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Courts £1-10 Legibus 28

¹ Kgotta la kgoro ² Kgotta la kgosana ³ Kgotta la Morena.
pp. 1-28 s. 277(21) Courts of law and procedure of the Tswana

1. Kgotta la kgoro le uttoa le go althola di'kgangtša kgoro e.o. Ge batho ba na le di ngongorego gongoe melato ba isa kwa kgatteng la kgoro ea bona. Ge melato opala go althoga, o isia kwa kgatteng la kgosana, le kwa teng ge apala o isia kwa kgatteng la Morena. Ko bona he mahgola kgang ga ohahe oa pala. O tšamelegile gore o va tthoge.

2. Kgotta la kgosana le uttoa le go althola melato ea matsenyana o fela. Ge matšo a na le melato o sekholo mo kgorong opadile, o tša kwa kgatteng la kgosana, ge opala fateng, o ea kwa kgatteng la kgosing. Ge batho ba tšole ba ntšane di uttho-ga ba sekholo he go kgoro gongoe kgosana he tiro sa morena e.o. Kgono e seka fela ge batho ba sa uttoane, gongoe ba tsenyana, le kgosana fela jalo. Ge batho ba ba ngongoregang ba se kgatšō kafa ba sekileng kateng. Kgetše ea bona e ea kwa kgosing, gore batle ba une kgatšō.

Actual case) Modise le Madittokoa

Modise o ne a nyetše Madittokoa, ge ba sena go nyalana modise a ea kwa mahgoeng go sebetša. A tsala lebaka le letelē, a ntše a le ko. Koa mora go Madittokoa a he a boela kwa abo, a tthoboga monna o gagae.

Ge a ntse a le kwa abo, a be a tshola ngoana le monna
 eomongoe. - Ge ngoana eo, a setse a na le ngoa ga di
 lepedi. Modise a be a tta gal. - Ge a toena a jithella
 mosadi a ile kwa abo. - Ge a bota mmagoe gore
 madittokoa o tsamaetse eng. Mmagoe a mmolela gore
 madittokoa o nile o no o sa motthokomele le gona
 he sebaka ontse o ile mahgoeng, mme o sa mope sepe.
 Modise a be a bolela bomalomagoe gore o batta
 madittokoa. Bomalomagoe ba molela gore madittokoa o
 ile kwa abo molatele, ne ne ne mo gonyadisitse o
 ntle a tsamaca, o sa motthokomele. Modise a be a ea
 kwa abo madittokoa. Ge a tsena kwa tenga ba bolela
 kapa a tleneng kateng, fela bo ratoalagoe, ba mmolela
 gore madittokoa he eo, o tsetse ngoana le monna eo-
 mongoe. Modise a ba bolela gore ene o batta
 madittokoa, ga batle go utloa sepe fela. Ge go
 boleloa madittokoa kgang e, ea monna oa gagoe.
 Anaga a tshola, ane »Modise he sebaka a ntse a ile
 mahgoeng, a nttogetse, le go mphapepe a sa mphe«
 Kgang ea boleloa Modise gore madittokoa ga abatle
 sepe. Modise ane fela he ea matla. Kgang ea isioa
 mokgorong ea buioa. Ga bonoa Modise molato
 ka lebaka le a ttogetheng mosadi ka lona. Ga mo
 atthola poditse tharo. Modise a di duela. Ga
 bolela madittokoa gore a tsamae le monna goe a ttogetse

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fa abc. Ge ba tsena kwa bo modise, Madittokoa a bolela
 monna oa gagae gore ene, ga atthole a mo rata. Tsutsi
 le lengoe Madittokoa a be a itsamaela, a ikela kwa abo.
 Modise a ipe a molatla, ge a tsena kwa teng, a fete a
 ba bolela kapa madittokoa a boiteng kateng. Bo
 naboalagoe ba be ba mo attholela tsela gore eanong
 ka ne ne go atthotse mosadi, mme a buile, eea
 kwa kgosaneng eanong ke ene a tla bonang gore a ye
 mosadi eo, ne ne ne mo atthotse, mme a buile. Gore
 a ne ne ne mo atthotse ka phoso. Modise a be aea
 kwa kgosaneng ea mosadi, a fete a bolela kapa mosadi
 a tsamaiseng kateng. Ka moshob a be ba ea kwa
 kgateng go uttoa gore mosadi o boletseng. Kgosana
 ea bona modise molato jaaka ba ba mo atthotse
 pele. Fela ea ne ba atthotse pila ge ba mo atthotse di
 podi tse tharo. Janong kgosana ea bona Madittokoa
 molato ge enile a ne tse monna le gona monna a
 duedisibae fa kgorong ka lebaka la ge a ne a
 mo ttogetse sebaka se se kalo, a ntse a mottogetse.
 Kgosana ea uong ea be e bona madittokoa le ene monna
 molato ge enile a ntsa atthotse ke bo ntata gore, ba bone
 monna oa gagae molato, ba hile ba molofisa, Abe a
 booa, Janong ea attholela madittokoa npa tse thano.
 Madittokoa a be a kgoatla a ottoa npa tse thano, a be
 a tsamaisa le monna oa gagae. A sihe a attholela tsenyane.
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(Actual case) Mouna o comongoe a bidisa Jeremia o kile a thusa malomago e ka phole gore a leme. Ge malomago e a sena go lema, A be a rekiba phole e le di'pholonyana. Jeremia ene a ile kwa go Mahgobeng a na kwa teng ngoaga tse pedi. Ge diffela a be atta gae. - Ge a sena go tona mo gae, tsatsi le lengoe a ntse a tsamaea e kopana le mosimane oa malomago e a disetse di'phole. Jeremia o mmotša gore phole e le adimileng malome ekae. e le masimanyana oa mmolela gore ntatagoe o e nekuritse e nehle di'pholoana tse pedi ka eona, e bile e supetsa Jeremia di'pholoana. tse o, gore he ee le ee. Jeremia a be a tsamaea. Tsatsi le lengoe o ea ke malomago go mmotša gore o tla batla phole e le, a mo thusitseng ka eona. Malomago e mmolela gore phole e e nekuritse e nehle, di'pholoana ka eona. Jeremia a be a mmolela gore o ea di'batla, malomago e, a be a mo supetsa e ngoe, are, engoe ga eo. Jeremia be a ena, a mahala, a be a botša mosimanyana gore ga he eare o ntshupeditse pholoana e, le e le, Mosimanyana are, » E he tsona tse o « Mouna mogolo a tlolela ke dina a ganetsa mosimanyana gore eo ga se eona. Jeremia a botša mosimane gore a gona le pholoana e tšimetseng. Mosimanyana a ela tōla gore ga eo, tsa bona he tō tōtthi. Mouna mogolo a gahalla mosimanyana. Ke ge Jeremia sanong a ba Mogela, a ea kwa gae. Ka

Mosho e be a batena gape di ise di tsoe mosakeng. Ge a
 tseua a ba bolela a ba lthamaletsa gore canong, he
 thile ge tlo di gapa. Malomago e a boara fa le fa, a seke
 a itse gone o dirang. Koa morage Jeremia a be a mmolela
 gore janong ke tlaa kwa kgosweneng gore ene atle a tle
 di tlaa ka gore una o oa mpala ka bona. Jeremia
 a be a tloga aea kwa go Mkgosi kgosana ba ba
 Magadiri. A fete a molela kafa malomago e, Gobusamang
 a mapalang ka di pholoana ka teng. Mkgosi a be
 araea Jeremia a ne, » Eo mmitse le tle le tle ka mosho «
 Ka mosho Jeremia o tla le malomago e, ba o fite a
 bolela batho mkgotling kafa a dimileng malomago e
 phole ka teng, le kafa malomago e e rekisitseng ka
 teng. le kafa mosimanyana a mmontshitseng di pholoana
 tseo, ge a kopa le ene a di disitse. Batho ba bona
 malomago e molato ge ene adimilol phole go itlusa
 ka eona. a tloge a enchisa ge a feta tir ea gagae.
 Mkgosi a moatthola pedi, le gore a be a ntse di
 pholoana tse jaaka mosimanyana a di paka gore a
 di nee Jeremia. Ka nako ea mantsohoana ge di
 goroga, Jeremia mantsohoana o ea kwa teng go di
 tlaa, ge a tseua kwa teng. Malomago e a fela a santse
 a mmontsha le ngae a ne, engae ga eo. Jeremia ge a
 tloga so, a be a bolela mkgosi gone Malomago e o
 ga nne, go ntsha ea bo-bedi. Mkgosi a be a moatthola

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gore a ise kgetse eo, kwa kgosing. Ge a tloga jo, a be a ea
 kwa gagoe. Ka moshe a be a phahela kwa kgosing a fete
 a bollela kafa a schang le malomagoe ka teng le kafa
 malomagoe a gannang go ntsha di pholoana tsec, kateng
 Morena a be a mmolela gore a bita malomagoe le
 Mkgosi gore batlo bollela ka fa ba sekileng kateng.
 Ka moshe o mongwe Mkgosi le Jeremia le malomagoe va be
 ba ea kwa kgosing. Jeremia a fete a thalasetse batlo le
 morena kafa a diuteng malomagoe tse pholo eo kateng.
 Ge a sena go feta, go be go bodiva mkgosi gore
 ene o althotse monna o jang. - Ge a sena go ba
 thalasetse ka fa a mo althotse kateng. Morena a
 bita Gobusamang gore a Jeremia o na a mo adimile
 phole le gore a leme. Adimile gore a na a e mo adimile
 gore a leme. Janong morena althola go Malomagoe
 kgomo le podi e, a e althotseeng ke Mkgosi le gore
 a be a o ntsha di pholoana tse o, jaaka mosimane
 a di supeditse Jeremia. Morena a be a ntsha mophato
 gore o tsae di kgomo tsa Gobusamang, gore a tlo
 ntsha di pholoana tsec, a di ne Jeremia ka eona nako
 eo. Mophato ge o tla ka di kgomo, morena a be bita
 mosimanyana, gore a ntsho di pholoana tsec. Ge a sena
 go di ntsha morena a be a thalola phole tona mo
 di kgomo a e bolala. E ja oa mkgoteng, go be go romoa
 mothe gore a o tsae podi a eo ena ea Mkgosi kwa

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kgotteng la gagae. Mohgosi le ene a be a tthaba podu
ele, batho ba motse oa gabo ba eja, ba itumela gore
jeremia o pele o ba file di nama tse baneng ba ka
sehe ba di bona.

Banna ba ba tthotseng kgotse ea jeremia; Ke mohgosi
kgosana, Komane, Bedi, Kamolone bathuse ba mohgosi mo
di tshikong. Banna ba na ba dule ba thuse ka goitse
go buoa ga bona. Ke ka mo, mo di tshikong o pitthelang
ele bona ba sehisang motho, Ga se gore ba na
sengae le bona. Sa ba bedi ke gore banna ba na
o ka sehe oa na oa ba tloka mohgotteng. Ka gale ge
go na le puo, o tta pitthela ba ntle ba le teng mohgotteng
go tlo utta, le go thusa ba ba palloang ke go
buoa. Banna ba ge go na le kgotse e toanetseng gore e
sehoe, mohgosi o ba latsa ka lefoko gore le ge ba na
le di tiro ba di tlogela. Ge tlo mo thusa. Kela oa sallahang
ga ana molato, ba ba teng ba tta buoa, le go bona
ma baka a otthe kafa ba ka attholang kateng. Ge
e phala, mohgosi o tta bolela mongwa eona gore a
e ise kwa kgosi, a bolele morena ka ne e buileng
kateng. Morena ke ene a tta bolelang gore mohgosi
le ba neng a buoa kgotse e le bona ba tle kwa
kgotteng toutsela tshela.

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Chief's Court Kgotta la morena le seka hgetse tse di tsaang bogodu, boloi, go Polao, le tse di ngoe. Fela tse ga di dikoe ke makgotta a di kgosana gongoe di kgoro. Motho ge alooa a isicia fela kwa kgosing, ke ene a tla bona gore o tla dirang ka ene. Le ge motho a utsoa. Motho ge a noqile o mongwe le kwa kgorongwa seka, le kwa kgotleng la morena oa seka. Fela ge a looa, ke kwa kgosing fela. ^(actual case) Mosadi e mongwe o hile a tsoaroa ka boloi, a romile ngoana oa ngoana. Batho ba ba tsoereng ngoana eo a be a ba bolela gore o romile ke nkoko agoe. Ba isitse ngoana eole ho nkoko agoe, le setthare se aneng a setsose. Ba fete a ba bontsha nkoko agoe ngoana eo, le setthare sele. Ka mosho ke ge ba ea kwa kgosing, ba fete, ba bolela morena kapa ba boneng ngoana eole kateng le setthare se aneng a se tshatae. Morena a be a tsaca se tthare sele mo bona, a bitsa di ngaka gore di tle laola. Ge di sena go laola tsa bolela morena morena gore setthare se, se dirä gore batho ba boe mo lapeng. Ge morena a sena go uttoa kapa di ngaka di bolotseng kateng a be a bitsa mosadi eo oa moloji, le batho ba ba mo tsoereng. Le banna ba matse fela, go sena mosadi ope ge ene ene mosadi eo fela. Ge a ba sena go phuthaga morena a ba bolela kapa go thitsaeng mosadi oa moloji kateng, le kapa a tsoereng tsoereng kateng. Banna ba bothe bare,

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»Morena mo itsoane ka ke sa uttha a tsoaroa, ge a ka
tsoar oa gape. ke gona re tla mo altholelang le su gongoe
ne mo koba mo molsing. Morena a uttoa banna se
ba se buchang, fela a mo althola kgotse kgomo tse tharo.
A di thabela banna ba di ja mo kgotleng. Sethabe seo
ba sejisa ka nosla molle. S fela mosadi eo ga ise a
tthe a tsoar oa go fitthela le ka jeno. fela batho ba mo
tshaba, ka gore o mako a boloi.

Komane le ene (actual case) o hile a itaece mosadi oa gagoe
mapike. Mapike ge a tshaba, a be aca kwa kgosi aea
go bolola morena kapa monna oa gagoe a mo iteileng
kateng. Komane o pitile a tholola kgomo gore mosadi oa
gagoe o fositse a ka be a ne a ile kwa kgotleng, la
kgoro, gongoe la kgosana pele, a ise a tle kwa no.

Komane ke ge antsha kgomo eo, e jeoa ja kgotleng.

Kgosana ge go seka batho ba eseng ba gagoe. o na le thuta
ea gore a uttelle kapa di kgotse. tse o di altholelang kateng.
ke ge a rata go buoa o oa buoa ga thibeletoa. Kgosana
eseka kgotse engoe le engoe e tshisi tshivany ko ene.

fela ea boloi, gongoe bagodu, eo o eronella kwa
kgosing. fo ga a tsoare, go bona kgosi fela ka nosi.

Ge kgosana e sehile kgotse, mme e pitela kwa pele kwa
moreneng. Kgosana le cona e la la kwa kgosi go
uttha gore morena a reng, le gore le ene a tle a bolole
kapa a e sehileng kateng.

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Dikhotse Kgosana e atthola motho pedi e seng kgomo.
 ge e a atthotse motho thata, ke ge e mo atthotse di pedi
 tse pedi. ^{tse} that tharo, eseng go fo. Kgosi ke eona e attholang
 motho di kgomo gongoe di kgomo ge ele molato a mabete
 gongoe matso a sa utloa, ge ere a boleloa, o pithele
 ale itthogo ethata le go utloa. Kgosana ene na le thata
 go atthola lesika la kgosing, mo kgotteng la gagae ge
 a na le molato le bona. Gongoe mongoe oa bona
 a na le molato le matso oa gagae. E gona kgosi ga
 ehe e ngongonega gore kgosana e atthotse mongoe oa
 kgosing. Le ge a ha utloela gore go nthe jalo. Kgosi e tta
 itumela gore ha tta tshaba gore basehe ba tthe ba
 senyetsa batthanka. Motho ge attholwa mokgotteng o
 attholwa ke kgosana gongoe kgosi. Ge batho a ba
 sena go a buva, kgosi e ema fela, e buve^e ne,
 »h e kgatta didimata, ne bona monna o na molato ka
 gore e ~~re~~, vile, kgotsa o e ditse jana. Ke mo atthola
 kgomo gongoe di le pedi, gongoe di pedi di le tharo.
 Ge a sena go buva jalo o mmalela gore a e ditsaa.
 - Ge di tta, - ba tsoanetse gore ba ~~ditsaa~~ tsee ba
 di bolae, - ba di ji tsoatthe. Go tsoanetse gore go
 atthole kgosana gongoe kgosi. mokgotteng la eona.
 Mo kgorong ke gona go atthola, banna ba gole
 ba kgoro ee. Ke bona ba rabatto, ba ba,
 le ditseing di kgoro tra bona, le banna ba bona.
 Meshaka

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Procedure when Institution of legal action: (Pegô ea melato)

Motho ge a na le melato le o mongwe, a batla ge isa kwa kgotleng o bollela mongolwe gongwe mona gore ene e na le melato le mang mang. mme o batla gore o tle o seho e mo kgotleng la kgono, gongwe la kgosana gongwe la morena. Ge a sena go mmolela, o tta molaela gore e sanong ene ka a moleletse a tsamaisa, a eo go mega, ba tsamaisa ka bo bedi; fela mongwa melato ene ga ake a fete a buoa, go tta buoa ea ttileny le ene. Ge a sena go bolela jalo, he gona batla simolla go bota ene mongwa melato gore a gontse jaaka motho eo, a bollela. Le ge ele mosadi o tsoanetse gore a batle monna mongwe oa ba abo, a molele melato o, monna a tle a tsamaisa le ene go mega kwa kgotleng. Go sanong jalo, melato oa gagwe o ka seke oa amogeloa mo kgotleng lepe. Ge o sebe goe, he monna afe, ea tlang a mopatlale.

Ke gore fa gongwe batlisa melato eseng ea sepe, e ka buciang fela kwa lapeng, ea be efela. Ke gore ge o mongwe a be gela o mongwe melato oa gagwe, o le o tsoanetse gore a bone gore a o oa tsoamisa gore o ka issia kwa kgotleng gongwe nyasa. Ge o tsoanna o tlaea ge o sa tsoane ge oho o ea kwa teng, ba tta o buoa fela ho bona, o be o fela. Ge melato o begetse kwa kgosang, gongwe kwa kg kgotleng, la kgosana, he ene

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a horeang le tsatsi gore hgetse e tta sehoa ka lona. Batho
ba batthe ba tta tte ba uttoa kapa molato o dirageteng
kating fa hgoteng. Ke gona o mongoe le omongoe atla
ihuttollang, bang a beng ba molato. fela hgosana gongoe
morena ba itoi gore hgetse e diragetse yang. fela go
hodi a monga eona, ke ene a balelang batho gore
o battang fa hgoteng.

Kona ~~ke~~ betoana ga rena nako e ra tting ne seke ne seke
ka eona. Ke seka ka nako e ngoe le engoe e re bonang
matho atla a tto bega molato, fela le tsatsi le re sekang
ka lona ne ea le baa, ge motho atla ka tsatsi le. Ke
tta numela le tsatsi le lengoe, fela ge aka seke atla ka
le tsatsi le o, ga segore hgetse ea gagoe ga ehe e sehoa.
E tta sehoa ka le tsatsi le lengoe, ge go sena ba ba
sehisivang. Matho ea thisiteng molato fa hgoteng ge
a sena go bolela le tsatsi la gore hgetse ea gagoe
e tta sehoa ka lona. Ene o tsanetse gore, a eo go bolela
motho ea sekang le ene. Gare molato ole ohoa hgoteng
ne battega ka le tsatsi la gore koo teng. le tsatsi le
le beileng gore molato o tta tte o sehoa ka lona, banna
ba bantsi le bona ba etla go tto uttoa kapa batho
ba, ba sehisivang ka teng. Le kapa ba tta athololang
kating, gore a ba sekisa ka tsanō gongoe ka lehufa.
Ge motho ea sekang le o mongoe a ka gana go tta
ho hgoteng, a be a romeloa motho le gona a na a

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a ganya, Molate o cella ene, ka gore o gana go tta kwa kgotteng.
 Le gona o tta attholwa ka kotto e batthoko, gore le ene
 a be a bone gore ga se oa sepe. - Ge a na le di kgomo ba
 tta tsaca li ontai ba toma ba di ja. - Ge a sena di kgomo
 o tta kgathia fa kgatteng, gore le ene a be a bone
 gome a se o sepe tōta. Motho ge eo go seka-gongoe a eo,
 -ge sekisioa o tta le ba supi ba gagoe. E e
 idang-kgotse kwa kgatteng, ene o tsoanetse gore ge a
 be gela kgotse a be a be gela le ba supi ba gagoe. Gore
 ba be ba itsiie. - Ge a sa ba bega ga batthe ba battega
 mokgotteng. Fela ba supi ba motso eo a sekang le eo,
 a tthisitsing kgotse mokgotteng, ba gagoe ba tta tte ba
 itsiie ke lekgotta le bathe mokgotteng. Ge ba supi
 ba satle, monna o, o tsoanetse gore jinonga ene ka
 mosi, fela ge ba sa dumalane, ke gona go ka ba
 tthoang ba supi bao. - Gore ba tti bollela nete sa bathe
 gore ke eng. Ge ba dumalana molato oa bona o fela
 fela koantle go matsienye go. Go neka motso o mongwe
 gore a go smelle, go oa di agala fela go makete, ge
 motso a ka pithelela a sekiloe a smetse o mongwe,
 o oa ttholwa ka ka ttholwa e be kete. - Ge e kgasana
 gongoe monna oa lekgotta oa be a utshioe ke
 monna kapelle, pelle. Banna ba bangwe ba lekgotta
 le di kgasana ba hile ba be ba ntse jale mo
 kgotteng, ba nehoa, e ne ge monna atthola motso ba

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une kgatthanong le morena gore morena ga aka a bona
kgetse e o pila, molato e oella monna ea senang molato. Ka
gore monna ~~o~~ eole e ba rekile.

Actual case of this type Sopo Khunau monna eona o kile a
fioa ke monna eo mongwe chelete gore a mmatlale di kgomo.
Sopo ge asena go dircha a bolela monna eo gore o rekile
di kgomo tse o, di le thataro. Sopo ge a bolela monna eo
e na a na le monna sehepe. Sehepe ele mosupi va sopo
gore ke nete sopo di kgomo o di montshitse. Ge monna
eo, are o tsala di kgomo sopo a fete a pala ka tse thataro
are o mōleletse gore di thataro, o le are, » C utheile oa re di
thataro monna « Sopo a tlolela hodimo, monna eo, a
eo bitse sehepe go tlo utlo a kapa sopo a bolelang
kateng. Sopo a na apala pila. Koa morago monna eona
a be a isa kgetse ea gagae koa kgosi-gore sopo o
mo-pala ka di kgomo. Kgetse ea gagae ea be ebeoa
malatsi a ma bedi gore morago ga o na etla tena.
Monna eole a be a eo bolela sopo kapa morena a
huleng kateng. Ge monna eo ene ea koa gagae. Sopo
ene a be a ea kou banneng ba lekgotta a fete a
ba bolela kapa a sekisioang ke monna eo kateng.
A be antsha kgomo a e banala gore batle ba me
emeli mohgatleng. Ba itumela, ba mmolela gore netla
e ma pila nuni. Letlatla la tsheho monna eo le sehepe
ba fete ba bolela kapa sopo a ba holeleteng kateng

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Gore e ba boleletse gore di thataro a di bollela ka mebala ea tsona. Sopo ge a buhisa a bollela gore ene e ba boleletse tse tharo eseng tse thataro jaaka ba bollela. Morena a batsa Sopo gore mosupi oa go - he mang, are, » Ke Sehepe « Morena batsa Sehepe gore Sopo e mmoleletse gore di kgomo di - ke, Sehepe a bollela gore e boleletse di kgomo di thataro a di bollela ka mebala ea tsona. Banna ba lekgotla ba ga ntsa banna ba na gore ga ba uttoa sentle, di thataro jaaka Sopo a bollela. Ba bollela morena gore ge a ka dumela potell e buisang he banna ba na a tlogela e e buisang he Sopo. A ka he a dule me tseleng. Ke gona morena seke a thala kgotse eo, ka bona letsatsi - leo. A e beela letsatsi le lengoe. Morena he a e beela mai a tsi a mane gore e tla tle esekwa gape. Batti ba - ve ba phatlala.

Banna ba lekgotla ba be ba phuthana ba bothe ba pete ba bollela ba neng ba sa itse ge Sopo a ba rekile ka kgomo. Ge ba sena go uttoa ba ba neng ba tshaba le Sopo, Ba be ba phatlala ba sena go dumalana gore ba tla na kgatthanong le kattholô ea morena. - Ge ba tloga fa. Tollo monna e mongwe oa lekgotla a be a pete a bollela morena gore banna bale, ba tshabang le Sopo bale, e ba rekile ka kgomo gore batti ba me emele. Morena are, » Glogela ke tla kopana le bona, ga ba khitsi « Ka letsatsi la

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tsheke morena a be a fete a bolela batho gore ga ne bua
 - sepe tsheke e a tthogile, molate e oela Sape. e tsoanetse
 gore a utshe di kgomo tse thataro tse e, a di ne monna o.
 Gape a be a utshe tse thataro tse e a nekileng banna ba
 lekgotta ka cona re tlo di ja mo kgotteng. Morena a
 be a utsha banna gore ba se go tsha tsa di kgomo
 tsa Sape. Ge ba tla ka bona, go be go ntshisa tse
 thataro di fua monna e, go ntshisa tse di supang,
 di jwa fa kgatteng. Ge di kgomo tse di sena go jwa
 morena a bolela batho gore monna e Sape ona a
 nekileng banna ba bangol ba lekgotta ka kgomo gore
 batle ba mo emele. Janong banna ba e tla ba ntsha
 fela ba botlhe go tla sala monna a le mongol e a mpoleletseng,
 fela monna e le ene ge ke mosadisa ke tla
 mo otla nku gore a seke a be a bona go ka rekoa ke
 batho.

Banna ba ba hubileeng. Eo a seteng Ba ba tseneng.

Tumagole

Tollo

Amose

Kageli

Modisaadikhu

Kefeliso

Kasethopa

Kathija

Mantholoane

Diele

Meshaka

Ke gona batho ba lemoze ge ene ene batho ba bona
 Sape molate banna ba lekgotta ba ga na.

Kentshisa

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Procedure in Court. Lekgotta le tsena mōkgatteng ke gona fa
 letsenang teng, banna ba botthe batta fateng go tlo
 uttwa kafa di tshheho di huiōang kateng. Batho ba
 ba sekang ba una fa pele ga batho, ba una ka marago.
 Ba supi bona ba ka una mo gare ga batho ba tta
 une ba tta ge ba batle ga. Mothe ge a sekisioa o
 buoa a utse a utse fa fathe ka marago. fela mothe ea
 battang go mōsa potso, o ema kadi na, ke gona uka
 mo tsang. Lekgotta le tsena ke banna fella basadi ge
 batta ke ge le basupi, gongole ba ttle go tlo seka. Ge
 e se jalo ga ba batle ge mōkgatteng. Le gona ge lekgotla
 le tsena ga go na mothe gongole batho ba ba ka huiōang.
 Ba botthe ba ttle go tlo uttwa le go tlo bona. Go
 ku buoa mothe ea a ipuelang fella, gongole a tthodi.
 Ge a ka gona a huiōa a sekisioa le ene, le ge lekgotla
 le tsena, ea go ga se tshheho, o boleloa fella gore ne go
 atthola bokana fella, ga ana hgang ea ka e buoang.
 Go tshaga mōkgatteng mothe fa gongole o buoa fa atla
 tshagisang batho, fa ga go a tthibelo, fela eseng go
 tsena mothe ga nong a sautse a buoa. O tsoanetse
 gore a bue pele a be a petse, ke gona ge gona le eo
 a tsoanetse gore a moganetse a ka emang a mo
 moganetse. Ge lekgotla le tsena moena gongole hgasana
 e tthalo setsa batho gore go ttle go sehoa hgetse ea
 mang mang, ka bokhutsanyane. Ke gona koa

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morago monna tta bitsang monna ea tthisitsang kegetse gore
 ene ka bo ene a tthalosetse batho kegetse ea gagoe. Go
 tloga go tta hidiwa mosupi oa gagoe, gore le ene a
 tlatse monna ee. Ge ba sena go bollela, go tta sinola go
 bollela ba sehi ba bangoe, le basupi ba bona. Ge ba
 feditse monna eanong o o ttholela batho kang gore
 ea nang le potso a ka e botsa. Motho ge a ttholoseisa
 batho molato oa gagoe o tthalosa kapa a ratang, kateng, a o
 tsuaa sebaka se setele a ntse a bollela, ga ne sepe. Ke gore
 batho ba batta bo nete bo bothe fela mo ene. Ba ha
 buwang kwa morago bona, he bona ba buwang
 ka tshutsanyane. Seb a supi fela jata, ba bo buwa
 ka bolele, fela gona le basupi ba bangoe ba lekgotta
 le eatteng le ba gane, mosadi a ka seke a tooa mosupi oa
 monna oa gagoe. Ge monna gagoe a seke le monna eo
 mongwe, gongwe ngoana, ka gore o tta bollela maha. Ge
 batho ba sena se ba ka se batsang ba sekisioe, morena
 ene eanong tta bollela batho gore molato o veta mang.
 Le gona ge batho ba tsena mokgatteng ba tlele go seka ga
 ba he ba ika misioa gore a batta buwa nete. Lekgotta
 le dumela fela gore ba tta buwa nete. Le batho e kare
 ba le mokgatteng ga ganetsanya ele bona. Morena
 o palloa he go a tthola tshoho, e tovanetse gore e be e
 beeloe letsatsi le lengwe. Ke gore morena tta sele a e
 seka a nosi a he a bona motho ea motho gore he

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mang. Ge batho ba phuthoga ene, o setse a e atthotse ka nosi. Ge
 a nata a ka ~~bata~~ bolela batho gore ba e buel gape. Ge
 esa nate, o ema fela a ba bolela gore molato o na le
 mang, mang. Janong go ga go ttho gona le ea ka fetolang,
 ba bathe baea le kattholo ea Morena. Kattholo
 e be iwa ke morena gongoe ban kgosana, fela ge
 kattholo e le kgolo, banna ba lehotta bathe ba
 bolele morena gore kattholo e o, e kgolo a e fokodiwe.
 Morena fo le ene otta bona gore a e ha fokodiwa gongoe
 nyaa. Ge a bone, otta e fokotsa.

(Actual Case), Kangoedi le Modibe ba hile ba seka pholo.
 Ke ene ele mathe le monae, Kangoedi e ne ele ene o
 mo tona. Labona senile a santse a phela a naea modibe
 kgomo gore a e modisetse. Kgomo e, ea tsala namane
 di le pedi ea be esoa. Utatagoe a be a naea
 modibe e namagadi, ea pholoana ea na ea na modi
 kgomo tsa ga Modibe. Morago ga lesu la utatabona
 Kangoedi, be a bolela modibe gore ka utatagoe
 a ne a mo uneile kgomo gone a e dise, mme esule.
 pholoana e setseeng o tsoanetse gore a e tsee. Modibe
 a gana, are, »Utatagoe o na a e monsele gore a e
 dise « Kangoedi a mmolela gore o ne o sa e neoa,
 go ne go tthile ntsoarele. Ntsoarele ga se gore ke
 goja gongoe go naea. Kangoedi a be a isa hgetse
 koa ngateng la morena a fete a bolela kapa

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Ntata goe a fileng monae kgomo ka teng gore a edise. Janong ge utatagoe a sena go soa Modibe, o gana ka pholwana ea eona. Ntata goe o mo file feru ea eona ge kgomo eo, sena go soa. Kgosing morena a mmolela gore ba tta tta ka letsatsi la bonaro. Ka letsatsi le o, Kangoedi le monae ba tta mologoteng. Morena a fete a, bolela gore Kangoedi o sehe le monae Modibe. Kangoedi a bolela batho kapa kago a neng a neile monae kgomo kating. Modibe le ene a bolela kapa utatagoe a mo neileng kgomo kating. Ge a sena go bolela ~~mona~~ monna eo mongoe a be a bolela Modibe gore ntsoarele ga se nee. Ge o ne o disetsa motho ga se gore o tta gonaea kgomo eo. ge esena namane ga o bone sepe, ge ena le namane ke gona ka bonang go diisa gago. Jaaha ntata go a go file feru, o bone ea gago, e o pholwana ke ea ga mogolo. Morena le ene a be a ema a tlatse monna eo a neng a buoa. Ge a sena go buoa jalo, a be a ba bolela gore kgetse e oetse Modibe, o tsoanetse gore a ne mogolo pholwana eo. fa kgoteng o attha nku, Modibe a be a ntsha pholwana eo, a enaea mogolo, a be a ntsha nku ea lehgatta, e bolaoa ja kgoteng.

Maporaga.

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What laws applied: ~~Melao~~ Melao go tsamaisa ka ka melao ea fella, ga etlogeloe, go sebedisa ka eona. Le ge go sekisioa motso, nako - le nako monna mogolo utse are, » Molao oa bvre^e oa ne a go ba go kake ga sekisioa motso fella a sa bolelwe gore bonagoe ba ne ba sebetsa eang.

(Actual case) Monna eo mongae gotho Masuthe o hile a twara di podi tsa le Sobono di mo jete mabele, Sorobo ge a tsoanetse gore a ise, ^{di} podi ho mongoa tsona a be itaca modisa oa tsona. Mosimanyana ge a tsona - kwa gae a fete a bolela ~~mo~~ ntata goe kafa Sorobo a mo iteleng kateng. Ntata goe a galafa thata, gore a be a - onke mona^{oe} kwa kgosing go bega kafa Sorobo a iteleng ngoana kateng. Kgosi ea fete ~~an~~ eare, » Thiang ngoana hoano le Sorobo gone a tlobella gone, o na a iteleng ngoana « - Rangana a thisa ngoana ngoana le Sorobo a tla kwa kgateng, a fete a bolela gore ene o itele ngoana ge a sena go nta di podi di tsona motshimong ea gagoe. Morua a mmotha gore, a ngoana eo ga ana ntata goe gongwe mmagoe, oa dielang gone o itele ngoana. Morua a mmotha gore ka setsoana ngoana ge a sentse o isioa kwa go beng ba gagoe he bona ba tla bonang gone ba tla diang ka ene. O molato ka go tlela itaca ngoana gona le gone o ka - be nne o mo isetse kwa go beng ba gagoe. He go atthola mpa tse di supang gone o kgatle gone o seue oa thile o tsa

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jalo. Motho ge a senyeditsoe ke eor mongoe o mottisa koa go ba gale, gongol koa no kgosing. Ke rona re tla iteng gore re ka dirang ka ene.

(Actual case) Basetsana ba bedi chile ea re baloa, Mosidi' le Modutoane, Mosidi' a thubela modutoane nkgwana. Ge Modutoane a tsena koa gae mmagoe a gakala thata.

A be a tsamala^a ea koa bo mosidi' a fete a thuba nkgwana e nnung Mosidi' a e ralle. Mmago Mosidi' a be aea kwa kgosing, rona mona eo mongoe go bota gore a dieng ge mosadi' o mongoe a fete a thuba nkgwana mo lapeng la gagoe. Ane e nile ngoana oa gagoe a loa le oame, oa me a mottubela, nkgwana.

Morena arala mona eo are, "Tsamala o bita basadi' bao, le banna ba bona gore e ve' ka mosho ba be ba le mkgoteng. Ka mosho ge ba sena go tsena mkgoteng morena a bolela batho gore mosadi' eo mongoe o thubetse eo mongoe nkgwana. Morena bita mosadi' eo, gore a bolele batho kapa a thubileng nkgwana kateng. Mosadi' eo a bolela gore o thubile nkgwana ea mosadi' e, ka gore ngoana oa gagoe o thubetse oa gagoe nkgwana. Morena a mmetse gore a o ne o se itela go ralo. Mosadi' are, "nyaa" Morena a molala gore o molala ka go thubela o mongoe nkgwana, a sikile a mottisa koa kgoteng. Ba mo' a thola pedi tse pedi tsa je oa mkgoteng. Ba molala gore a seke a thole a etsa jalo.

Khunou

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Verdict Costs: Kattholo ea melato e attholoa jela ke
 - morena gongae kgosana kwa kgotlengla gagae. Eeng
 batho ba batho. Ge motso a sena go bolela kafa
 a sekang kateng, le batho ba ba ratang go mmotsa
 di potse ba sena go di mmotsa morena janong, o tta
 hisa gore lekgotta le utaele kafa a bonang monna
 ee melato kateng. Ge kattholo ea morena le kgole
 go tta buaa banna ba le kgotta gore kotta ea
 gagae e kgole. fo ke gona morena a ka busang
 kattholo ka morago. Ge kattholo e nyane, fo
 banna ba lekgotta ga baka ba re sepe. Ge motso
 a sena go attholoa, o tsoanetse gore ka eo nako a eo
 go tala tuelo e. Ge e motso ea tsoentseng motso
 eomongae ttaata, ene jela ge go fedisa go taha go
 romeloe batho gore ba eo go tala se se a ttheng
 go diela ka sona. Sa fiae sebaka sa gore a eo
 go tala ka nosi, Ge batho ba tta ba otta di
 kgomo tta gagae, morena o tta fite a tthopha
 kgomo jela mo di kgomo a e bolaea. Tse di ngoe
 ba di mmotsa, eo e jioa fa kgotleng, diana tsa
 iona ge di tsholoa go tsholela ene pele gore a tthoboge
 kgomo eabo. Ge motso a betore gore a tthise tuelo
 ko mosho a e tthisa sehe a e tthisa, go romeloa batho
 gore ba eo go tala ka kgang le ka matla.

Tshukudu

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Appeal to higher court: Ge motlo a tthotsoe, mokgotting la
 kgosana nne a se kgotso, o oatlle a ise kgotse ea gagae
 kwa pele kwa kgotting la kgosi. Ge ge a tthotsoe, o oa skopa
 gore a isehoa pele. Kgosana e tta mo attholola gore a
 ise kgotse ea gagae teng. Ge a sena go isa kwa kgosing
 banna ba ba neng ba na le kgosana ge e mosekisa.
 Ba tsoanetse gore ba bee teng, ge kgotse e sekou kwa
 kgosing. Morena o tta bota motlo eo gore a bolele
 batho kafa a sekang ka teng. Ge asena go ba bolela,
 morena o tta bota kgosana gore a monna eo o ba
 boleletse jalo. Ge ele jalo, morena ke gona a tta bonang
 gore a ka atthola monna eo jang. Ge kgotse e mo vela
 o tsoanetse gore a be a diete le kgatthole e a e
 atthotsoeng kwa kgotting ea kgosana le ee. a tta e
 atthololang jang ke kgosi. Ge tshoko ea moputa o
 e tseba, e tsoanetse gore isimolloe kwa tshinologong
 gape, gore o mongwe le e mongwe e e utwe sentle
 gore monna eo, o belaelang mo kgotseeng e ea gagae.
 (Actual case) Johannes o hile a seha le malomago tshimo ea
 nhokoagoe, o nhokoagoe evile a santse a phela be a
 dimelae ke Naoane tshimo. Ge Johannes a sena go nyala
 nhokoagoe a be a mo ~~adimi~~ nala tshimo e gore a tte
 alene. Ge nhokoagoe a sena go soa Naoane a be a
 bolela Johannes gore tshimo eo, ~~ke~~ ke ea gagae o
 na o e mo adimile fela gore a leme. Jang ke ea e ba

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Batta - ke le naoane. Johannes a mollela gore ene tshimo
 o enetsoe - ke nhokoagoe, a ka seke a ena naoane
 malomago. Naoane ea nong a be aea kwa kgotteng la
 kgosana a fete a bolela Dibetsoe gore Johannes o mo
 pala ka tshimo. Dibetsoe a mmolela gore ttaang ka
 mosho vette ve utsoe gore tshimo - ke ea ga mang.
 Ka mosho baa kwa teng, Dibetsoe o bolela batho
 kapa naoane a thileng kateng. Dibetsoe a bota
 Naoane gore a bolele batho kapa alang kateng.
 Naoane a bolela gore o seka tshimo, o na adinile
 nhokoago Johannes tshimo a sautse a phela gore atle
 a ne a sena mo eona. - Ge Johannes a sena go nyala
 mosadi mogolo a be a nasa Johannes tshimo e, gore a tle
 a sena mosadi. Ge naoane a sena go bolela, a bota
 Johannes gore a bolele kapa a palang ka tshimo teng. A
 ba bolela gore ene tshimo o e filoe ke nhokoagoe ke ea
 gagoe o epilo. Dibetsoe a bota Johannes gore ~~o~~ a o
 oa itse ge tshimo ene e le ea Naoane. Johannes are jo, »Ke
 ea itse, pela ke e filoe janong« Dibetsoe a bota Naoane
 gore a ge nhokoagoe a fa Johannes tshimo a na a itse.
 Naoane a dumela gore o na itse. Dibetsoe a bolela
 Naoane gore o phoso - ka gore evile ge nhokoagoe a
 mo fa - tshimo o na a itse, mme a seke a buoa ka eona
 ntle eo. Janong mosadi mogolo o rube ga go ttho gona
 le vette - mothe ea bileng tshimo ga, e le eona Naoane o

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lesellitae tshino. mosadi mogole a santse a phela. Janong
 tshino ke ea ga Johannes, gape ne go atthola podi sa
 kgotleng. Naoane are, »Ke sa uttoa, fela mpheng kgitae ke
 ee - Koa phepele« - Ba e mo attholela a ea kwa kgosing
 a fete a bollela kafa a sekang kateng, le kafa kgitae
 e sekilobeng kateng kwa kgotleng la kgosana. Morena
 are, »Thang ka mosho ne tle ne uttae selo sa gagor« - Ka
 mosho ba tla fa kgotleng, Morena a bolela batho kafa
 naoane allang kateng, a be a bita naoane gore a
 bolele batho, - Ge naoane a sena, go bollela jaaka
 a bolele pele kwa kgotleng la kgosana, ga behoia
 Johannes gore le ene a bolele kafa a jilobeng tshino
 kateng, ge ba sena go bollela jalo. Morena a bota
 batho gore a ba uttole kafa Naoane le Johannes ba
 bolele kateng. Batho ba re, »Ke uttole ga rena
 kgang, phoso ena le Naoane ka gore evile tshino e
 ne oa Johannes ga aka a pala« - Morena le ene a ema
 a tla tsa batho. Atthola Naoane kgomo le podi e a
 e atthotseng ke Dibetsae, le tshino gore ke ea
 ga Johannes. Naoane ge a sena go ntsha kgomo le
 podi, kgomo ea jioa mo kgotleng la kgosing,
 podi e ona kwa kgotleng la Dibetsae.

Jeremia

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Chief's Court. Kgotta la kgosi le ntae le tsoana le la di kgosana, ge le tšena morena e bolela batho gore monna eo, - he ene a tšitseng kgetse kwa no. Ke gona sanong morena a tša bitsang monna eo gore ene a tšatšosetse kafa a sekang kateng. Morena o botša basupi, gone ba bolele kafa ba itseng kateng, - ge ba sena go bolela, monna e mongoe le e mongoe ea natang go botša basekisišoe, - oa dumeloa gore a botse. Koa morago morena sanong, tša bolela batho gore katthole ea motšo ke eng. Kgetse e tšivang lantho mokgotteng, le e, esekiloeng kwa mokgotteng a di kgosana di la tsoana. Ga gona kgetse e ka tsenang mokgotteng la morena, morena ene ka nosi a seo, o tšvanetse gore a be teng. Ke gona di kgang di tša tšamala, ka tsoano ea tsoana. - Ge go sena go sekisišoa motšo morena he ene a tšvanetseng - gone a bolele batho gore kotto ea monna eo ke eng. Fa gongoe morena e oatle a gantsang - ye le banna ba kgotta ge ele gore katthole ea morena e bohete. Ke gona fo sanong banna bac, ba tša bolela morena gore katthole eo, e bohete. fo morena le ene o tša bona gore a e fohotse, go booa ka morago. fela ga se gantsi, ntsi fa o ka fitthela gotho morena katthole ea gagoe e bohete.

Mottibedi

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Execution: Ge motho a sena go attholoa, o boleloa gore
 o tswantse gore a tise tuelo leng. Ge motho a ne a
 gagapala fa kgotteng, ge fela attholoa go utshwa
 batho gore ba ee go tswa tuelo ea gagae ka pele.
 - Ge a ne a sa gagapala fa kgotteng ene, o fela fona
 sebaka sa gore a tise tuelo ea gagae ka bo ene.
 Motho ge a tshotswe mokgotteng, mme a sa dumeli go
 duela, Morena o tla utsha batho -gore ba ee, tswa
 di kgomo tsa gagae. Gore ba tlo di ja mokgotteng
 ba tla mo sa di setsa fa ba bo mang teng. Ge
 attholeloa mpa, o kgoa tsa ka ee nako, fela ga tse
 sebaka. Ke gore ge Morena are fela are, n. Ke bona
 monna ee molato, mme o tswantse gore o itoe
 mpa di le kana u monna ee o tswantse gore a ene
 a kgoa tsa. Ge Morena a sa mo itee ka nosi, o
 tswantse gore a utshe monna ee mongoe oa lekgotta
 gore a mo itee boemong ba gagae. Fela ga ne
 ise ne attholele motho leso, a ka mpa a ottoa
 thata-gona le gore a attholele leso. - Ga go ise
 go diria gale. Ge ee motho sa boang thata a
 ka mpa a kobwa mo metseng. Gore a seke a
 atthole a bona mo metseng.

Matshegoa

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