

CHAPTER 11

**THE RELATIONSHIP BETWEEN NATAL AFRIKANERS, AFRICANS¹ AND INDIANS
DURING THE ANGLO-BOER WAR²**

Ever since the 1880s, but especially after Natal obtained responsible government in 1893, the official policy towards Africans undermined their institutions and created an ever-growing disparity between them and whites.³ Natal Africans were also suffering from ecological disasters, grazing land shortage, exploitative labour practices, rigorous state control,⁴ and overpopulation.⁵ Despite this, Natal Africans, at the outbreak of the Anglo-Boer War generally rallied to the Imperial cause.⁶ The most plausible explanation for this was that they viewed British rule as preferable to Boer rule.⁷ A perception had also developed that loyalty to the British, would be rewarded and an Imperialist victory would lead to an improvement in their political and economic position.⁸

Notwithstanding the obvious loyalty of the Africans, the Natal Government, white Natalians, and the Imperial Government were in agreement that the Anglo-Boer War was a “white man’s war.”⁹ The rationale behind this idea is best expressed by the prime minister of Natal, Colonel AH Hime: “...employment of natives...would be in opposition to the generally acknowledged trend of colonial public opinion, and would ultimately lead to the lessening of the prestige of the white man, and of the natives’ respect for the British government.”¹⁰ It was furthermore feared that participation in the

1. For the pre-war scrambling for the favour of Natal Africans see, pp.40-47.

2. Very few records could be found of interaction between coloureds and Natal Afrikaners during the war. The Jacobs family who resided in the Helpmekaar area was one such group. They fled south when the Boers tried to commandeer Mr Jacobs. PAR, CSO 2886: Invasion Losses Enquiry Commission: Claim by Lena Jacobs, 10.12.1901. Other relations were more of a personal nature. Frederick Krüger of Talana, a German veteran of the Crimean War stated that his wife, an Afrikaner, resided with a coloured man, Hans Russow, in Dundee. The latter refused to be commandeered, resided with the Jacobs family for a while and were eventually imprisoned for his loyalty. PAR, CSO 2888: Invasion Losses Enquiry Commission: Claims by F Krüger senior and junior, 12.12.1901. The odd Natal Afrikaner, like Van Rooyen of Oliviershoek, also employed coloureds. See, PAR, CSO 2871: Invasion Losses Enquiry Commission: Claim by S Clements, 31.5.1901.

3. J Lambert, *Betrayed trust. Africans and the state in colonial Natal, passim*.

4. B Nasson, Black communities in Natal and the Cape, in D Omissi, and AS Thompson, (eds), *The impact of the South African War*, pp.38-39.

5. J Lambert, *Betrayed trust...*, p.159.

6. For the historiography on Natal Africans and the Anglo-Boer War see amongst others: P Warwick, *Black People and the South African War 1899-1902*, pp.75-95; J Lambert, Loyalty its own reward. The South African War experiences of Natal’s “Loyal” Africans, in G Cuthbertson, AM Grundlingh, A-L Suttie, (eds), *Writing a wider war. Rethinking gender, race and identity in the South African War, 1899-1902*, pp.115-135; J Lambert, *Betrayed trust. Africans and the state in colonial Natal, passim*; J Maphalala, *The participation of the Zulus in the Anglo-Boer War 1899-1902*. MA-thesis, University of Zululand, 1978, *passim*; J Pridmore, “The military wanted to see a Zulu dance.” *White history and black anthropology in the Natal narrative, c. 1890-1905*. UNISA Library Conference - Rethinking the South African War, 3-5.8.1998, no page numbers; B Nasson, Black communities in Natal and the Cape during the South African War, in D Omissi, and AS Thompson (eds), *The impact of the South African War*, pp.38-56; N Nkuna, Black involvement in the Anglo-Boer War, 1899-1902, *Military History Journal*, 11(3-4), October 1999, pp.133-136.

7. J Pridmore, no page numbers.

8. P Warwick, pp.15 and 75-95.

9. PAR, GH 1040: Minute paper Prime Minister AH Hime to Governor W Hely-Hutchinson, 13.2.1900.

10. PAR, GH 1040: Minute Prime paper Minister AH Hime to Governor W Hely-Hutchinson, 14.2.1900.

war could lead to a general uprising amongst Africans.¹¹

Support for Hime came from Attorney-General Henry Bale who was adamant that Africans should not be involved in the war against the Boers, except when they were defending their cattle from “extensive looting.” He feared that once Africans were armed and they could rise up and kill Natal Afrikaner women and children.¹² Bale’s fears were echoed by certain Dundee Afrikaners.¹³

Despite the above mentioned reservations, the context of the war and the demands it placed on manpower and people with knowledge of the local environment, made the notion of a “white man’s war” unfeasible.¹⁴ This is proven by the 1 782 Natal Africans listed for war medals for services rendered as scouts in the intelligence division during the Anglo-Boer War. Many of the Africans who participated in the war against the Republics, especially as spies, witnesses, scouts, looters and in transport matters, were labourers and tenants on Natal Afrikaner farms.¹⁵ This caused much conflict between Afrikaners and Africans.

11.1 Natal Afrikaners and Indians and the Anglo-Boer War

The war not only influenced relationships between Africans and Afrikaners but also between Afrikaners and Indians. By 1899 the lives of Natal Afrikaners and Indians were intertwined in especially two ways: Indians as shopkeepers and providers of labour, and Afrikaners as consumers of goods and labour.¹⁶ Examples of these relationships are shown by DMM Bayat who had a shop on the farm of JM Kemp at Helpmekaar,¹⁷ and BG Zietsman sold his fruit to Indian traders.¹⁸

In the Dutch Districts Afrikaners often frequented Indian shops because they were, amongst other reasons, the closest trading places.¹⁹ The reliance of Afrikaners on Indian shops in the outlying areas is illustrated by the problems the Bouwen family experienced when the military ordered the local Indian store not to sell goods to Afrikaners. Willem Bouwen, who was partially blind, came to Ladysmith, lead by an African, to ask for permission to be granted to the local Indian shopkeeper to trade with his family. It was denied. Instead, Bouwen was arrested under Martial Law and forced to reside with Ds HF Schoon and his family for ten months, before being transferred to the Howick

11. P Warwick, pp.77-79.

12. PAR, AGO I/8/67: Minute paper by Attorney-General H Bale on African involvement in the war, 19.10.1899.

13. P Warwick, p.76.

14. B Nasson, Black communities..., in D Omissi, and AS Thompson (eds), *The impact of the South African War*, p.38.

15. PAR, SNA I/4/20: Distribution of war medals to various natives who have served as scouts during the Anglo-Boer War, 22.5.1903.

16. PAR, 1/LDS 3/3/14: Documentation on the crowded nature of the Ladysmith Prison, 19.1.1900-29.1.1900.

17. PAR, 1/DUN 3/1/8: Letter JAS Anderson to licensing officer, Dundee, 1.8.1900.

18. PAR, CSO 2914: Invasion Losses Enquiry Commission: Claim by BG Zietsman, 17.1.1903.

19. OE Prozesky private collection, Diary of JJA Prozesky: Diary entries, 13.8.1900, p.252; 21.8.1900, p.257; 23.8.1900, pp.260-261.

Concentration Camp.²⁰

A small number of Natal Afrikaners, like IJ de Jager²¹ and JG Hattingh (snr)²² also used indentured Indian labourers.²³ This practice continued during the war, especially since the military gobbled-up large volumes of African labourers and because Afrikaner landlords were often at odds with African tenants and workers. Against this background Carter and Robinson applied on behalf of HW Boers, then imprisoned as a rebel, to secure a married Indian couple from Calcutta as indentured labourers.²⁴

On completion of their contracts these Indian labourers sometimes remained in the service of Natal Afrikaners as “Free Indians” under different economic arrangements. One such agreement existed between Girdahari and Mrs Annie Krogman. In exchange for Girdahari’s labour Krogman gave him some land to cultivate. He was also allowed to keep poultry, goats and pigs. This arrangement worked well for five years and Girdahari remained on the farm during the Siege of Ladysmith, taking care of Krogman’s crops and furniture. The relationship deteriorated when Girdahari gave evidence in treason trials against the two Krogman brothers which led to the conviction of Otto. After this Annie Krogman wasted no time in getting rid of Girdahari. She and one of her daughters-in-law’s ordered him to leave. When this failed, Krogman assaulted Girdahari’s wife, threatened to confiscate all his animals, and demanded that the effects handed to him by the military be handed to her. The only course of action open to Girdahari was to complain to Magistrate TR Bennett of Klip River district. As a result of this complaint Major-Gen Wolfe-Murray’s order to prevent the eviction of Africans for war related reasons were broadened to include Indians.²⁵

By far the most peculiar interaction between Indians and Natal Afrikaners involved the Boer appointed commissioner of native affairs, Lodewyk de Jager. One of De Jager’s duties was to order Indian refugees into the besieged Ladysmith. Amongst a group of Indian refugees was a woman with a newborn baby girl. As she had no food to feed the child it was left with an African family resident on De Jager’s farm with instructions from him to keep it until called for. When the Boer occupation ended, the African lady was instructed by the British to keep the child while they tried to locate the parents. The child, called Mara, had in the meantime become absorbed into the African family.²⁶ As a grown-up Mara became the De Jager housekeeper and an intricate part of the household. Upon her

20. PAR, HF Schoon collection, A 72: Diary entries, 6-9.7.1900, pp.395-39.

21. PAR, CSO 2873: Invasion Losses Enquiry Commission: Claim by IJ de Jager, 14.1.1903.

22. PAR, CSO 2882: Invasion Losses Enquiry Commission: Claim by JG Hattingh (snr), 14.4.1900.

23. PAR, Indian Immigration Department (hereafter II) 1/103: Application by HW Boers for a married male Indian from Calcutta, 29.11.1900-6.12.1900.

24. PAR, II 1/103: Application by Carter and Robinson on behalf of HW Boers for indentured Indian labour, 29.11.1900.

25. PAR, SNA I/4/8: Deposition by Girdahari on his treatment by Mrs A Krogman, 12.11.1900-27.11.1900; PRO, CO 179/215: Telegram Governor W Hely-Hutchinson to Colonial Secretary J Chamberlain, 14.12.1900.

26. PAR, 1/DUN 3/1/8: Letter Major (name illegible) to Magistrate RH Beachcroft, Dundee, 29.6.1900.

death she was buried in the family cemetery.²⁷

11.2 Africans loyal to Natal Afrikaners

Claims that Natal Africans supported the Imperial war effort *en masse* were not completely true.²⁸ FR Moor (SNA), was a person who understood this. He believed that the loyalty of the Natal Africans could not be relied upon in the areas occupied by the Boers, since they feared punishment by the Boers.²⁹

What Moor failed to understand was that some Africans were loyal towards the Afrikaners they worked for and resided amongst and not because of fear. Natal Afrikaners, from both personal and political viewpoints, expected and demanded loyalty from their African labourers and tenants, which was often forthcoming. Several examples of this exist.³⁰ Prior to the outbreak of the war Chief Mdiya already stated that if the Natal Government should call out levies he would join the Boers because “he was not familiar with the English, but he was accustomed to the Boers.”³¹ When it was reported in late November 1899 that RD van Rooyen of Umvoti had prepared large quantities of food in anticipation of the Boers invading the area, his labourers denied any knowledge of this.³² By March 1900, Native Intelligence Officer No. 2 could relay the following information from Umvoti county: “Mdeni a son of Mzawangedwa informed me that the Dutch near the Matimatolo were in a rebellious state, and that their leader was Udane. I asked him why he and the other natives living near these Dutch people did not inform the Government. He said it was because they sided with the Dutch.”³³ Furthermore, several Africans carried letters between Umvoti and Helpmekaar on behalf of their Afrikaner landlords,³⁴ while others testified in favour of their landlords before the Invasion Losses Commission.³⁵

Some Natal Africans also proved their loyalty to Natal Afrikaners on the economic front. In the absence of Natal Afrikaners from their farms, while either on commando service or in prison, Africans took care of the physical property and farming activities. In the Klip River county Africans were left in charge of the mealie fields on the farms of Piet Uys, Koos Kemp, Saul van Tonder, and Gert Jordaan.³⁶ The same happened in Proviso B on the farms of Afrikaners who had joined the

27. Talana Museum, collection of documents of the De Jager family: Mara, the Indian girl, 1996.

28. PAR, ZA 33: Return of persons convicted of high treason during the Anglo-Boer War, no date.

29. PAR, SNA I/4/8: Report by FR Moor on the loyalty of Africans in the area occupied by the Boers, 19.1.1900.

30. PAR, SNA I/7/40: Report by native intelligence officer No. 1, 14.12.1899.

31. PAR, SNA I/4/6: Report by native intelligence officer No. 2, 31.8.1899.

32. PAR, SNA I/4/6: Two reports by Africans, 23.11.1899.

33. PAR, SNA I/4/8: Report by native intelligence officer No. 2, 31.3.1900.

34. PAR, GH 549: Papers with reference to the arrest of certain Greytown Afrikaners, 13.2.1900-3.4.1900; PAR, AGO I/7/46: List of Europeans and Africans incarcerated in prisons in Natal, 31.5.1900.

35. PAR, CSO 2912: Invasion Losses Enquiry Commission: Claim by CM Wessels, 28.11.1900.

36. PAR, 1/LDS 3/1/16: Letter magistrate Klip River district to commandant Ladysmith, 5.6.1900.

forces of the ZAR. Here Africans reportedly reaped good harvests which the army wanted them to keep for possible future military use.³⁷

Natal Afrikaners also tried to save their livestock by leaving it in charge of loyal Africans.³⁸ This step was taken for two reasons: the Afrikaners were afraid that their livestock would be confiscated or looted by the authorities, and they were unable to take all their animals along while fleeing Buller's advancing forces. The scale of this practice varied. Carl Cronjé left two head of cattle in the care of an African,³⁹ JJ van Rooyen of Proviso B left 27 head of cattle and eight sheep with Mjipa,⁴⁰ while DC Uys (MLC) distributed the largest number of his stock amongst Africans for safe custody.⁴¹ In at least two instances Natal Afrikaners left their best cattle in the care of the followers of Mbila and Sobuza as a gene pool for future breeding.⁴²

It was no easy task for Africans to be in charge of Natal Afrikaner property as they were threatened by Boers, British and Natal Afrikaners alike. Those who had to look after the property of the Potgieters of Rose Cottage, Acton Homes, for example were told they would be shot if they tried to prevent the Boers from looting.⁴³ Similarly, the African who was left in charge of Gert Jordaan's farm Prestwick, Dundee, was driven away by British troops who then proceeded to loot and destroy the property.⁴⁴ The most extreme of these cases involved JJ van Rooyen. The cattle he left in the care of Africans were, on the instruction of Magistrate Thomas Maxwell, seized by the military. When amnesty was granted to rebels in 1903, Van Rooyen returned and wanted to institute a civil action for neglect against the Africans left in charge.⁴⁵

The Natal authorities were unsure how to deal with a situation during which Africans were in charge of Natal Afrikaner livestock. When CJ de Villiers of the Helpmekaar area left 200 sheep,⁴⁶ 50 horses and 13 head of cattle in the care of Africans, Governor Hely-Hutchinson indicated that, by law the livestock could not be confiscated but that an embargo should be placed on the sale of the cattle so that De Villiers would not benefit. The stock belonging to De Villiers was consequently impounded. Attorney-General Bale, however, found it difficult, in legal terms, to comprehend the concept of an

37. DAR, 1/MEL III/2/8: Report by Magistrate T Maxwell, Melmoth, that Africans in charge of Afrikaner farms in Proviso B were reaping mealies, 25.5.1900-18.6.1900.

38. Interview with Hans Meyer conducted at Ingagane, 10.7.2000.

39. PAR, 1/UMS 38: Letter Magistrate T Maxwell, Umsinga, to C Cronjé, 18.9.1901.

40. DAR, 1/MEL III/2/9: Correspondence regarding the cattle of JJ van Rooyen confiscated in 1900, 15.6.1903-15.8.1903.

41. PAR, CSO 2909: Invasion Losses Enquiry Commission: Claim by DC Uys, 23.8.1902.

42. PAR, SNA I/4/8: Report of native intelligence officer No. 2, 31.3.1900.

43. PAR, CSO 2900: Invasion Losses Enquiry Commission: Claim by Johanna Potgieter, 6.9.1900.

44. PAR, CSO 2887: Invasion Losses Enquiry Commission: Claim by JJ Jordaan, 18.7.1902.

45. DAR, 1/MEL III/2/9: Minute paper regarding the cattle of JJ van Rooyen confiscated in 1900, 24.6.1903-15.8.1903.

46. PAR, 1/UMS 38: Letter Magistrate T Maxwell, Umsinga, to A Klingenberg, 28.9.1900.

embargo.⁴⁷ As a result he instructed that livestock belonging to Afrikaners and in the possession of Africans should not be removed, except if the local magistrate deemed it necessary to take additional steps to secure safekeeping. Magistrate Maxwell of Umsinga thought additional steps were necessary. Animals belonging to De Villiers were therefore impounded for two months after which some horses were released to L Combrink who had to sell one to pay for the accumulated pound fees. The remainder of the livestock belonging to De Villiers were placed for use in the care of the loyalist WW Strydom (JP) and loyal Africans such as Ngobozana and Zwebu by Maxwell. Livestock belonging to other rebels from the area were treated in a similar fashion, while cattle belonging to the Vermaaks were placed for use with loyal Africans Petrus Masali and Benjamin Kunene so as to “show natives that they could not hide rebels’ stock without impunity.”⁴⁸

Africans not only saved livestock but also came to the assistance of Natal Afrikaners in other ways. Valuable family heirlooms belonging to the Vermaaks of Helpmekaar were saved by their African labourers.⁴⁹ Natal Afrikaners were also supported by Africans on humanitarian levels. In an interview conducted with the 87-year-old Paul Jacob Lombaard on 10 October 1987, he recalled how, on their return to their farm in the Bergville area from the Pietermaritzburg Concentration Camp, a Xhosa had provided them with a cow and a calf and mealie meal until they could fend for themselves. His brother, CJ Lombaard, had also suffered an injury to his lower leg in the concentration camp, making it impossible for him to walk. Back on the farm an elderly Zulu put the leg in splints, regularly adjusting it until he could walk, be it with a stiff leg.⁵⁰

Natal Africans paid dearly for this kind of loyalty. When the British forces liberated Northern Natal, large numbers of Africans were imprisoned for supporting the invading Boer forces.⁵¹ In the Ladysmith Prison alone 23 Africans were locked up on treason-related charges.⁵² Fourteen Africans were eventually convicted on charges of high treason. The heaviest sentences given were three-years imprisonment with hard labour.⁵³

11.3 Natal Afrikaners, Africans and the occupation by the Boers

An obstacle faced by any invading force is the problem of managing the local population in the conquered area. As a result of the collapse of the British administration, the arrival of thousands of

47. PAR, CSO 1661: Correspondence regarding the livestock left by CJ de Villiers in the care of Africans, 25.10.1900-28.1.1901.

48. PAR, MJPW 117: Correspondence regarding the removal of cattle belonging to rebels, 9.10.1901-18.11.1901.

49. Interview with Foy Vermaak conducted at Helpmekaar, 10.7.2000.

50. Interview conducted by Ina van Rensburg with PJ Lombaard, Aandrust, Geluksburg, 10.10.1987.

51. PAR, AGO I/7/46: List of Europeans and Africans incarcerated in prisons in Natal, 31.5.1900.

52. PAR, 1/LDS 3/3/14: Documentation on the crowded nature of the Ladysmith Prison, 19.1.1900-29.1.1900.

53. See Appendix A for the names of Africans convicted on charges of high treason.

Africans in Natal from the Witwatersrand;⁵⁴ a smallpox threat; a rumoured African attack;⁵⁵ and the problems of numerous unprotected houses and farms; near anarchy reigned in Northern Natal. In an attempt to create some semblance of order, the rudimentary Boer administration in Northern Natal appointed two local Afrikaners, LJ (Lodewyk) de Jager and Missionary JJA Prozesky of the Berlin Missionary Society, to manage the local African population. De Jager, his African name being Lontshi,⁵⁶ was designated native commissioner, while Prozesky had to fill the role of magistrate.

Prozesky took office in the Newcastle area on 17 October 1899. He performed his duties of issuing passes, trying simple cases, passing judgement and overseeing punishment along strict religious guidelines. He also commandeered Africans from his mission station at Köningsberg for police work.⁵⁷ Most importantly, he initially compelled 24, and later another 18, of the African members of his congregation to proceed to the Tugela line to work for the Boers, laying telegraph lines and constructing roads. Prozesky remained in this position until the Boer occupation ended after which he was arrested and convicted of high treason.⁵⁸

Further south the wealthy Lodewyk de Jager of Wasbank performed his role by focussing on a range of issues. He controlled the movement of Africans with a pass system and appointed smallpox guards from amongst the local Afrikaners to prevent the spread of the disease.⁵⁹ De Jager also tried to crowd Ladysmith with African and Indian refugees to bring the siege to an end.⁶⁰ He furthermore attempted to convince some of the local African leaders to join the war on the side of the Boers by promising them relief from hut tax for three years in return for labour.⁶¹ This offer did not convince leaders like Mabizela,⁶² Dumisa, and Sandanezwe who, when they refused to join or aid the Boers, were threatened with punishment.⁶³ Most importantly he used his position as native commissioner to coax his fellow Natal Afrikaners into joining the Republican forces by claiming that an African

54. For a comprehensive account of the march of Africans from the Witwatersrand to Natal during the early part of the war, see: E Brink, *The long march home: a little known incident in the Anglo-Boer War*.

55. PAR, SNA I/4/8: Diary by Chief Dumisa of events around Dundee during the Boer occupation, 15.3.1900.

56. The high regard which the local African population had of De Jager was still prevalent 100 years after the war ended. His grave on the farm Wasbank Manor was dug up with the idea to use his remains as *muthi* against HIV-Aids. The reasoning being that as a wealthy, powerful and well spoken person his remains would provide potent medicine. *Die Huisgenoot*, 1.7.2000.

57. PAR, AGO I/7/5: Regina vs JJA Prozesky, pp.65-69; OE Prozesky private collection, Diary of JJA Prozesky: Diary entries, November 1899-March 1900, pp.69-139; P Warwick, p.80. Warwick erroneously stated that Prozesky was attached to a DRC Missionary.

58. PRO, CO 179/213: Telegram Governor W Hely-Hutchinson to Colonial Secretary J Chamberlain, 5.7.1900; P Warwick, p.80.

59. PAR, PM 87: Deposition by James Thorrold before Magistrate HJ Colenbrander, 10.7.1900; PAR, 1/LDS 1/7/8: Deposition by FJT Brandon before Magistrate HJ Colenbrander, 10.7.1900; PAR, PM 87: Deposition by FJT Brandon before Magistrate HJ Colenbrander, 10.7.1900.

60. PAR, AGO I/7/23: Rex vs LJ de Jager, pp.415-420.

61. PAR, SNA I/4/8: Report inspector Natal Native Trust, WJS Newmarch, 13.1.1900.

62. PAR, SNA I/4/6: Report by Mabizela that Boers were urging members of his tribe to join them, 28.11.1899.

63. PAR, AGO I/7/40: Statement by Umtloyi, 16.12.1899; PRO, CO 179/209: Statement by Umtloyi, 16.12.1899.

attack was imminent.⁶⁴

Lodewyk de Jager vacated his position on 2 April 1900, when he moved his stock across the Buffalo River into the Transvaal. When he left, the rudimentary control measures instituted by the Boers to control the local Africans, collapsed. Passes were no longer issued to Africans and they could move about freely⁶⁵ making it easier for them to observe which Afrikaners were involved in treasonable offences.⁶⁶

It seems as if Prozesky and De Jager did not exercise much authority and protection over Natal Africans during the Boer occupation because a number of Africans levelled complaints against the Boer administration. The grievances included accounts of beatings, threats, intimidation, bullying, the confiscation of crops and livestock, and labour conscriptions.⁶⁷ Natal Afrikaners were similarly reported for ill-treating and flogging young Africans who had fled from their farms when war broke out.⁶⁸

11.4 Africans spying on Natal Afrikaners

Africans, for a range of reasons, some of which are given above, also volunteered information against Natal Afrikaners and Boers.⁶⁹ The first link in this information gathering chain consisted of the elaborate system of African spies employed by the SNA. Continuing their prewar work these “Native Intelligence Officers” were mostly active in the Weenen and Umvoti Counties gathering information on Africans and Afrikaners. Natal Afrikaners were well aware of the activities of these spies⁷⁰ and as a result much of the information gathered, such as that an Afrikaner near Greytown instructed his labourers to stay near his house and to raise a white flag should the Boers arrive,⁷¹ and that another near Rietvlei was hiding six fat oxen in the bush to be slaughtered when the Boers arrive, was of little value.⁷²

On the odd occasion the native intelligence officers provided more useful information on the activities of Natal Afrikaners. From New Hanover it was reported that Afrikaners were using Africans to determine what was “really” happening in the war. Some of these informants were even sent as far as Ladysmith to gather information,⁷³ while the Afrikaners near Mooi River used African runners to take news of the war from one farm to another. Native Intelligence Officer No.1 reported

64. PAR, AGO I/7/23: Rex vs LJ de Jager, pp.415-420.

65. PAR, SNA I/4/8: Statement by ZM Masuku on Boer fortifications on the Biggarsberg, 2.4.1900.

66. PAR, AGO I/7/42: Statement by a African on the doings of Natal Afrikaners, 18.4.1900-24.3.1900.

67. P Warwick, p.70; J Lambert, *Betrayed trust...*, p.160;

68. PAR, AGO I/7/40: Statement by Umtloyi, 16.12.1899; PRO, CO 179/209: Statement by Umtloyi, 16.12.1899.

69. VTR, JC Vermaak collection, 03/2553/1: Memoirs of JC Vermaak, 1941, pp.14-15.

70. PAR, SNA I/7/40: Report by native intelligence officer No. 1, 14.12.1899.

71. PAR, SNA I/4/8: Report by native intelligence officer No. 1, 10.2.1900.

72. PAR, SNA I/7/40: Report by native intelligence officer No. 1, 14.12.1899.

73. PAR, SNA I/4/6: Report by native intelligence officer No. 2, 9.12.1899.

that the Mooi River Afrikaners had visited the commando under General Piet Joubert during its activities in the area, that Louis Lotter had donated five oxen as food to the commando, and that Rufus van Rooyen had gone to Pietermaritzburg to determine the location of the magazine in the city should the Boers attack the Natal capital.⁷⁴ Especially the latter two pieces of information proved to be nothing more than hearsay and neither Lotter nor Van Rooyen was ever charged with high treason.

The SNA intelligence system was supported by large numbers of Africans employed by the Military Intelligence Department.⁷⁵ These African scouts were active throughout Natal in various capacities, including gathering information about disloyal Afrikaners, such as the Van der Merwes, Hattinghs and Oosthuysens who resided north of Estcourt,⁷⁶ and on the activities of Afrikaners resident in Proviso B.⁷⁷

Africans not employed by either the SNA or the military also provided information on Natal Afrikaners. In Proviso B, Godkleweni Ka Mbotshwa reported Andries Pretorius for joining the Boers on a horse he had hired from himself.⁷⁸ From Umsinga, Umtloyi, who had arrived from Johannesburg, disclosed the names and actions of Natal Afrikaners who were active in the Boer ranks such as LJ de Jager, JS Vermaak, EOL Du Bois and Gert Kemp.⁷⁹ Chief Dumisa likewise volunteered to gather information on the Afrikaners who were fighting on the Boer side.⁸⁰

The extensive system of spying and information gathering by Africans on Natal Afrikaners was very advantageous for the colonial authorities. In many high treason court cases against Natal Afrikaners the information provided by Africans sealed the fate of their fellow British subjects. Natal Afrikaners did not forget this in a hurry.

11.5 The relationship between Africans and Natal Afrikaners after the Boer retreat

The period during and immediately after the reoccupation of Northern Natal by the British forces, that is from May 1900 onwards, proved problematic for the relationship between Africans and Natal Afrikaners. With the withdrawal of the Boer forces large numbers of Afrikaners and their African retainers fled, or were arrested as suspected rebels. Labourers and tenants who remained behind tried

74. PAR, SNA I/7/40: Report by native intelligence officer No. 1, 14.12.1899; PAR, SNA I/4/6: Two reports by Africans, 23.11.1899.

75. PAR, SNA I/1/301: List of Natal Africans who received war medals for services rendered as scouts, 22.5.1902.

76. PAR, AGO I/7/40: Information collected by Military Intelligence Department on disloyal Afrikaners, 9.12.1899.

77. PAR, SNA I/4/7: Letter Magistrate T Maxwell, Melmoth, to Chief Magistrate CJR Saunders, 20.10.1899.

78. DAR, 1/MEL III/2/8: Report on the attack by a Boer commando on Mount Prospect, 26.9.1901-1.10.1901.

79. PAR, AGO I/7/40: Statement by Umtloyi, 16.12.1899; PRO, CO 179/209: Statement by Umtloyi, 16.12.1899.

80. PAR, SNA I/4/8: Request by Chief Dumisa to guard Afrikaner farms, 26.2.1900-9.6.1900

to recoup losses and settle old scores by, alongside the military,⁸¹ looting and stealing.⁸² In the process cattle, horses, crops, poultry, household goods, and whatever they could lay their hands on, were taken.

Pieter Cronjé of Weltevreden, Dundee, who arrived in the Colony as a na-trekker in the early 1840s, complained: "That on the 16th day of May 1900 a native named Ngomay and four other natives armed with knob kerries came to my house on Weltevreden and producing a document in English which I could not read they commandeered my goods and stock for General Buller's Army." To avoid any further confrontation with the Africans, Cronjé and his family trekked to the Transvaal.⁸³ Other Natal Afrikaners had similar experiences. IJ de Jager complained that an African scout had removed 230 goats from his farm,⁸⁴ while CM Meyer complained that military pickets, under the leadership of Nkabazi, had removed horses and cattle from the charge of his Africans.⁸⁵ As Natal Afrikaners were absolutely powerless to resist, Africans cashed in on the vulnerability by pretending to be scouts and then took their livestock away. One such opportunist was Umsinda who swindled a loyalist who fought on the British side, LP de Jager.⁸⁶ Actions such as the above, both legal and illegal, were relatively easy to accomplish since most Afrikaner farms were, at this stage, occupied by women without male protection.⁸⁷

The problem of the looting of Afrikaner livestock and property became so serious that Magistrate Maxwell of Umsinga had to ask the commandant of Dundee to issue an order to Africans stating: "...that any (African) found damaging, entering into or touching stock or effects of these undesirables will be most severely handled."⁸⁸

Natal Africans also used the period immediately after the Boer retreat from Natal to enhance their position at the expense of Natal Afrikaners by making statements about treasonable acts and displaying actions of loyalty. Chief Mabizela, for example, felt that the farms of the disloyal Afrikaners should be taken away and given to the English.⁸⁹ Chief Dumisa on the other hand asked the government for permission to place guards on the farms of Afrikaners who retreated with the

81. PAR, CSO 2899: Invasion Losses Enquiry Commission: Claim by E Pieters, 18.4.1901.

82. J Lambert, Loyalty its own reward..., in G Cuthbertson, AM Grundlingh, A-L Suttie, (eds)., *Writing a wider war. Rethinking gender, race and identity in the South African War, 1899-1902*, p.117.

83. PAR, CSO 2871: Invasion Losses Enquiry Commission: Claim by P Cronjé, no date.

84. PAR, CSO 2873: Invasion Losses Enquiry Commission: Claim by IJ de Jager, 14.1.1903.

85. PAR, CSO 2894: Invasion Losses Enquiry Commission: Claim by CM Meyer, 30.10.1900.

86. PAR, CSO 2873: Invasion Losses Enquiry Commission: Claim by LP de Jager, 14.1.1903.

87. PAR, 1/DUN 3/1/8: Orders by the commanding officers to all units in the Dundee district, no date.

88. PAR, 1/UMS 38: Letter Magistrate T Maxwell, Umsinga, to commandant, Dundee, 7.2.1901. Getting livestock lost in this manner back did not prove to be easy as the former rebel LW Meyer found. He recovered two cows he believed belonged to him from Inabjo. As a result he was charged with stock theft. PAR, 1/LDS 1/7/9: Preparatory examination Rex vs LW Meyer, 29.1.1903-10.1.1903.

89. PAR, SNA I/4/8: Statement by Chief Mabizela on his loyalty, 26.1.1900.

Boers to protect and supervise their crops until the government was re-established. He was also prepared to gather information about the Afrikaners who had fought on the Boer side.⁹⁰ Natal Afrikaners expressed their feelings about these developments as: “de kaffers zyn nu in hun glorie.”⁹¹

It was against this background that, what JC Adendorff called insolent behaviour by Africans towards Afrikaner women, started.⁹² Mrs Lezar complained that Africans armed with a revolver had broken into her house and also stolen her goats.⁹³ The Cronjé family of the farm Applebloom, Newcastle, suffered an even more traumatic experience. On 26 September 1901 they were turned out of their house by an African and had to join the Van Niekerk and Hattingh families at Loskop. Even here they felt insecure since two strange Africans sat on the verandah of the house the whole night of 15 October 1901 and refused to leave. Only the arrival of P Hattingh, who resided nearby, made them go-away. Two nights later Africans again entered the house at Loskop, removed two featherbeds and clothing, and remained in the house for the entire night. Henceforth the three families spent their nights with P Hattingh. Fearing what might happen to their families, if they remained in the area without protection, AMJ Cronjé, JC Hattingh, and ADC van Niekerk, then rebels imprisoned in Pietermaritzburg, made application for their families to be transferred to the Pietermaritzburg Concentration Camp. The colonial government's response to this request was firm: They could not “undertake the cost of maintaining these people in the Refugee Camp but presumably the Military Authorities would not object to their residing in one of the towns or villages...” The attitude of the authorities later softened somewhat, and the Natal Police were instructed to investigate the matter and provide protection.⁹⁴

The defeat of the Boers in Northern Natal also impacted on the labour supply available to Natal Afrikaners. Many Africans and their children left the service of Afrikaners under the impression that the Natal Government would confiscate all the farms and livestock belonging to the Afrikaners.⁹⁵ When this did not happen, loyalist Afrikaners around Dundee expected their labourers to return to their farms. The military objected to this, and the Africans themselves were not keen to return to the service of Natal Afrikaners.⁹⁶ The military in fact went a step further and a Mrs Boshoff complained that five Natal Volunteers had told her washing-maids that if they kept on working for the Afrikaners they would be punished.⁹⁷ Louis Handley likewise complained that a similar order by the

90. PAR, SNA I/4/8: Request by Chief Dumisa to guard Afrikaner farms, 26.2.1900-9.6.1900

91. Foy Vermaak private collection: Letter JC Vermaak to CT Vermaak alias Miss C Herzog, 24.3.1901.

92. PAR, AGO I/8/72: Letter JC Adendorff to Attorney-General H Bale, 11.7.1900.

93. OE Prozesky private collection, Diary of JJA Prozesky: Diary entry, 6.7.1901, p.512.

94. PAR, CSO 1688: Application for permission to allow three families to be transferred to the Pietermaritzburg Concentration Camp, 21.10.1901-30.10.1901.

95. PAR, 1/DUN 3/1/9: Report to SO Samuelson by Magistrate M Matthews, Dundee, 31.5.1902.

96. PAR, 1/DUN 3/1/8: Minute paper Magistrate HJ Colenbrander, Klip River district, to magistrate Dundee, 21.6.1900.

97. OE Prozesky private collection: The Anglo-Boer War diary of Caroline Prozesky: Diary entry, 19.7.1900, p.420.

Natal Carbineers had resulted in difficulty to secure labour.⁹⁸ Also further south at Willow Grange, outside of the area directly affected by war, similar complaints emanated. DB Snyman complained that African scouts prevented his labourers from weeding his maize fields and his wife from selling goods.⁹⁹

The seriousness of these informal orders is best illustrated by the complaint of August Jansen to Frederick Moor (SNA). Africans were, according to him, not fulfilling their labour or rental contracts with Afrikaners because of rumours which stated that Natal Afrikaners no longer had any rights and would have to vacate their farms. As a result Afrikaners resident between Dundee and the Sunday's River had no labour. Attempts to get the police and agents like Walton and Tatham to force the Africans to honour their contracts failed miserably.¹⁰⁰ To address the situation, the VCR had to impress on Africans that they were compelled to work for Afrikaners if they resided on their properties.¹⁰¹

The presence of the military also caused other problems concerning African labour. According to the Dundee magistrate: "Native labour, as usual is scarce, and in consequence of the very high wages paid by the Military, the civil population has to suffer."¹⁰² It is therefore not surprising that JN van der Westhuyzen of Meshlynn near Kamberg, welcomed back, in June 1901, Sanuse Ndlovu alias Englishman, who had moved away from his farm seven years earlier to settle in the OFS. Ndlovu returned despite having worked as a scout for the British in the Harrismith area, and being wounded in the face and captured by rebel Cor Potgieter, previously of Kamberg. He managed to escape from Potgieter and subsequently received a message that he would be shot if he returned to the OFS. By 1904 Ndlovu was still residing with Van der Westhuyzen and had accumulated 16 head of cattle, ten horses, and two pigs. For his part Van der Westhuyzen was happy to put up with Ndlovu despite his problems with a fellow Natal Afrikaner and his services to the British military, since it meant that he had managed to secure labour.¹⁰³

11.6 Dealing with Africans who collaborated with the British

Not long after the Boer retreat in May 1900, relations between Africans and Natal Afrikaners deteriorated to such an extent that the latter started to use extreme measures such as intimidation, violence, and eviction to exert their power and authority. These drastic actions were caused by the

98. PAR, 1/DUN 3/1/9: Letters by L Handley and Major D McKenzie to Magistrate RH Beachcroft, Dundee, 23.11.1900.

99. PAR, CSO 2907: Invasion Losses Enquiry Commission: Claim by DB Snyman, 30.5.1900.

100. PAR, 1/DUN 3/1/8: Letter A Jansen to FR Moor, 24.8.1900.

101. PAR, 1/DUN 3/1/9: Letters by L Handley and Major D McKenzie to Magistrate RH Beachcroft, Dundee, 23.11.1900.

102. PAR, CSO 1944: Annual report magistrate Dundee, 1901.

103. PAR, SNA I/1/297: Minute paper regarding the application by "Englishman" to remain in Natal, 25.8.1902-24.10.1904.

fact that Africans were viewed as the nemesis of the Natal rebels, especially during the treason trials; but also to punish the Africans for supporting the Imperial war effort.

11.6.1 Murders

Although rumours abounded of regular executions of Africans during the Boer occupation, little evidence was forthcoming. Proof does, however, exist of the murder of two Africans by Natal Afrikaners. On Saturday 1 December 1900 an African messenger, Magota, was sent to Botha's Hoek and Spitzkop near Botha's Pass to serve a summons on Mpondo to appear before the acting magistrate of Newcastle in order to give evidence in the case against William Coetser, then in the Pietermaritzburg Prison.¹⁰⁴ The following day Magota was informed by some local Africans that he was being followed by four white men who spoke Zulu very well. Two of the men stopped at various homesteads and demanded African beer while the remaining two, a very young man and a stout middle-aged man, continued their pursuit of Magota. The pursuit finally ended at the Ingogo River on the farm of the rebel leader, Thomas Joubert. Although the evidence of various Africans, who witnessed the incident, differed, they all agreed on the most important aspect - after a brief conversation one of the men executed Magota by shooting him between the eyes. The body was stripped of its clothes which were searched for messages. The pair then rode off in the direction of Thomas Joubert's house and on the way informed an African, Umangwa, that Magota had been shot because he was a spy. All the Africans resident in the area stated that they did not know the men.¹⁰⁵

The responses to this incident varied. The *Natal Witness*¹⁰⁶ and *De Natal Afrikaner* called it cold-blooded murder. The latter publication made it clear that the Afrikaners would have nobody but themselves to blame if Africans adopted similar tactics in the Newcastle district.¹⁰⁷ The district officer of the Natal Police in Newcastle was, however, more concerned with pragmatic matters. He was worried that it was "becoming very difficult to get evidence from Natives regarding Treason Cases, and such action as this will render the obtaining of reliable evidence still more difficult."¹⁰⁸

Several days later another African was murdered on the farm of Mr Steel in the Botha's Pass area. Two young white men who spoke Zulu well arrived at the homestead of Usgquala. After they dismounted they shot and wounded his dog and then started hitting and kicking him. They then untied a rein from one of their horses and thrashed him. Only then did they start questioning him and asking about the whereabouts of a certain Umkankanyeki. Usgquala was accused of supporting the British by supplying them with food. Nine oxen were removed from the kraal and one of the

104. No Afrikaner with the name William Coetser were convicted of high treason. The only Coetser convicted were Johannes Jacobus Coetser of the Newcastle area.

105. PRO, CO 179/215: Various documents dealing with the murder of an African messenger, 3.12.1900-9.12.1900.

106. *Natal Witness*, 6.12.1900.

107. *De Natal Afrikaner*, 11.12.1900.

108. PRO, CO 179/215: Telegram district officer Natal Police, Newcastle, to chief commissioner of police, 3.12.1900.

inhabitants had to drive them to the Free State. Usquala died three days later of injuries sustained during the assault. Sub-Inspector Petley speculated that the two men were also the ones who had shot Magota.¹⁰⁹

Both these cases remained unresolved. The men who committed the murders probably felt their purpose had been served because Africans in the area were subsequently so intimidated that very few were willing to testify in the treason trials.¹¹⁰

11.6.2 Evicting Africans

Natal Afrikaners were especially angered at how both the military and the Natal Police used labourers and tenants to obtain evidence about their activities during the Republican occupation of Northern Natal. This meant that a large number of the 409 rebels found guilty of high treason were convicted on account of evidence provided by Africans witnesses. Similarly, the Natal Afrikaners who did not commit high treason but nevertheless sympathised with the Republics, blamed the evidence provided by Africans for the plight of their kin.¹¹¹

The Natal Afrikaners reacted in the only way they could to exact revenge and enforce their authority. Firstly, they intimidated labourers and tenants loyal to the British cause, as in the case of Bambatha whose landlord ploughed up his mealie and pumpkin gardens and claimed it as his own.¹¹² Secondly, the Afrikaners used the law to evict Africans loyal to the British from their farms. This practice only came to light when Bambatha spoke out. He confronted Under Secretary for Native Affairs SO Samuelson on 16 May 1900 with two letters which had been sent to two of his followers, Ugotoba and Nondemba, by JC Becker on behalf of his clients, LJ Nel and PR Botha.¹¹³ The letters, dated 20 April 1900, stated: "I am instructed by Messrs LJ Nel and PR Botha your landlords to give you notice as I hereby do to quit with all your belongings the farm known as Aangelegen on or before 31 July 1900. Unless you comply with the above notice on or before 31st July application will be made to the Magistrate for your ejection."¹¹⁴

Bambatha declared that 50 similar letters, affecting a quarter of his followers, were addressed to owners of homesteads of his tribe living on land owned by Natal Afrikaners. He believed that the evictions were taking place because his tribesmen provided the Greytown magistrate, Henry C Koch, with information about the activities of Natal Afrikaners, refused to carry letters for them to the Boer

109. PRO, CO 179/215: Correspondence regarding the attack on Usquala, 11.12.1900-12.12.1900.

110. PRO, CO 179/215: Telegram district officer Natal Police, Newcastle, to chief commissioner of police, 3.12.1900.

111. PAR, AGO I/7/40: Information collected by Military Intelligence Department on Natal Afrikaners, 11.12.1899; PAR, GH 549: Documents with referring to the arrest of certain leading men in Greytown, 13.2.1900.

112. PAR, SNA I/4/8: Report by native intelligence officer No. 1, 13.1.1900.

113. PAR, SNA I/4/8: Letter SO Samuelson to FR Moor, 16.5.1900.

114. PAR, SNA I/4/8: Letters JC Becker to Nondemba and Ugotoba, 20.4.1900.

forces, and assisted the British in various ways. Bambatha was concerned that his people had nowhere to go as there was no land available in the district. He therefore pleaded with the Natal Government to intervene.¹¹⁵

The above-mentioned evictions, which coincided with the collapse of the Boer forces in Natal in May 1900, and the surrender or arrest of numerous Natal Afrikaners as suspected rebels, caught the Natal Government off-guard as no law existed to prevent mass evictions. Landlords had the right in the absence of a special agreement, to terminate tenancies upon “reasonable notice.” This meant that eviction could take place between reaping and planting time, roughly June to August. Especially Africans in Umvoti county were subjected to evictions.¹¹⁶ The local police at this stage mistakenly described the evictions as a seasonal process indulged in by both Afrikaners and English.¹¹⁷

The governor of Natal, Walter Hely-Hutchinson, made it clear that “a bad effect would be produced if we leave these men to suffer for their loyalty.” He believed that only two possible solutions existed: to try and convince the Natal Legislative Assembly to enact laws protecting Africans from unfair eviction, or to have such evictions referred to the Supreme Court which would judge whether the evictions were fair, in other words, brought about by actions such as theft or refusal to render agreed-upon services.¹¹⁸

The Natal Government, well aware that the existing legislation provided loyal Africans with little protection against evictions, asked Attorney-General Henry Bale to investigate the matter of evictions. Bale confirmed that apart from the concept of “reasonable notice”, which implied that eviction notices could only be issued between harvesting and planting time, no law existed to protect Africans against eviction from farms.¹¹⁹

To bring the complaints and call for protection by Bambatha to some solution, Magistrate Koch was instructed on 23 May 1900, to urgently compile a full report on the number of Africans given eviction notices in the Greytown district. He was also asked to identify the farms, the evicting farmers and landlords, and the reasons for the eviction of Africans.¹²⁰

Even before Koch could start compiling his report, he received a further four notices¹²¹ from

115. PRO, CO 179/213: Memorandum SO Samuelson to FR Moor, 16.5.1900; PAR, SNA I/4/8: Memorandum SO Samuelson to FR Moor, 16.5.1900.

116. PAR, SNA I/4/8: Notices by Botha and Nel to members of the tribe of Chief Bambatha, 16.5.1900-23.6.1900.

117. PAR, SNA I/8/76: List of Africans ordered from farms in the Estcourt district, 2.9.1900-22.9.1900

118. PRO, CO 179/213: Letter Governor W Hely-Hutchinson to Prime Minister AH Hime, 20.5.1900.

119. PRO, CO 179/213: Letter Attorney-General H Bale to Prime Minister AH Hime, 21.5.1900.

120. PRO, CO 179/213: Letter PUS C Bird to FR Moor, 23.5.1900; PAR, SNA I/4/8: Letter FR Moor to Magistrate HC Koch, 30.5.1900.

121. PRO, CO 179/213: Minute paper by SO Samuelson, 28.5.1900.

Bambatha issued on behalf of PR Botha and LJ Nel to Umbamu,¹²² Swenswenie, Julie, and Umgagwa, instructing them to leave the farm Aangelegen with all their belongings before 31 July 1900.¹²³ Botha and Nel were not the only Umvoti Afrikaners to serve eviction notices on members of Bambatha's tribe in this period. Paul Hansmeyer, Hendrik Hansmeyer, JC van Rooyen, GT van Rooyen, and PH van Rooyen evicted members of his tribe without even giving them notices.¹²⁴

The latter spate of evictions increased the pressure on Magistrate Koch. He acted with some haste and called a meeting with Bambatha and his headmen during which the scale of evictions was revealed. Two more followers, Umhlahlana and Sipihlika, had received notices from the acting magistrate to evacuate the farm of Paul Hansmeyer. The heads of eight households, all followers of Bambatha, were instructed to leave the farm Aangelegen, jointly owned by LJ Nel and PR Botha, by Mr Ente, another agent for the owners. Gabela, who resided on another farm owned by Botha, also received an eviction order. None of the men who had received eviction orders were able to present a reason for their eviction, except for Vunizwe who had to leave the farm for keeping a dog against the wishes of the owners. The only solution Koch could offer was that magistrates should be more careful in granting eviction orders under Ordinance 2 of 1855. Furthermore, he advised magistrates to pay particular attention to Ordinance 8 which provided for three months leeway in each eviction case which allowed Africans the opportunity to harvest their crops and find a place to reside.¹²⁵

Fearing political unrest in the Greytown district because of the evictions, FR Moor, requested on 21 June 1900, an explanation for the evictions from TJ (Theunis) Nel (MLA), a relative of LJ Nel.¹²⁶ Theunis Nel, after meeting with numerous Afrikaner farmers, replied a week later. According to him the evictions were not related to the collaboration of Bambatha followers with the British military, but were issued because they had not fulfilled their contracts, i.e. they had failed to provide labour or pay the rent per hut as agreed upon. He further elaborated that the evictions were in the areas closest to Greytown where the followers of Bambatha were informed that they were under no obligation to fulfil contracts, since the farms belonging to Natal Afrikaners would soon be confiscated by the Natal Government. As a result Africans had apparently become arrogant towards the Afrikaners. Nel believed that the dispute could only be solved if all chiefs, including Bambatha, were informed that the Natal Government had no such intention.¹²⁷

Moor, in recognition of Nel's letter, asked him, in confidence, to provide the names of all those who

122. PRO, CO 179/213: Letter JC Becker to Umbamu, 16.5.1900.

123. PRO, CO 179/213: Letters JC Becker to Swenswenie, Julie and Umgagwa, 20.4.1900.

124. PAR, AGO I/8/76: List of Africans evicted from farms in the Greytown district, 1900.

125. PRO, CO 179/213: Minute paper by Magistrate HC Koch to FR Moor, 7.6.1900; PAR, SNA I/4/8: Minute paper by Magistrate HC Koch to FR Moor, 7.6.1900.

126. PRO, CO 179/213: Letter FR Moor to TJ Nel, 21.6.1900.

127. PRO, CO 179/213: Letter TJ Nel to FR Moor, 30.6.1900.

had meddled with the Africans of Umvoti and created the impression that Afrikaner land would be taken away.¹²⁸ Nel failed to comply with this request¹²⁹ possibly because he was unable to provide names to substantiate his claims.

At this stage, coinciding with the start of the rebel trials, evictions also started in Northern Natal. This set another process in motion; the eviction and intimidation of witnesses against Afrikaners who resided in the area formerly occupied by the Boers. One of the first to evict African witnesses were Mrs Gert Boers whose husband was the first Natal Afrikaner to be convicted of high treason. On her instructions Carter and Robinson successfully evicted five households, consisting of 62 people, for giving evidence against her family.¹³⁰ Around Estcourt similar processes took place and PJ and CJ van Rooyen, JC Labuschagne and CP Hattingh, amongst others, evicted Africans for their willingness to give evidence against Natal Afrikaners. The notice by ED Hattingh, on behalf of her husband, made Afrikaner emotions clear: "You are required to quit this farm by 9 am tomorrow. Should you be found on the farm off the main road by tomorrow 9 am you will be treated as a trespasser & I shall not be responsible for consequences."¹³¹ Africans were also expelled from farms in other Dutch Districts. From Ladysmith Sergeant WH Miller¹³² and from Dundee Inspector WF Fairlie reported that several suspected Natal rebels were evicting loyal Africans because they had testified against their landlords.¹³³

The punitive and intimidatory measures by Natal Afrikaners took its toll and from Estcourt it was reported that although some of the Africans ejected complained to either the police or the magistrates, most were too afraid. According to Inspector Mardall: "There is almost a panic among the natives who have been called into court - they say that they may not be protected by the Government." Mardall further declared that it would be fatal to release any suspected rebels on bail as it would only lead to further intimidation.¹³⁴ He was supported by Inspector Dorehill who complained that because of the actions of Afrikaners, African witnesses were "hanging back."¹³⁵

The steps taken by Natal Afrikaners to prevent Africans from testifying against them proved very successful in the Estcourt and Weenen districts. In the latter area only two Africans came forward to testify in treason trials. As a result Henry Bale vowed to make an example of at least one Afrikaner in the Estcourt district who intimidated witnesses by evicting them. This threat was not followed

128. PRO, CO 179/213: Letter FR Moor to TJ Nel, 11.7.1900.

129. PRO, CO 179/213: Telegram SO Samuelson to Prime Minister AH Hime, 25.8.1900.

130. PAR, SNA I/8/76: Report by Sergeant HW Miller, 7 1900.

131. PAR, SNA I/8/76: List of Africans ordered from farms in the Estcourt district, 2.9.1900-3.12.1900.

132. PRO, CO 179/213: Letter Sergeant WH Miller to Inspector Dorehill, 7.8.1900.

133. PRO, CO 179/213: Telegram Inspector WF Fairlie to minister of lands and works, 17.8.1900.

134. PAR, SNA I/8/76: Telegram chief commissioner of police to Inspector Dorehill, 28.9.1900.

135. PAR, SNA I/4/8: Papers relative to the eviction of Africans by Afrikaners for giving evidence, 17.8.1900-5.9.1900; PRO, CO 179/215: Order issued by Major-Gen J Wolfe-Murray, 3.9.1900.

through and in the end he merely informed the Special Court of the pressures faced by African witnesses.¹³⁶

With the evictions of Africans by Natal Afrikaners spreading from Umvoti to the other Dutch districts, the Natal Government was concerned that it would have a negative impact on loyal Africans, while also obstructing justice.¹³⁷ As a result other measures were taken, not necessarily to protect Africans or punish Afrikaners, but rather to maintain the pre-war *status quo*. The Natal Police were called upon to compile lists of Africans evicted and by whom.¹³⁸ An appeal was also made to firms of lawyers not to serve eviction notices. The request was met with mixed reactions. Walton and Tatham undertook to cease the issuing of such notices,¹³⁹ while others, such as Carter and Robinson, could not see their way clear to relinquishing such easy money-making opportunities and continued to serve eviction notices on behalf of their numerous Afrikaner clients.

These measures did not solve the problems of the Natal Government as it was impossible to legally interfere with the right of a landlord to terminate contracts.¹⁴⁰ The Natal Cabinet was also not prepared to alter the legal situation by following the advice of Governor Hely-Hutchinson and Attorney-General Bale¹⁴¹ to have the Legislative Assembly pass measures for the protection of Africans against Afrikaner aggression.¹⁴² The prime reason for the lack of political support for legislation to protect loyal Africans was the fear whites had that it would make Africans “insolent and unruly”¹⁴³ and that it would come back to haunt the Colony once the war was over.

With the idea of legislation defeated, an alternative needed to be found to safeguard the position of loyal Africans. According to Attorney-General Bale the only solution was to advise the GOC of Natal, Major-General J Wolfe-Murray, to issue an order prohibiting the eviction of Africans in the affected districts without the consent of the magistrate.¹⁴⁴ The thinking by Bale was that such an order should apply to any African already evicted but not to cases in which the magistrate was

136. PAR, SNA I/8/76: List of Africans ordered from farms in the Estcourt district, 2.9.1900-22.9.1900

137. PAR, SNA I/4/8: Papers relative to the eviction of Africans by Afrikaners for giving evidence, 17.8.1900-5.9.1900; PRO, CO 179/215: Order issued by Major-Gen J Wolfe-Murray, 3.9.1900.

138. PAR, SNA I/8/76: Telegram chief commissioner of police to Inspector Dorehill, 28.9.1900.

139. PAR, SNA I/4/8: Papers relative to the eviction of African tenants on account of them having given evidence in treason cases, 4.1.1901.

140. PRO, CO 179/213: Letter Attorney-General H Bale to minister of lands and works, 23.8.1900; PAR, SNA I/4/8: Papers relative to the eviction of Africans by Afrikaners for giving evidence, 17.8.1900-5.9.1900; PRO, CO 179/215: Order issued by Major-Gen J Wolfe-Murray, 3.9.1900.

141. PAR, SNA I/4/8: Papers relative to the eviction of Africans by Afrikaners for giving evidence, 17.8.1900-5.9.1900; PRO, CO 179/215: Order issued by Major-Gen J Wolfe-Murray, 3.9.1900.

142. PAR, GH 1302: Letter Governor W Hely-Hutchinson to Colonial Secretary J Chamberlain, 27.9.1900; PRO, CO 179/213: Letter Governor W Hely-Hutchinson to Prime Minister AH Hime, 24.8.1900.

143. PRO, CO 179/213: Letter Attorney-General H Bale to minister of lands and works, 27.8.1900.

144. PRO, CO 179/213: Letter Attorney-General H Bale to minister of lands and works, 23.8.1900.

satisfied that the eviction was based on matters unrelated to the war.¹⁴⁵

Bale's proposal found favour with both the Natal Government and the governor. It was therefore decided that Major-General J Wolfe-Murray would be asked to "issue an instruction to all magistrates in the Counties of Klip River, Weenen, and Umvoti that they are not to issue orders for the ejection or removal of natives from any of the farms in their Districts without his sanction, unless the magistrate, in each case, is satisfied that such ejection is not due to circumstances connected with or arising out of the war and rebellion."¹⁴⁶ To suppress any undercurrent of unrest, the military was requested, when issuing the order, to inform all Africans that the steps taken against eviction were "only a temporary arrangement which is necessary owing to the present unsettled state of the country."¹⁴⁷ This request was forwarded without wavering, by the governor to Wolfe-Murray.¹⁴⁸

Wolfe-Murray complied without hesitation and under Martial Law, issued Proclamation 5 of 1900 to magistrates in the Dundee, Ladysmith, Weenen, Greytown, Upper Tugela, Kranskop, Umsinga and Newcastle districts:

No orders for the eviction or removal of natives from any of the farms in your district are to be issued without my sanction, unless you are satisfied in each case that such ejection is not due to circumstances connected with or arising out of the war and rebellion. All orders for the eviction of natives which have already been issued by you, should be recalled and not put into operation, unless there is some definite charge unconnected with the war or rebellion on the part of the native which can be proved or substantiated to your satisfaction. You should inform natives concerned and natives generally, that this is only a temporary arrangement due to the unsettled state of the country.¹⁴⁹

In the light of the order issued, Africans were informed that they should not move, if they receive eviction orders, without the consent of the magistrate. The Klip River district magistrate could therefore veto the order delivered by Walton and Tatham, on behalf of Mrs Sannie Colling, to evict 45 people from her farm because they gave evidence against her husband.¹⁵⁰

Governor Hely-Hutchinson described the proclamation as a "crude and temporary measure" that would lose its effect as soon as Martial Law had run its course.¹⁵¹ It nevertheless served to restore some semblance of order and evictions came to a virtual halt. The Natal Government should have been happy.

145. PAR, SNA I/4/8: Papers relative to the eviction of Africans by Afrikaners for giving evidence, 17.8.1900-5.9.1900; PRO, CO 179/215: Order issued by Major-Gen J Wolfe-Murray, 3.9.1900.

146. PAR, SNA I/4/8: Papers relative to the eviction of Africans by Afrikaners for giving evidence, 17.8.1900-5.9.1900; PRO, CO 179/215: Order issued by Major-Gen J Wolfe-Murray, 3.9.1900.

147. PRO, CO 179/213: Letter Prime Minister AH Hime to Governor W Hely-Hutchinson, 30.9.1900.

148. PRO, CO 179/213: Letter Governor W Hely-Hutchinson to Major-Gen J Wolfe-Murray, 1.9.1900.

149. PAR, SNA I/4/8: Proclamation No. 5 of 1900 issued by Major-Gen J Wolfe-Murray, 3.9.1900.

150. PAR, SNA I/8/76: List of Africans ordered from farms in the Estcourt district, 2.9.1900-22.9.1900

151. PRO, CO 179/213: Letter Governor W Hely-Hutchinson to Colonial Secretary J Chamberlain, 27.9.1900.

The military had been able to restore order without the Natal Government having to revert to some form of legislation or having to dirty their hands. A key member of the government, Frederick Moor (SNA), however, felt that the proclamation fell short of its real intent. He therefore circulated an additional minute to the magistrates, emphasising that they must inform all Africans that the proclamation in no way liberated them from contracts of service or the payment of rent.¹⁵²

For his part Moor, whose political power base was Afrikaner voters, was cautious, and narrower issues such as the upcoming election, started to dominate the political scene.¹⁵³ Although he did not want Africans to suffer for their loyalty he stressed the fact that Africans must realise that they were not relieved from their obligations towards their landlords. What worried him was the impression that existed amongst Africans that they could take liberties with their Afrikaner landlords in this regard and he, therefore, wanted the point impressed on magistrates.¹⁵⁴

Natal Afrikaners responded swiftly to this proclamation by exploiting a loophole. They prevented Africans, who were now protected from eviction by the military, from cultivating the land.¹⁵⁵ This meant that if they had not planted they could be evicted at any time in the future and not only between harvesting and planting times.

Again the Natal Government was unwilling to act, and the GOC was again asked to intervene under Martial Law and to inform landlords that Africans were to be treated according to their pre-war rights which meant they could not interfere with the “proper and usual cultivation” of the land. The suggestion was supported by Governor Hely-Hutchinson who feared that if not followed, Proclamation 5 of 1900 would become null and void.¹⁵⁶ Lt-Gen HJT Hildyard agreed fully and on 4 December 1900, informed landlords that “natives now have the same rights as before the war and they must not be interfered with in the proper and usual cultivation of the land.”¹⁵⁷

This order tilted the scale of wartime power in favour of the Africans residing on the farms of Natal Afrikaners as the Rudolphs and Robbertses discovered. Africans living on the farm Spitzberg of JF Robbertse complained to the Estcourt magistrate and Inspector Mardall that because they gave evidence against Robbertse they were told to pay £5 and leave the farm. One African also

152. PRO, CO 179/213: Minute paper FR Moor to magistrates, 18.9.1900.

153. J Lambert, Loyalty its own reward..., in G Cuthbertson, AM Grundlingh, A-L Suttie, (eds.), *Writing a wider war. Rethinking gender, race and identity in the South African War, 1899-1902*, pp.11-12.

154. PAR, SNA I/4/8: Note FR Moor to colonial secretary, 14.9.1900.

155. PRO, CO 179/215: Telegram Magistrate AD Gibson, Newcastle, to Attorney-General H Bale, 14.12.1900.

156. PRO, CO 179/215: Telegram Governor W Hely-Hutchinson to GOC, 30.11.1900.

157. PAR, 1/WEN 3/2/4: Notice under Martial Law issued by Lt-Genl HJT Hildyard, 4.12.1900; PAR, 1/WEN 3/2/4: Notice under Martial Law issued by Lt-Genl HJT Hildyard, 4.12.1900; PAR, 1/UMS 28: Notice under Martial Law issued by Lt-Genl HJT Hildyard, 4.12.1900; PAR, SNA I/4/8: Order issued to landlords that they must allow Africans to cultivate the land, 29.11.1900-4.12.1900; PRO, CO 179/215: Order issued to landlords that they must allow Africans to cultivate the land, 4.12.1900

complained that JF Robbertse (jnr) took his peaches because he testified against Afrikaners.¹⁵⁸ These complaints were denied by ex-Magistrate GM Rudolph who felt the Africans were “making a bold bid to make themselves masters of the situation on the farm, and this is aided, by the over ready belief of the police and Inspector Mardall particularly...” Rudolph insisted that an investigation would reveal that the complaints held very little truth, and felt that African tenants were challenging time-honoured practices such as rendering service and paying rent.¹⁵⁹

At this stage the Natal Government was literally caught between two fires. They wanted full African loyalty but did not want to pass legislation or provide any support to protect them against disloyal Afrikaners. In their opinion, once Martial Law had been repealed, Africans who had received eviction notices would have ample time to make alternative arrangements. This was definitely not a very sympathetic attitude to the loyal Africans persecuted by disloyal Afrikaners, but rather a determined effort to prevent Africans from using the war to improve their economic position or gaining any long-term benefits at the expense of whites. On 4 January 1901, the Natal Government finally made their position clear: “Ministers are not in favour of the introduction of any legislation in the direction ...and are of opinion that by the time Martial Law has been repealed those natives who fear eviction will have had ample time to make arrangements with regard to their future residence.” This decision was regretted by Governor Hely-Hutchinson but he realised that the Legislative Assembly would not pass such legislation.¹⁶⁰

Against the background of orders issued under Martial Law to protect Africans living on farms belonging to Afrikaners, magistrates were very hesitant to evict them. The first request for ejections in 1901 came from Annie Krogman who wanted 12 Africans removed from her farm. Although they did not testify in any of the high treason court cases, they had assisted the police in gathering evidence. The Klip River district magistrate did not make a decision but forwarded the documents to Attorney-General Bale who returned them with the comment: “Officers of the government should learn to apply instructions and opinions which they receive in similar circumstances.”¹⁶¹ This comment eased the mind of the magistrate, and when Sipika and Mahanjana were unlawfully evicted by B Labuschagne of Tintwa Road, he acted with conviction by preventing the removal.¹⁶²

In the light of the above, the Natal Government could by August 1901 claim that not a single war-

158. PAR, CSO 1669: Minute paper containing the petition by GM Rudolph, 10.12.1900-9.2.1901.

159. PAR, CSO 1669: Letter GM Rudolph to Attorney-General H Bale, 16.2.1901.

160. PAR, GH 1302: Letter Prime Minister AH Hime to Governor W Hely-Hutchinson, 4.1.1901

161. PAR, 1/LDS 3/3/14: Correspondence regarding notices handed to Africans to quit the farm of Mrs A Krogman, 8.2.1901-17.4.1901

162. PAR, 1/LDS 3/1/1/7: Letter Magistrate TR Bennett to B Labuschagne, 28.6.1901.

related eviction had taken place since December 1900.¹⁶³ The government also made it clear that they were not prepared to relax the prohibition placed on evictions.¹⁶⁴

Evictions of Africans from Afrikaner farms were, however, still taking place under Sections 3 and 4 of Ordinance 2 of 1855. This was allowed by magistrates when they deemed the expulsions not to be military related and as long as it took place between the harvesting and ploughing seasons. Such evictions took place in the Ladysmith area,¹⁶⁵ but specifically in the Umvoti district. On 15 August 1901, Bambatha complained to Moor that the Natal Afrikaners, and specifically one known as Voizane (P Botha), had, by order of Magistrate JY Gibson of Greytown, given 14 days' eviction notices to Nondwengu, Mhlongo, Mkwane, and Mgwaqo. Of these Nondwengu had already left. Other members of his tribe had also been expelled from the farm of Hendrik Hansmeyer. Gibson had also heard cases against Soqotsha, Mpangisa and Mzane and had subsequently ordered them to leave. Bambatha maintained that the Natal Afrikaners involved did not supply reasons why they had to leave. He claimed that only those who gave evidence against their landlords were evicted. The case of Mgwaqo was an exception. He was evicted because he had refused to supply a messenger during the early part of 1900 to take a letter from Botha to his son at the Boer lines at Helpmekaar.

In a desperate plea referring to his loyalty, Bambatha asked: "... that the natives be permitted to remain and that the rent be fixed by the government. Not one of my people sided with the Boers. I told them that they were to report to me anything they heard being said against the Government."¹⁶⁶ Bambatha's plea fell on deaf ears and he received no support, primarily because the Africans exploited both the war and Martial Law orders relevant to evictions. This made the Natal authorities weary. An example was the difficulty AL Jansen experienced in evicting Mbuto from his farm for apparently refusing to work. Mbuto, however, insisted that the planned eviction was based on the fact that he gave evidence against Natal Afrikaners. Jansen initially wanted to evict him in May 1900, but the attempt was blocked. A year later he again applied for an eviction. This time the Dundee magistrate granted it because in his view it was not related to the war. The military, however, vetoed the eviction. In May 1902 Jansen applied for the third time. Magistrate Beachcroft supported the motion for two reasons: Jansen was a loyalist, but more importantly he deemed it wrong of the authorities not to support loyal citizens and landowners.¹⁶⁷ Likewise the loyalist Mrs Strydom of Uithoek, Helpmekaar, complained that an African by the name of Jacob had ignored orders to leave her farm. Magistrate Maxwell of Umsinga admitted that he could not evict him either

163. PRO, CO 179/219: Confidential despatch Governor HE McCallum to Colonial Secretary J Chamberlain, 3.8.1901.

164. 1/WEN 3/2/4: Correspondence regarding the court case between RJ van Rooyen and Umlambo, Mbohlo and Ngotcho, 15.7.1901-7.1.1901.

165. PAR, 1/LDS 3/1/1/7: Eviction notice Magistrate TR Bennett to Umkuzane, 6.8.1901.

166. PAR, SNA I/4/8: Complaint by Bambatha that members of his tribe were being evicted by Afrikaners, 15.8.1901.

167. PAR, 1/DUN 3/1/19: Notice to Mbuto to vacate the farm of AL Jansen, 3.5.1901-4.6.1902.

because of Martial Law orders.¹⁶⁸

Africans also manipulated the wartime conditions and Martial Law in other ways, like refusing to pay hut tax stating that they were protected by Martial Law.¹⁶⁹ It was also difficult for Natal Afrikaners to procure payments from African renters.¹⁷⁰ Agents who wanted to collect rent first had to receive permission from the local magistrate.¹⁷¹ The loyal Strydoms of Uithoek, Helpmekaar, therefore had to call in the assistance of Magistrate Maxwell of Umsinga to get the Africans resident on their farm to pay their dues.¹⁷²

Other Natal Afrikaners faced more serious problems. PWJ and JH Hattingh, co-owners of the farm Doornkloof in the Ladysmith district, had a verbal agreement with the Africans resident to supply either labour or pay rent. This was adhered to only up and until war broke out. According to their lawyers: "They (Africans) have been gradually going from bad to worse and are now practically unapproachable." The African residents ploughed where they wanted to while they also chopped and sold wood off the farm.¹⁷³ A letter from PUS Bird informing the Africans in question that they were compelled, notwithstanding the military order, to carry out their original agreements, was ignored.¹⁷⁴ In the same vein PR Vermaak, then imprisoned in Eshowe, complained that an African had settled on the farm of his late father without the permission of either his agent or himself.¹⁷⁵

The above-mentioned developments were, according to the Dundee magistrate, happening because Afrikaner landlords were absent. This freed Africans from the restraints of the contracts which normally bound them to work at a rate of between five to ten shillings per month. As a result Africans earned four or five times that wage in the service of especially the military.¹⁷⁶

Support for the point of view of the Dundee magistrate came from Magistrate TR Bennett of Ladysmith who reported that the Africans residing on the farms of rebels who were absent from their property, were "thievish, exhibiting disreputable habits and becoming a source of danger to the

168. PAR, 1/UMS 38: Letter magistrate Umsinga to Tatham and Tandy, 2.12.1901.

169. Foy Vermaak private collection: Letter JC Vermaak to CT Vermaak alias Miss C Herzog, 14.8.1901.

170. Foy Vermaak private collection: Letter JC Vermaak to CT Vermaak alias Miss C Herzog, 28.8.1901.

171. PAR, 1/UMS 38: Letter Magistrate T Maxwell, Umsinga, to James Anderson, 23.6.1901.

172. PAR, 1/UMS 38: Letter Magistrate T Maxwell, Umsinga, to Tatham and Tandy, 11.3.1901; 1/UMS 38: Letter Magistrate T Maxwell, Umsinga, to James Anderson, 3.8. 1901

173. This was not the only complaint by a Natal Afrikaner that their wood were being stolen. JAF Ortlepp of Melmoth complained that armed members of the Nonqai had removed wood from his farm. DAR, 1/MEL III/2/8: Letter JAF Ortlepp to magistrate Melmoth, 18.12.1899.

174. PAR, 1/LDS 3/3/15: Letters Tatham and Tandy to the Klip River district magistrate, 28.4.1902 and 6.5.1902.

175. PAR, 1/UMS 38: Letter PR Vermaak to Magistrate T Maxwell, Umsinga, 14.11.1901. Agents acting on behalf of imprisoned Afrikaners did from time to time place Africans on their farms as a means to earn some money. PAR, 1/UMS 38: Letter Magistrate T Maxwell, Umsinga, to Tatham and Tandy, 22.10.1901.

176. PAR, NCP 8/1/11/3/2: Annual report magistrate Dundee, 1902.

community.” They also paid no rent and performed no labour. He was adamant that: “A policy calculated to demonstrate to these natives that in spite of the absence of their landlords they are not free to do as they like, is absolutely indispensable.” Bennett suggested imposing compulsory services on the road or military work, the so-called *isibahlo*.¹⁷⁷

Otto Schwikkard, a renowned local scout and interpreter, also found the situation unacceptable. In September 1901 he travelled all the way from Ingogo to Pietermaritzburg to complain to FR Moor: “We are very much handicapped as we cannot turn natives off our farms who will not fulfil their agreements owing to Martial Law and cannot get any assistance to compel the natives to carry out their contracts.”¹⁷⁸

As a result of the outlined experiences colonial wariness of African involvement in the war turned into apprehension. The fear existed that Africans were “using the war to overturn rights of property.”¹⁷⁹ Under these circumstances the Natal authorities decided to act against the loyal Africans who were at odds with Natal Afrikaners.

11.7 Natal whites close ranks against loyal Africans

The Natal Government realised that the measures demanded from the military to protect Africans from abuses by Natal Afrikaners were posing serious challenges to the tight pre-war control that existed over Africans. Under the circumstances Prime Minister Hime, SNA Moor and Governor McCallum supported Magistrate Bennett’s suggestion that Africans resident on Afrikaner farms be called out for labour. Not only could the Natal Government deal with Africans they viewed as troublesome in this way, but the military could also be supplied with the 200 ox drivers and leaders they needed.

Magistrate Bennett was instructed to, with the assistance of the Natal Police, compile a list of the unoccupied Afrikaner farms and the Africans resident on them, while the military was informed of the possible labour that could become available to them. Major HE Vernon jumped at the opportunity and requested 56 labourers by 2 April 1902 to work in Standerton. The arrival of these African labourers was somewhat delayed and they only arrived on 8 April. In the meantime Magistrate Bennett secured a further 20 Africans labourers from Afrikaner farms.

Using the successful callout of Africans residing on rebel farms in the Ladysmith area as a yardstick, Moor implemented the same process in the Newcastle district, and men from the following Afrikaner owned farms were conscripted: Dewetstroom, Roodepoort, Geelhoutboom, Donkerhoek,

177. PAR, 1/LDS 3/3/15: Letter Magistrate TR Bennett, Klip River district, to FR Moor, 25.2.1902.

178. PAR, SNA I/1/293: Letter O Schwikkard to FR Moor, 31.8.1901.

179. *South African News*, 26.1.1900.

and Bernard. The men were earmarked to be employed by the Remount Department who needed 70 labourers at Mooi River and 30 at Harrismith. The military felt that: "If this does not exhaust the number of boys on these farms the remainder may be sent to the ALC Labour depot in Maritzburg." As it turned out only 30 men from the Newcastle area were drafted into service. This was ascribed to the fact that most of the African men on the listed Afrikaner farms were already working for the military at Botha's Pass.¹⁸⁰

The callout of loyal Africans on Afrikaner farms for *isibhalo* left the former baffled and resentful. They felt they were paying the price for the restoration of colonial stability.¹⁸¹ Some Natal Afrikaners were also unhappy with the call-out, fearing that they would lose precious labour in the process. The fears of JP van der Westhuyzen of Sundays River had to be allayed with the assurance that no Africans from his farm would be called out.¹⁸²

To the Natal authorities, however, this was the solution to reasserting control over Africans. The labour-intensive military was supplied with workers, the power of the Natal Government was reiterated, and a clear message was sent to Africans that they could not do as they pleased on Afrikaner farms. For Africans, the illusion that their war efforts would be rewarded, was shattered.¹⁸³

As feared by Governor Hely-Hutchinson, the end of the war and the repeal of Martial Law opened up the opportunity for Natal Afrikaners to carry out reprisals on African tenants and labourers who supported the British war effort or who testified against them. The easiest way to do this was once again evictions. On 3 June 1902, three days after the signing of peace, JH Potgieter had Magistrate Maynard Matthews issue eviction notices to Luvavo, Ngidi, Mtshikatshika, Mtshwelshe and several others from the farm Parys in the Dundee district.¹⁸⁴

From mid-June 1902 onwards, as rebels returned to their farms, the eviction of loyal Africans gained momentum. In the Normandien area near Newcastle, WD Adendorff of Brooklyn gave 30-day eviction notices to Ugomisa and Ukoni ka Nkosi for being scouts for the VCR; Pahlana and Diamond for giving evidence against Natal rebels; and Mgamba ka Mladhla for giving evidence against Adendorff's stepson, Gert Rall. Mgamba was, however, offered reprieve; he could pay two large oxen as penalty and all would be forgiven. He replied that he did not have two oxen and even

180. PAR, 1/LDS 3/3/15: Correspondence regarding using Africans resident on unoccupied Natal Afrikaner farms as military labour, 25.2.1902-16.6.1902.

181. J Lambert, *Betrayed trust...*, p.60.

182. PAR, 1/LDS 3/1/17: Letter Acting Magistrate CG Jackson, Klip River district, to JP van der Westhuyzen, 8.3.1902.

183. J Lambert, *Betrayed trust...* p.161.

184. PAR, 1/DUN 3/1/10: Notice Magistrate M Matthews to Luvavo, Ngidi and others, 3.6.1902.

if he did he would not have paid. Ukoni ka Nkosi in turn refused to leave the farm and claimed to have paid taxes to Adendorff, and worked for the Natal Government. This he felt should provide him with some protection. JC Adendorff of the neighbouring Bradford, who was fined £100 or four months imprisonment for high treason, gave eviction notices to Mbothswa alias Tom Jantje who worked as a scout at the Königsberg Mission Station, and Msindu ka Mfinjuna and Ukemfu ka Kytshana for providing evidence against rebels, and for the way in which they spoke of the Boers in general.

DC van Niekerk of Doornpoort likewise gave an eviction notice to Pikeleli ka Mabamzana for giving evidence against his son-in-law CJ Smit, who had to serve an eight month prison sentence. According to Pikeleli another reason existed for the eviction. Two of his daughters had worked for Van Niekerk for two years and were not paid. When he asked for their salaries he was evicted. AMJ Rall of Klipoort, who had served a five month prison sentence, also gave an eviction notice to the female chief Nomandhleni and all her followers since her sons Mdevu and Mqeqwana, had worked for the military leaving Rall without labour. Furthermore, MC Adendorff who was fined £200 and had served eight months in prison, gave eviction notices to Tunga, Mkystana and George Ntombela for their lack of loyalty to him.

These evictions did not have the support of the authorities in Newcastle. The view of the acting commander of the VCR, Lt HE Meek, was: "I think this thing should be stopped. If not many others will do the same." RW Bentley, the sergeant of the Natal Police who took the evidence of those who had received eviction orders feared that, "...when all the rebel farmers are back there will be similar cases of natives who had assisted the British being ordered to quit."

With the evidence of the latest evictions in hand Frederick Moor instructed Acting Magistrate A Crawford: "When application is made to you for the ejection of these natives it will then be incumbent on you to see that they are protected according to law and that they have the notices to leave at the proper time which usually are given in January. A copy of instructions under Martial Law which is shown by the papers to have been sent to you is put up for your information dated 3.9.00." This placed the ball firmly back in the court of Crawford, with one important amendment - Africans could be evicted regardless of their loyalty as long as it was by law. To Crawford the law was Ordinance 2 of 1855, Section 3 which stated "...the native must be given time to collect his crops." According to Crawford, supported by Moor, this meant that the eviction notices given in the Normandain area could only be executed during January 1903.

The return of Magistrate O Jackson to Newcastle relieved Crawford from his burdens. Jackson, since he was expecting many more evictions, immediately sought the opinion of Attorney-General GA de R Labistour. Matters were complicated when the attorney-general declared that Section 3 only

applied to a lease or a contract that had expired due to “any act or omission of the native.” As this implied an agreement, Labistour advised Jackson that in such cases the terms of occupancy should be liberally interpreted in favour of the Africans involved. Labistour, who was not entirely sure of his own interpretation of the law, spoke to Prime Minister Hime and SNA Moor to gain clarity. These discussions resulted in the final verdict namely, that all cases of evictions against Africans should be dealt with under ordinary law and not Martial Law and that Africans should therefore, according to custom, receive their notices during the beginning of January. In short “...the rule should not be departed from except under any special circumstances.”¹⁸⁵

The lone voice that spoke out against this decision in favour of disloyal Afrikaners taken by the upper echelons of power in Natal, was that of Magistrate CG Jackson of the Klip River district. In a letter to Frederick Moor he placed the decision in context:

I have the honour to draw your attention to the fact that the removal of Martial Law will operate badly on many loyal natives who are resident on the farms of men convicted of High Treason. Under an order by the G.O.C. dated 3 September, 1900, the eviction of natives from farms was prohibited, unless such eviction was not due to circumstances arising out of the war or rebellion. I have had occasion to enforce this order in a great many instances where it was apparent that the sole cause of ejection was due to evidence given in treason cases. Now, honour, in the absence of a Peace Preservation Act, the protection thus afforded to natives is withdrawn and I fear that hardship and injustice may be entailed on men who gave valuable evidence against rebels.¹⁸⁶

In his reply Moor ignored all the concerns raised by Jackson and merely stated that the government could not interfere in matters arising between landlords and tenants. This provided little consolation to loyal Africans.¹⁸⁷ The only reprieve they thus got was that they would receive their eviction orders during January 1903, but evicted they would be. This was scant reward for loyalty to the crown and the Natal Government who clearly chose the side of disloyal Afrikaners over that of loyal Africans.

How this played out in real life can be gauged from the following case. CJ Pieters, after serving a sentence of 18 months, arrived back on the farm Georgina near Dundee in December 1902. He immediately gave an eviction notice to Nozulela who had testified against him. Nozulela took his case to the Natal authorities stating that he had fulfilled his part of the contract by providing labour and paying rent and was therefore victimised for being loyal and giving evidence. The response of the Natal Government by means of Frederik Moor was very unsympathetic:

185. PAR, 1/NEW 3/1/24: Minute paper regarding the eviction of Africans from farms in the Newcastle district, 27.6.1902-9.7.1902.

186. PAR, 1/LDS 3/3/15: Letter Magistrate CG Jackson, Klip River district, to FR Moor, 2.10.1902.

187. PAR, 1/LDS 3/3/15: Letter FR Moor to Magistrate CG Jackson, Klip River district, 6.10.1902.

...this is a matter between landlord and tenant, that so long as he resides on private property he will have to comply with the conditions of occupation, and that owners of property have a right to terminate tenancies if such conditions are not fulfilled. This is not a matter in which the Government can interfere. In the event of Nozulela having to leave the land upon which he resides at present, he may count on the assistance of the Government in obtaining a kraal site on location lands should he desire it.¹⁸⁸

The issue surrounding the complete and final desertion by the Natal Government of loyal Africans, in favour of Afrikaners, was raised in March 1903, at the time when all the remaining rebels were being pardoned, by Charles Tatham:

The men was of very considerable service to the Crown and anticipated trouble with their landlords. Many natives spoke to me or mentioned the matter to the then Attorney-General (H. Bale) who said that they should, and would, be protected. I so informed the natives and under Martial Law such ejections were subsequently prohibited. But now the landlord is free to do as he like and the natives are without assistance. There is doubtless a combination amongst the Biggarsberg Dutch against these natives and I think Govt should, if possible do something for them.¹⁸⁹

This proved to be in vain as the net of Afrikaner revenge were cast even wider. Not only Africans who testified against Afrikaners or who had served in the military suffered after the signing of peace, but also those who were resettled on rebel farms by the military. Annie Krogman informed attorneys Walton and Tatham that numerous Africans were settled on the farm Margate, the property of her rebel son, Otto. What particularly irked her was that Krogman had to pay his annual instalments while the settled Africans paid nothing whatsoever and at the same time were, without permission, turning the best grazing into lands.¹⁹⁰ Krogman's complaint was forwarded to both the resident magistrate of Newcastle and the military authorities.¹⁹¹ The response from the military provided the solution, namely that the owners of such farms should provide the Africans with sufficient notice so as to allow them time to make alternative arrangements.¹⁹²

Tensions were not only brewing in post war Natal between Natal Afrikaners and Africans regarding land and settlement rights, but also regarding livestock and unpaid hut tax. JC Truscott (snr), a rebel who resided in the ORC and who was never brought to trial, had two head of cattle seized in 1900 by the Natal Police and handed over to an African, Mazwi. These were only returned to him on 22 July 1903, after extensive correspondence on his behalf by his lawyer.¹⁹³ Mrs GP Kemp, removed to

188. PAR, 1/LDS 1/7/9: Correspondence regarding the eviction of Nozulela by CJ Pieters, 30.12.1902-27.1.1903.

189. PAR, 1/DUN 3/1/12: Minute paper regarding African witnesses during the treason trial, 19.2.1903-28.3.1903.

190. PAR, 1/NEW 3/1/1/9: Letter AC Krogman to Walton and Tatham, 21.8.1902.

191. PAR, 1/NEW 3/1/1/9: Letter Walton and Tatham to magistrate Newcastle and Capt AH Taylor, 27.8.1902.

192. Europeans settled in the same manner on Afrikaner farms by the military required two weeks notice before they could be evicted. PAR, 1/NEW 3/1/1/9: Letter magistrate Newcastle to Walton and Tatham, 1.9.1902.

193. PAR, 1/LDS 3/3/15: Minute paper regarding the delivery of cattle in the possession of Mazwi to JC Truscott,

Pietermaritzburg from her farm Gowrie near Dundee, complained that she had reported the non-payment by some Africans residing on her farm to the magistrate more than a year previously. She had also unsuccessfully called in the help of the convicted rebel, PWR Jordaan, to acquire the £20 owing to her. She believed the only way to solve the matter was for Magistrate Matthews of Dundee to collect the money on her behalf.¹⁹⁴

The above-mentioned events were, according to Magistrate Matthews, a result of the war because the military had allowed Africans to settle on the farms of Natal Afrikaners and at times left them in sole possession of the land, free of constraints, especially labour. This resulted in confusion regarding property and other rights which civil authorities now had to deal with.¹⁹⁵ In a letter to the SNA, Matthews elaborated on the problems by the ensuing economic struggle between Africans and Natal Afrikaners: "We Magistrates north of the Tugela are going to have no light task in getting these Dutchmen and their native tenants settled down on satisfactory terms together again. I am watching carefully for any signs of the Zululand spirit spreading across the Buffalo, and will always keep you informed of any rumours or tendencies of a disquieting nature."¹⁹⁶

At least one incident of a "disquieting nature" occurred in the newly acquired Vryheid district when Africans turned the tables by evicting a substantial number of Afrikaners. The reaction of the Natal Government was in stark contrast to when Africans were evicted, they hastily provided 20 large tents as temporary residences.¹⁹⁷

11.8 Concluding comments

From the outset of the war Colonial Natal did its best to prevent Africans from using the event to overturn their political and economic position. To achieve this much was done to keep local Africans from fighting on the British side. At the same time, while expecting loyalty for the sake of loyalty, the Natal authorities were not prepared to legally protect Africans from Afrikaner persecution. Instead, they relied on the military and Martial Law.

For their part Natal Africans believed that their loyalty would count for something. This was especially the case since they contributed to the war effort as, amongst other things, spies and witnesses against Natal rebels. This involvement gave them the impression that they would receive some reward, possibly at the cost of the Afrikaners.

22.7.1903-11.12.1903.

194. PAR, 1/DUN 3/1/10: Letter GP Kemp to Magistrate M Matthews, Dundee, 16.10.1902.

195. PAR, NCP 8/1/11/3/2: Annual report magistrate Dundee, 1902.

196. PAR, PM 92: Letter Magistrate M Matthews, Dundee, to FR Moor, 24.7.1902.

197. PAR, MJPW 95: Minute paper ordering De Villiers to bring 20 tents to issue to Boers ejected by Africans, 10.7.1902.

This did not happen and African ambitions soon took a backseat in attempts to heal the relations between Afrikaners and English.¹⁹⁸ Natal Afrikaners, who were either actively or passively disloyal to the Imperial cause, were given preferential treatment over Africans. Significantly, neither the British Army, nor the British or Natal Governments, fully recognised the loyalty and role Africans performed in the war, leaving them bitter and unhappy.¹⁹⁹ This snubbing was enshrined by the Peace Treaty of Vereeniging and specifically clause 11 which shelved all African political ambitions.²⁰⁰ This had a profound impact on African thinking about the trustworthiness of the Natal and British Governments, while at the same time providing ample ground for dissatisfaction, distrust, and grievances. The resentment eventually culminated in a series of uprisings in Natal popularly referred to as the Bambatha rebellion.²⁰¹

This post-war disillusionment felt by Natal Africans is summed up by John Dube. During the Bambatha rebellion, in an editorial in the *Ilanga lase Natal*, he wrote: “You supported the English side most faithfully in their war with the Boers because you expected to be treated better by the English than by the Boers. But your faith brought disappointment. You have not found anything in respect of which you are better off than being under Boer rule, but in some respects it is worse than it would have been under the Boers.”²⁰²

The war also served to exposed Natal Afrikaners to levels of racial equality not experienced before. Rebel prisoners, for example, shared ablution facilities with African inmates and African wardens had authority over Afrikaner prisoners. This did not go down well with Natal Afrikaners who felt this treatment went against the order of things. The rebel prisoners were also bitterly opposed to being guarded by African wardens. In the end flare-ups and threats of letters to the colonial secretary forced the prison authorities to remove the African wardens.²⁰³ JC Buys similarly was appalled when he observed that Africans who could speak English attended church services alongside whites and shared the same cells in the Pietermaritzburg Prison.²⁰⁴

In the light of the above-mentioned racial attitudes, the loyalist *De Natal Afrikaner* was wasting its time when it, in an attempt to convince Natal Afrikaners to change their sentiments, reminded them that while they looked down on people of colour they had to remember that the latter were the loyal ones in the Cape Colony. Natal Afrikaners were also informed that while they were suspected of

198. J Lambert, Loyalty its own reward..., in G Cuthbertson, AM Grundlingh, A-L Suttie, (eds)., *Writing a wider war. Rethinking gender, race and identity in the South African War, 1899-1902*, p.129.

199. JS Maphalala, The story of compensation, silver and bronze medals for the Zulu after the Anglo-Boer War, *Historia*, 24 (2), September 1979, pp.26-31.

200. P Warwick, pp.3, 164, 175-177 and 180-181.

201. S Marks, *Reluctant rebellion. The 1906-8 disturbances in Natal, passim*.

202. *Ilanga lase Natal*, 2.11.1906.

203. VTR, JC Vermaak collection, 03/2553/1: Memoirs of JC Vermaak, p.32, 1941.

204. WM, Dagboek van Johannes Christoffel Buys: Deel 2, 18.8.1901, p.26.

disloyalty, in India, Hindus and Muslims alike, were displaying loyalty to the crown by contributing money, horses, and gifts and by passing pro-Empire resolutions. According to the paper this could lead to the marginalization of the Afrikaner after the war. To avoid such humiliation the answer was simple; Afrikaners needed with immediate effect to show their undivided loyalty to the Empire.²⁰⁵

This message had very little impact and in time Natal Afrikaners came to view Africans as the real enemy. When the Bambatha rebellion broke out, former Natal Afrikaner rebels were quick to join up to, as the magistrate of Klip River district observed at the time, avenge themselves for the services Africans rendered to the British during the Anglo-Boer War.²⁰⁶

205. *De Natal Afrikaner*, 6.2.1900.

206. S Marks, *Reluctant Rebellion...*, p.219.