act as an effort to rebuild the old prohibitions. See Chanock, \textit{South African Legal
Culture}, 362-405 \textit{passim}. 
Tsewu was already known to colonial officials in the Transvaal before 1904 for his lack of deference, addressing them directly by name in English instead of speaking to their interpreters.²⁴ Before SANAC, he led a delegation of five others to testify on all matters before the Commission. On the question of land tenure, he stated very plainly that “the Natives ought to be allowed to buy land in their own names, and have title deeds in their own names ... because some of them are brought up in cultivating land, and they are quite capable of having land of their own, and using it properly, and supplying the market.”²⁵ Tsewu stated that he expressed the views of Africans in the Cape Colony and the Transvaal, and indicated that he himself was buying a piece of land and intended to register it in his own name.²⁶ Indeed Tsewu, as Secretary of the Native Vigilance Committee, had already inquired of Lagden whether a prohibition existed, asked for its repeal if so, and stated his intent to “apply to the Supreme Court of this Colony for Protection as British Subjects re this subject.”²⁷ Lagden in turn had dismissed Tsewu’s delegation as “a very small section of educated natives” and declared their demands to be premature based on his vast knowledge “in the position of your father in this matter.”²⁸ The entire delegation expressed its dissatisfaction with the lack of redress, for they expected better from a British government. But like other delegations before them, Lagden had responded with overt paternalism.²⁹

²⁴ Campbell, *Songs of Zion*, 151-52.
²⁷ E. Tsewu to G. Lagden, 7 Jul 1904, 3, NA 1555/1904, SNA 226, KAB.
²⁸ Minutes of Meeting, 8 Jul 1904, 12 (9), NA 1555/1904, SNA 226, KAB.
²⁹ See J. B. Mgweba to J. E. Warwick, 7 Aug 1902, 151-52, NAM 9/1901, SNA 1, TAB; Minutes of meeting between Lagden and delegates, 3 Sep 1902, 156, NAM 9/1901, SNA 1, TAB.
The response of Tsewu was different, for he chose to press the matter once he had “the satisfaction of knowing the mind of the office” at the same time that the Transvaal legislature sought to pass a law affirming the prohibitions. As Tsewu mentioned before SANAC, he intended to purchase land, and implicitly to register its title under his own name. The land was an expensive freehold lot in a township, which the Registrar of Deeds refused to enter under Tsewu’s name in December 1904. Tsewu challenged that prohibition and took his case to the Supreme Court of the Transvaal, where the full court ruled in his favor, ordered the registration of the lot in his own name, and effectively overruled any attempt to re-legislate the prohibition under British legal authority. The decision *ex parte Tsewu* alarmed many within the Transvaal, especially among the northern Boers. G. G. Munnik, the ZAR’s Landdrost of Zoutpansberg before 1898, stated unequivocally that “the natives are taking advantage of a recent judgment of the Supreme Court ... [t]his question requires immediate legislation to prevent trouble.” P. J. Potgieter, Munnik’s former colleague from the district of Waterberg, declared that the unprecedented wealth of some and their acquisition of land would, if “allowed to go on, in 25 years it will be impossible for white men to live in this country” because African landholders would be scattered everywhere. Their alarmist predictions and demands for a return to the restrictions of the old Republic in matters of title and its location reflected a presumption that the legal *status quo ante*, and not the facts on the ground, should

---


41 Case 286/1905, Tsewu vs. Registrar of Deeds, Affidavit of E. Tsewu, 329, ZTPD 8/732, TAB.


43 Evidence of G. G. Munnik, 19 Oct 1905, 2, C27/2, TAB.

44 Evidence of P. J. Potgieter, 11 Oct 1905, 3, C27/2, TAB.
provide the basis for any changes. The reality was that Africans already lived all over the Transvaal as labor tenants and wage laborers, but ownership was something entirely more menacing.

Edward Tsewu’s court victory indeed created a legal precedent for legal parity and true assimilation within the body of the state. True to the predictions of its critics, the decision allowed for the expansion of African land purchases and repurchases; Harvey Feinberg calculates that between 1905 and June 1913 African buyers in the Transvaal acquired 399 surveyed farms in their own names, without restrictions on subdivision.\(^{45}\) The Surveyor-General of the Transvaal, W. H. Gilfillan, was well aware of *ex parte Tsewu*, and the Native Location Commission asked him about its implications in 1906. Gilfillan stated his belief that the more permissive, atomized Cape regime was superior and denying such access contributed to unrest in South Africa at large, but also that African’s right to purchase and lease land did not mean that “he should go [just] anywhere.”\(^{46}\) When the question of Crown lands came up, Gilfillan responded that “[y]ou must decide where the suitable land is and say to the native ‘You must purchase or lease it’,” implying that any such piece of land would need to be created within the geographical archive if not extant.\(^{47}\) Lagden himself reported in 1906 that a “principle *sic* obstacle” to leasing Crown land and collecting rents was the lack of reliable


\(^{46}\) Evidence of W. H. Gilfillan, 5 Apr 1906, 3-4, 7-8, C27/2, TAB.

\(^{47}\) Ibid., 7, C27/2, TAB.
Matters thus revolved entirely around the need for cadastrally-defined plots of ground enumerated within the state’s archive, be they locations, lots, or farms.

The victory of *ex parte Tsewu* did not go unchallenged for long. Once the creation of the Union of South Africa in 1910 removed direct British legal authority over internal affairs the creation of openly discriminatory legislation was easier, and the Boer-dominated Union government took SANAC’s recommendations to heart. The utterly segregationist Natives Land Act (No. 27) of 1913 was therefore the outcome of a potent mixture of paternal racism, capitalism, and fear that all promoted separation to the overwhelmingly white electorate. The Natives Land Act created an overt legislative barrier to black acquisition of land in nearly 93% of the country and inaugurated a new phase in the effort to make reality reflect the map’s characterization of spaces as “white” or “black.” That the map’s notional spaces and boundaries settled in form at about the same time was thus not coincidence, but a necessary condition for carrying out the social engineering of the later Union and *apartheid* eras. By association this cadastral completion was also necessary for the creation of a national African political opposition movement. The South African Native National Congress (today the African National Congress) first organized in January 1912 specifically to oppose bills aimed at territorial

---


and legal segregation, and Edward Tsewu was one of the three nominees to be its first president.\textsuperscript{51}

The judgment in \textit{ex parte Tsewu} and the Natives Land Act’s legal assault on ownership and occupancy were important, but they were not challenges or changes to the cadastral structure of the state. Both in fact reinforced the sanctity of the geographical archive, just as the similar shift from oral culture to print literacy had aided state control and legibility in England three centuries prior and empowered the creators of texts.\textsuperscript{52} Tsewu and others in the Transvaal advocated the right of Africans to buy titled land to use as free and equal proprietors under colonial law, by definition within the geographical archive and already defined by its terms of reference. The Natives Land Act determined that such a right should be territorially limited to certain areas within state-defined boundaries but said nothing about the nature of landholding within those boundaries themselves, thus allowing varying tenures to exist only in those spaces. Exemption from, disqualification of, and later modifications to certain clauses in the Act turned on the right to acquire defined plots of land or the power of government to allow purchases of defined plots across the Act’s racialized boundary.\textsuperscript{53} The surveyed body of the state had thus become the normal frame of reference and discourse for all South Africans, whether citizen or subject.

\textsuperscript{51} André Odendaal, \textit{Vukani Bantu!: The Beginnings of Black Protest Politics in South Africa to 1912} (Cape Town: David Philip, 1984), 256-57, 275.


Edward Tsewu thus shared with Tiyo Burnside Soga a fundamental acceptance of the surveyed territorial boundaries of the colonial state as the stage for struggle against it. Thus our study comes full-circle, returning to the conceptual inviolability of the colonizer’s cadastre and the geographical archive. The cadastre and the title may represent the crystallized output of negotiation over land, but its very existence is a mark of colonial hegemony.54

Conclusion

The processes of colonization and cadastralization in the Kei Valley and the northeastern Transvaal unfolded in different ways for reasons all related to similar themes of colonial knowledge and legibility. In both cases, the state’s aspiration to assay and control grew helically with its capacity to do so, despite a pronounced disjoint between the knowledge of the colonizer and the colonized.55 In both regions, surveyors and settlers sought to bound African lands, define them, and incorporate them into the overall system of colonial geographical knowledge in order to gain access to the “surplus” land and the labor of its people.56 Ultimately, the differences between the unfolding of the two systems of spatial rationalization reflect the very different balances of power between (and imperatives of) the colonial state, European settlers, African authorities, and African

54 For another contemporary case of the evolution of land issues from autonomy to a battle over reserves and titles, see Cole Harris, *Making Native Space: Colonialism, Resistance and Reserves in British Columbia* (Vancouver: UBC Press, 2002), 167-68 ff.


landholders. A variety of relationships existed among the parties, and the colony’s power to create and define space and place encountered potent contests all along the way that required new strategies and negotiations or even the abandonment of attempts at close spatial control. The single most crucial element was the capacity of African societies to defend their spatial integrity or, failing that, exact concessions from the colonial state that would preserve key elements of economic self-determination, social power, and authority as dictated under their own understandings of space and place.

In the Kei Valley, those concessions at first involved an exchange of colonial recognition and guaranty to chiefs in return for the acceptance of boundaries. The land system required some knowledge and survey of the land before that exchange could happen, and that agreement was absolutely necessary before the Cape Colony or its precursor states in the valley could alienate the land. Schemes to settle standing military forces in the region in the mid-1800s also required basic surveys to give authority to the titles and diagrams entered into the geographical archive. When the Colony incorporated the land of allied kings and chiefs like Matanzima and Darala in Emigrant Tembuland, colonial officials were only reluctantly conciliatory to their power over land. Before the 1880s the colonialists indeed sought to keep powerful chiefs outside the colony’s territorial body when possible. The Cape Colony more readily incorporated “chiefless” Bantu-speakers and sought to atomize them further, employing the fraught system of land survey and individual tenure to compromise their agricultural viability and strip away any autonomous structures of authority.

The Cape government eventually pressed theories of close administration and atomization eastward into the Kei Valley as a solution to agricultural labor problems and
as a manifestation of its own paternal colonial beliefs. This pressure culminated in the Glen Grey Act, which sought to engineer a broader solution rather than hope that extra-colonial authority would simply wither away in the face of European systems of spatial organization. Surveyors and magistrates instead encountered objections from African farmers who either prevented the imposition of individual-tenure systems or simply circumvented whatever restrictions and boundaries officialdom erected. Government nevertheless always honored the forms of survey and used information so collected to frame policy and cartography alike. Ultimately closer administration and survey only gained meaningful purchase in African areas through mediation between African landholders and surveyors. That process effectively enshrined the position of the former on the land in a way the latter could present to the state for incorporation.

In the Transvaal, the South African Republic (ZAR) represented a settler-driven, land-hunting state that initially paid miniscule attention to the reality of the situation on the ground in making its claims. The *ad hoc* system of land claims and titles under the Republic was very deliberately not dependent on surveyors, who were conspicuous through the enormous problems they encountered in establishing themselves at all. The fundamentally-flawed geographical archive the system of inspection created was useful not, as M. W. Wedepohl observed in 1958, because it “met changing circumstances with good effect,” but because it allowed the state to pursue the fiction of sole colonial authority over land in complete denial of what situation may have existed in reality.57 The most generous figures *circa* 1896 indicate that the total European population in the ZAR was never more than 15% of the whole, even before taking account of the likely

underestimation of the African population. The burgher population was far smaller. In contrast, the European population in the Cape was larger in both size and proportion, and it enjoyed a direct connection to British imperial power. The policy of the ZAR until the 1880s was therefore completely dependent on a combination of selective application of force and negotiation of boundaries with African states within its theoretical boundaries not by survey, but by reckoning.

After 1881 the policies of the ZAR towards African rulers and land claims merged with the segregationist policies of Theophilus Shepstone in the colony of Natal to push a “location system” for inspecting and beaconing lands for powerful African states. Reconciling land claims with location boundaries was difficult and sometimes worked further to compromise any veneer of objectivity in the geographical archive even as it purportedly became more accurate. Beyond that problem, the push to rationalize and enumerate African space within the theoretical body of the Republic ran afoul of the powerful states of the far north. In the case of Makhado and Mphephu, statecraft and spatial delimitation existed in tension and confronted the pretensions of the colonial state with the reality of Venda power. When the British took over, they chose to take the geographical archive of the ZAR as their own, and render effective its claims. The British sought to complete the Transvaal’s location system, but they too encountered the power and determination of African societies like Mphephu’s vhaVenda, and ultimately made key concessions to secure acquiescence. The ZAR and Transvaal Colony governments created no spaces for private African ownership, nor did they attempt to

58 See Whitaker’s Almanack, 1899 (London: J. Whitaker & Sons, 1899), s.v. “South African Republic,” which cites estimates of 150,000 “white,” 63,000 of whom were burghers, and 1,000,000 “black.” Available census figures were uneven at best until after the South African War, when a unified enumerative mission took priority across the colonies and then the Union. See Cohn, Colonialism and its Forms of Knowledge, 8.
introduce individual tenure—with the result that after the South African War, Africans sought to obtain land on their own terms.

These two differing systems came under the authority of the Union of South Africa and created a single entity within its conceptual structure called “native lands.” Such a division-cum-inclusion allowed for variability in tenure systems and administrative norms while keeping them segregated from parallel white freehold and quitrent tenures and thus normalizing Africans’ subject status.\(^5^9\) Their continuing differences turned heavily on the power of African authorities when the colonies first set down the territories accruing to them, and the Lagden Commission made clear that the least common denominator for all was territorial segregation and the creation of a model of internal colonialism by indirect rule that incorporated a great many people formerly enjoying greater rights under a single regime.\(^6^0\) The advent of \textit{ex parte Tsewu} and the possibilities opened by a Boer-dominated Union Government assured that both headings would be subordinated to a broader segregation under the Natives Land Act of 1913 and that Act’s descendants. The segregation would become more and more extreme in its territorial and legal applications \textit{contra} reality, ultimately generating the \textit{apartheid} system of the late twentieth century and that regime’s herculean attempts to employ state power to coax the social, political, and legal bodies of the state into line with the cartographic.


## Abbreviations and Acronyms

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AYB</td>
<td>Archives Year Book for South African History</td>
</tr>
<tr>
<td>BL</td>
<td>British Library</td>
</tr>
<tr>
<td>BNA</td>
<td>UK National Archives, Kew</td>
</tr>
<tr>
<td>BPP</td>
<td>British Parliamentary Papers (Command Papers)</td>
</tr>
<tr>
<td>CC</td>
<td>Civil Commissioner</td>
</tr>
<tr>
<td>CDSM</td>
<td>Chief Directorate: Surveys and Mapping, Mowbray, SA</td>
</tr>
<tr>
<td>CPP</td>
<td>Cape Parliamentary Papers (Official Publications)</td>
</tr>
<tr>
<td>CUL</td>
<td>Cambridge University Library, UK</td>
</tr>
<tr>
<td>KAB</td>
<td>Cape Archives Depot, Cape Town</td>
</tr>
<tr>
<td>RA-PTA</td>
<td>Registrar of Deeds, Pretoria</td>
</tr>
<tr>
<td>RE</td>
<td>Royal Engineers</td>
</tr>
<tr>
<td>RM</td>
<td>Resident Magistrate</td>
</tr>
<tr>
<td>SAB</td>
<td>National Archives Depot, Pretoria</td>
</tr>
<tr>
<td>SANAC</td>
<td>South African Native Affairs Commission (1903-1905)</td>
</tr>
<tr>
<td>SGO-Cape</td>
<td>Office of the Surveyor General, Cape Town</td>
</tr>
<tr>
<td>SGO-PTA</td>
<td>Office of the Surveyor General, Pretoria</td>
</tr>
<tr>
<td>SPP</td>
<td>Union Parliamentary Papers (Official Publications)</td>
</tr>
<tr>
<td>TAB</td>
<td>Transvaal Archives Depot, Pretoria</td>
</tr>
<tr>
<td>TKP</td>
<td>Transvaal Colony Publications (Official Publications)</td>
</tr>
<tr>
<td>URB</td>
<td><em>Uitvoerende Raadbesluit</em> (Resolution of the Executive Council)</td>
</tr>
<tr>
<td>VRB</td>
<td><em>Volksraadbesluit</em> (Resolution of the Volksraad)</td>
</tr>
</tbody>
</table>
BIBLIOGRAPHY

MANUSCRIPTS

South Africa:

Cape Archives Depot, Cape Town

Papers of the Colonial Secretary (CO)
Government House / Governor’s Papers (GH)
Papers of the Surveyor General (SG)
Papers of the Deputy Surveyor General, British Kaffraria (DSGBK)
Government Papers, British Kaffraria (BK)
Department of Native Affairs (NA)
Ministry of Lands, Department of Agriculture (LND)
Maps Collection (M series)

Transvaal Archives Depot, Pretoria

Kommandant Generaal (KG)
Landmeter Generaal / Surveyor General (LMG)
Registrar of Deeds (RAK)
Superintendent van Naturelle, ZAR (SN)
Secretary for Native Affairs, Transvaal Colony (SNA)
Staatsprokurer / Attorney General (SP)
Staatsecretaris / Government Secretary (SS)
Von Wielligh Papers (A249)
Berthoud Papers (A1529)
Natives Location Commission, Transvaal Colony (C27)
Maps Collection (Maps series)

South African Archives Depot, Pretoria

Department of Lands (LDE)
Office of Bantu Administration (BAO)

Office of the Surveyor General, Cape Town

Bound Files (all include subfiles):
  S.140 (Queenstown)
  S.975 (Correspondence re: Surveyors)
  S.1429 (Kentani / Centane)
  S.2150 (Oxkraal and Kamastone)
  S.4105 (Xalanga / Cala)
  S.5278 (Native Areas, Various)
S.8102 (Tambookie Location)
S.8140 (Butterworth / Gcuwa)
S.8168 (Glen Grey / Lady Frere)
S.8710 (Surveyors’ Documents)
S.8676 (Engcobo)
S.10819 (Gaika Surveys)
S.11099 (St. Marks / Cofimvaba)

Stut.5 (General File, Stutterheim)
General Plans Collection, Transkei (Transkei Plans Series)

**Office of the Surveyor General, Pretoria**

File 477 (Northern Areas, Claims) and subsections.
File 684 (Sekhukhune) and subsections.
File 702 (Locations, Surveyor Kolbe)
File 1747 (Native Locations) and subsections.
Miscellaneous Files, Kelder (Reports, Correspondence)
Miscellaneous Plans Collection (M Series)
General Survey Plans (GS Series)
Superseded Diagrams, Kelder (“Ou plaasdiagramme”)

**Chief Directorate: Surveys and Mapping, Mowbray**

Historical Documents, H2 Series (Secondary Triangulation)
Historical Documents, H4 Series (Miscellaneous)
Pamphlet Collection, Library

**United Kingdom:**

**British National Archives, Kew**

Colonial Office (CO)
Colonial Office Maps (CO 700)
Maps Outsize (MR, MPH, MPG)
War Office (WO)

**Cambridge University Library, Cambridge**

Royal Greenwich Observatory Archives, Cape Observatory Records (RGO 15)

**Other Items**

Diary of W. F. D. Jervois, transcription in possession of Mr. W. Jervois, Port Elizabeth.
Transfer Registers, Ownership Histories, and Grondbrieven, Registrar of Deeds, Pretoria.
CONTEMPORARY PERIODICALS

Cape of Good Hope Government Gazette
Cape Times
Z.A.R. Staatscourant

PUBLISHED PRIMARY SOURCES

Government Reports

Numbered Blue Books (Cape Parliamentary Papers)

SC-1856
G.37-'56
G.1-'59
G.18-'59
A.102-'61
A.49-'65
A.14-'67
G. 36-'72
G.27-'74
G.16-'76
G.30-'76
G.12-'77
G.33-'77
G.33-'78
G.29-'79
G.33-'79
A.104-'80
G.13-'80
G.33-'80
G.53-'81
A.26-'83
A.31-'83
A.35-'83
G.4-'83
G.94-'83

G.3-'84
G.2-'85
G.5-'86
G.12-'87
G.53-'91
A.3-'92
G.29-'92
A.1-'93
A.1a-'93
A.15-'93
A.19-'95
G.6-'95
A.14-'96
G.5-'96
G.8-'96
G.47-'96
G.19-'97
A.33-'98
G.15-'98
G.42-'98
G.13-'99
G.11-1900
A.1-1903
U.G.42-'22 (Union Blue Book)

[Cape of Good Hope], “Proceedings of the Committee of the Legislative Council Appointed to Take Into Consideration the Present State of the Law with Regard to Disputed Land Beacons,” 1857.


**Collections of Documents**


**Memoirs and Correspondence**


Rae, Colin. *Malaboch: or Notes from My Diary on the Boer Campaign of 1894*. Cape Town: Juta, 1898.


**SECONDARY SOURCES**

**Bibliographical and Biographical Sources**


Venter, P. J. *Government Departments of the Cape of Good Hope 1806-1910*. Cape Town: Cape Archives, 1933.

Zuid-Afrikaansche Republiek. *Index der Staatscouranten over de Jaren 1857 t/m 1870*. Pretoria: Staatsdrukkerij, 1897.

**Books**


**Articles and Chapters**


Beinart, William and Peter Delius. “Introduction: Approaches to South African Agrarian History.” in Putting a Plough to the Ground: Accumulation and Dispossession in


_____. “‘(To) Reserve to the Native Tribes Such Locations as They May Be Fairly and Equitably Entitled To’: The Transvaal Location Commission (1881-1899).” South African Historical Journal 54 (2005): 1-15.


Du Toit, A. E. “The Cape Frontier: A Study of Native Policy with Special Reference to the Years 1847 to 1866.” *Archives Year Book for South African History* 17 no. 1 (1954)


**Theses and Dissertations**


OTHER SOURCES

Web Documents

Curriculum Vita

Lindsay Frederick Braun

Degrees Awarded

1994 B.S., Eastern Michigan University. Major: History; Minor: Chemistry
1997 M.A., Michigan State University. Specialization: Britain and Empire
2008 Ph.D., Rutgers, the State University of New Jersey, Graduate School – New Brunswick. Fields of Study: Modern European History, Modern African History, Comparative and Global History

Positions Held

1996-1997 Teaching Assistant, Michigan State University
1998-1999 Excellence Fellowship, Department of History, Rutgers University
1999-2000 Teaching Assistant, Rutgers – New Brunswick
2000-2001 Excellence Fellowship, Department of History, Rutgers University

2001-2002 Teaching Assistant and Part-Time Lecturer, Rutgers – New Brunswick

Editorial Assistant, Thomas A. Edison Papers, Rutgers – New Brunswick
2002-2003 Fulbright Scholar, South Africa (Dissertation Grant)
2003-2005 Excellence Fellowship, Department of History, Rutgers University
2005-2006 Editorial Assistant, Thomas A. Edison Papers, Rutgers – New Brunswick
2006 Graduate Fellow, Rutgers Center for Historical Analysis
2006-2007  Faculty Fellow, Colby College

2007-2008  Visiting Faculty, History / African and African American Studies, Dartmouth College

Publications


2004


Handlist to Pre-Trigsurvey Archivalia at the Chief Directorate: Surveys and Mapping, Mowbray. (Cape Town, 2004)

2005


2007


2008