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TO (QUEST) MANAGEMENT COMMITTEE (ADMINISTRATION)

ATTACHED: PLEASE FIND THE FOLLOWING DOCUMENTS

1. ADDITIONAL DOCUMENTS REGARDING THE AFFILIATION OF PARADISI CHIEF ABRAM SOMBHALANE KEKAMA OF LEEUKROON MORETELE DISTRICT - BOPHUTHATHWAN.
2. NAME OF THE MANAGEMENT COMMITTEE DELEGATE FOR I.Y.P EDWARD KEKAMA.

NUMBER OF PAGES 31

TO : President L M Mangope
Department of Presidency
Parliament Buildings
MMABATHO
Republic of Bophuthatswana

Your Excellency

In re :

CHIEFTAINSHIP - SILAS THLABAKI KEKANA :

The firm of attorneys, MacRobert, De Villiers, Lunnon & Tindall Incorporated of Pretoria, duly instructed by the Kekana Royal Executive Council has instructed writer hereof to lodge a complaint on behalf of the said Council against the chieftainship of Silas Thlabaki Kekana.

Chief Lebelo Kekana was the ancestor of the Amandebele-a-Johannes Kekana tribe, also later known as Amandebele-a-Moletlane tribe, being part of the greater Ndebele tribe, now known in the Republic of Bophuthatswana as Amandebele Ba Lebelo tribe. The said chief Lebelo married, according to custom and tradition, the tribal Queen Namukweneni. From this marriage Johannes Mongonyama (Jakkalas) Kekana was born.

Prior to the marriage of chief Lebelo to the tribal Queen, he

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was married to a woman who had already given birth to a son named Jan Tane Kekana. According to Ndebele tradition not any wife of the chief shall give birth to the royal successor and the eldest son of the tribal Queen is regarded as the successor of the chief.

Johannes Mongonyama Kekana was destined to become the chief and was also present at the first circumcision institution after he came of age. He lived according to the traditions of the Ndebele tribe. According to these traditions it is of utmost importance that the chief must undergo this traditional circumcision in order to be appraised of the customs, laws and traditions of the tribe.

Jan Tane Kekana left the tribe after a misunderstanding between himself and Johannes Mongonyama Kekana regarding the question of succession to the chieftainship in the future - this was while chief Lebelo Kekana was still alive - and went to the Cape Province. Upon his return to the motherland of this Ndebele tribe, chief Lebelo had died and Johannes Mongonyama Kekana had already been appointed chief of the said tribe. By then Jan Tane Kekana had already been converted to christianity and no longer practised and lived according to the traditions of the Ndebele tribe. None of his offsprings ever underwent traditional training. Jan Tane Kekana died during April 1887 at Walmansthal and was buried there - the tombstone is still there.

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Chief Johannes Mongonyama Kekana, during 1912, purchased Leeuwkraal 396, then known as Michaelskraal, on a freehold basis and during the course of the purchase, it became necessary for him to appoint an educated clerk to conduct the business on his behalf. The son of Jan Tane Kekana, Karel Kekana, was an educated man and was approached by chief Johannes Mongonyama Kekana to take up this clerical post, which appointment Karel Kekana carried out devotedly and diligently. Later Karel Kekana was promoted to the position of regent of Johannes Mongonyama Kekana.

In the period of regency Karel Kekana entered into a relationship with a certain woman, Masekgokgothi with whom he lived as husband and wife although she was still married to another man. The Royal Council ordered Karel Kekana to return the stolen woman. This he refused to do and Masekgokgothi gave birth to an illegitimate child which they named Asha Dingaan.

Karel Kekana died during April 1916.

After the death of Karel Kekana, chief Johannes Mongonyama Kekana appointed Abram Jambuka Kekana, the younger brother of Karel Kekana and also son of Jan Tane Kekana, as his regent. After the death of chief Johannes Mongonyama Kekana, who died during the regency of Abram Jambuka Kekana, the illegitimate son of regent Karel Kekana, Asha Dingaan, was made chief of this Ndebele tribe. Although he was traditionally inferior due to the fact that his mother was not married to Karel Kekana. This installation of

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Asha Dingaan was incorrect as the house that he descended from was only the house of regency and not of the royal family. Asha Dingaan was chief until his death in 1948, after a reign of 23 years.

During his reign he married Lydia Masepane Langa in her status as tribal Queen and from this union Hans and Agrippa, two sons, were born.

After the death of Asha Dingaan, Hans Malesela Kekana took over the chieftainship. The said Hans Malesela Kekana married Esther Langa in her status as a tribal Queen, according to christianity, and from this relationship only two daughters were born.

Chief Hans Malesela Kekana died in 1963 in a car accident and thereafter Solomon Kekana who was not a member of the royal family of this tribe, was appointed by common members of the tribe to act as chief for the period of one year. His appointment was instigated by the descendants of Jan Tane Kekana in order to prevent the descendants of the house of Johannes Mongonyama Kekana to take over the reign of chieftainship.

During the acting period of the appointment of Solomon Kekana, Duncan David Kekana was appointed by the Kekana Royal Executive Council to be chief but he died before installation.

After the period of one year, Solomon Kekana stepped down and

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Esther, the widow of Hans, stepped into the position of chieftainship. Although it was originally decreed by the authorities that her reign would only be for five years, she was eventually permanently appointed by the tribal authorities. At the end of the five year period of the chieftainship, in 1969, and despite opposition, she remained in this capacity and the opposers of the family group of chief Johannes Mongonyama Kekana were detained.

In 1976 chieftainship Esther Kekana was finally deposed. This was as a result of a court action in the Supreme Court of South Africa, Transvaal Provincial Division, where Mr Justice Moll gave judgment. Abram Sombalane Kekana was instructed to convene a meeting to have a chief appointed. Abram Sombalane Kekana, still alive today, is a descendant from the house of Johannes Mongonyama Kekana.

Instead thereof Enock Masenya Kekana was then appointed by a Commission, appointed by the Central Government of the Republic of South Africa, to enquire into the problems regarding the chieftainship of this Ndebele tribe at Majaneng and the said Commission under a certain Mr Holdt, appointed Enock Masenya Kekana as chief of the tribe. As Enock Masenya Kekana was still under age when appointed chief, Agrippa Lepheng Kekana was appointed to act for a period of six months in order to allow for sufficient time for the Kekana Royal Executive Council to select a suitable royal member to hold the position of chieftainship until such time as Enock Masenya Kekana came of age, but the said

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Agrippa resigned within a few hours after his appointment in 1976. This was 17 December 1976.

Nathaniel Sello Kekana was then appointed to hold the position of chieftainship for Enock Masenya Kekana and Nathaniel took over this position in April 1977. He was appointed by the Royal Executive Council of this tribe.

In 1981 acting chief Nathaniel Sello Kekana was dismissed as acting chief and the President of the Republic of Bophuthatswana appointed Agrippa Lepheng Kekana to be chief of the said tribe. This was apparently after appointment of a commission by the Government of the Republic of Bophuthatswana and because the area in which this tribe was located became part of the area known as the Republic of Bophuthatswana which came of independence on 6 December 1977. This would have been instead of Enock Masenya Kekana being appointed, whom the acting chief Nathaniel Sello Kekana was holding his position for, by agreement of the majority of the royal family members and the Kekana Royal Executive Council. At this stage it was accepted by the Royal Executive Council that Enock Masenya Kekana as chief is acceptable to the whole tribe inclusive of the descendants of the house of Johannes Mongonyama Kekana en Jan Tane Kekana.

After the Court judgment it appears that the line of succession of chief could have been put in order again. Esther, from the house of Jan Tane Kekana, was deposed. Abram Sombalane Kekana,

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opinion that the rightful chief should be Abram Sombalane Kekana, the descendants from this house, will only endeavour to have him appointed chief if the President is of the opinion that Enoch Masenya Kekana should not be appointed as chief. It would be considered by the descendants from the house of Johannes Mongonyama Kekana to request the appointment of Abram Sombalane Kekana only if a commission of enquiry as stated hereinabove is appointed but is of the opinion that such an enquiry is not necessary if the President appoints Enoch Masenya Kekana as chief after having discharged Silas Thlabaki Kekana as currently reigning chief.



SALIE JOUBERT :

Advocates' Chambers
Momentum Centre East
343 Pretorius Street
PRETORIA

6 MAY 1991

14/06/1990

SILAS versus LAZARUS KEKANA
(CHIEFTAINSHIP)
NDEBELE TRADITION

Traditionally, if the Chief dies or deposed, before the next one is installed the Royal executive Council carries out the duties of a chief for time being including Administration.

Installation of any chief is the duty of the Royal council only, without interference by State. State's duty is to recognise a chief officially, as he is presented by his Royal Family Council to the State. In other words, it is not the state's right to present any member of the Royal family, to the Royal family, and say to them, "This one must rule you and the tribe" like in the case of SILAS.

RECOGNITION AND INSTALLATION OF SILAS.

The Royal council of the KEKANA did not recognise nor install SILAS KEKANA as the rightful heir to chieftainship. President MANGOPE of BOPHUTHATSWANA installed SILAS as chief in spite of the council's objection, and so, traditionally, there is no chief at the present moment, who should issue instructions verbally, or in a written form, pending the appointment of the rightful man to be rightful ruler of the tribe by the rightful royal executive Committee or Council of the KEKANA, and therefore, SILAS interferes with the Council's duty of Administration.

President MANGOPE knows the rightful members of the Royal council, including LAZARUS KEKANA, and he had been warned previously against taking advantage of the absence of the full royal council and just act on the word of one or two male members of the royal council in respect of Chieftainship and administration. President MANGOPE of Bophuthatswana is aware of the results of a case heard in the Supreme court of Pretoria in 1973 between ex-Queen ESTHER KEKANA and ABRAM SAMBALANA KEKANA on chieftainship and land ownership.

RESULTS :

Decisive evidence on land ownership was provided on the oldest and original title deed issued in the name of JOHANNES KEKANA, the grandfather of the living ABRAM SAMBALANA KEKANA. ABRAM won ownership of Leeuwkraal as a whole, including farms surrounding Leeuwkraal 396, against ESTHER KEKANA who used false title deed, but lost the title of chieftainship and ownership of land to ABRAM in court. Land surveyors refused ESTHER's claim on the land. She was deposed in consequence.

Supreme court judgment based on the names appearing on the missing original title deed of the land, ruled that ABRAM is the rightful heir, and he should rule. Traditionally his younger brother LAZARUS is the right leader in administration.

INSTRUCTIONS OF BOPHUTHATSWANA
COMMISSION OF INQUIRY

In support of Tradition, a Bop. Commission of inquiry once warned the tribe's administrative council to accept any person presented to them by the Royal Council, as authorised by Ndebele Tradition. The same commission of inquiry at the same time ruled that the tribal administrative council must cooperate with the Royal Executive Council in all respects, through the chief who must have been traditionally installed.

UNKNOWN DEEDS OF SALE AND TRANSFER
OF THE TRIBE'S LAND

ABRAM and the full Royal Executive Council of the KEKANA deny knowledge of the sale and official transfer of land or portions thereof to purchasers.

After the tribal land had been taken over by white occupation, the subjects of chief Lebelo Kekana were forcibly removed and scattered. Those who were willing to serve as farm labour were allowed to remain on farms with culled stock, on condition that they would be Farm labour for White

After 1948, when the homeland system was structured, the farms were allocated by the central government to chief of other Ndebele Tribes other than the tribe of Johannes Kekana with a view of forming administrative regions under Kwa-Ndebele the tribe of chief Johannes Mokonyama came to settle on their farm Leeuwkraal no 396 in Hammanskraal. The purchase of the farm Leeuwkraal no. 396 Hammanskraal by the tribe of Chief Lebelo Kekana.

During the year 1912, the ndebele Tribe of Lebelo Kekana was ruled by Chief Johannes Mokonyama Kekana son of Chief Lebelo Kekana. He and his tribe around the Moutse district resolved to extend their land by addition of another ground, and they together as a tribe contributed in money and cattle towards the purchase of the farm Leeuwkraal no 396 in Hammanskraal and did in fact purchase the farm for which a title deed was issued in the name of Johannes Kekana the chief in Moutse.

Chief Johannes Mokonyama Kekana died and his body was buried on the farm Uitvlugt in Moutse, while the grave of his father, namely Lebelo Kekana is on the farm Kameelrivier where it was his Headquarters in his lifetime.

Ownership of both separate tribal lands-Leeuwkraal no 396 Hammanskraal and the area in Moutse

The ownership and responsibility of the two separate areas as mentioned above, devolves on the rightful namely Abram Sombalane Kekana the grandson of Chief Johannes Mokonyama Kekana whose title deed 775 respect of the farm Leeuwkraal no 396 was removed by the central government from the Pretoria deed office to Bophuthatswana without prior consultation with the heir namely Mr Abram Sombalane Kekana, who now claims his rightful position of chieftainship over Leeuwkraal no 396, the ruling position of which like in all the homeland was usurped by the central state and passed to the homeland ministers, who occupy this ruling power among tribes in the place of traditional rulers by right of birth

Abram Kekana, as the leader together with the tribe has unambiguously stated to the State President of both the Bophuthatswana and the South Africa Republic, in verbal and written terms that they want to secede from the rule and control of the republic of Bophuthatswana as well as to have the lost original tribal land in Moutse retrieved for them.

M.35490/M

6/2/4 Ndebeles

20 November 1979

Ministry of Co-Operation
and Development
General Pretorius Building
Paul Kruger Street
PRETORIA
0002

Dear Sirs,

Majaneng Ndebeles

1. Confirming our interview of 13 November 1979 with Mr Piensar, we now enclose original Resolutions from:

1.1 Amandebele -A- Moletlane Tribal Authority;

1.2 The Kekana Royal Executive Council, the last mentioned being the actual owners of the ground in question.

2. You will note the respectful request by the parties concerned that an approach be made, via the Department of Foreign Affairs, to the Republic of Bophuthatswana for the ground in question to be excised from the Republic of Bophuthatswana, and to be returned to South Africa.

3. For the time being, the document also relates to the suspension of the Babelegi Township being transferred.

4. We would like to place on record our thanks to your Department for your friendly co-operation. This is much appreciated by our clients.

Yours faithfully,
ADAMS & ADAMS

per:
D L MACROBERT

/MG

Encl:

P.T.O. 2/.....

13.11.1979

RESOLUTION

In the Tribal Authority Meeting held on the 13/11/1979 at Majaneng the Tribal Council unanimously resolved as follows:-

1. The Department of Co-Operation and Development of the Government of the Republic of South Africa be urgently requested to approach the Government of the Republic of Bophuthatswana to request that the following properties be excised from the Republic of Bophuthatswana:-
 - (a) Portion 1 of the farm BROGEBONTEIN NO 94 Registration Division JR. Bophuthatswana measuring 2 289 morgen 496 square rods held under Deed of Transfer No 12418/22 dated 9 December 1922.
 - (b) The remaining extent of Portion 2 of the farm MICHEL-SKRAAL of the farm LEEUWKRAAL 92 Registration Division JR Bophuthatswana measuring 2 677 x 3 976 morgen held under Deed of Transfer No 7775/16.
 - (c) Portion 2 of the farm TWEEFONTEIN Registration Division JR Bophuthatswana measuring 2 289 morgen 496 square rods held under Deed of Transfer No 4563/24.
2. That the transfer of the Portion Babelegi Township and Portion of the farm LEEUWKRAAL JR 92 be suspended forthwith.

It is hereby resolved that in the event of the Portion known as the Portion Babelegi Township and Portion of the farm LEEUWKRAAL J.R 92 being transferred, the purchase price or any balance due thereon be paid to the Trust Account of the firm Adams & Adams, Masada Building, Paul Kruger Street Pretoria.

Chief/Deputy : Nathaniel S K Kekana (sgd)

Councillors :

1. G Kekana (sgd)
2. Lazarus Kekana (sgd) ✓
3. M Sebothoma (sgd)
4. M M Kekana (sgd) ✓
5. S A Mononyane (sgd)
6. Solomon ✓
7. Solomon Kambule (sgd) ✓
8. Maapola (sgd) ✓
9. G Kekana (sgd)
10. ?????????(sgd)

MEMORANDUM: AMANDEBELE BA LEBELO TRIBE

The following aspects of this dispute are viewed as public interest matters and will be considered:

1. The chieftainship.
2. The position of the present tribal authority
3. Secession from Bophuthatswana
4. The holding of meetings in the area.

There are a number of other questions which are of importance to the community. These are not considered to be public interest matters, and are included only because of their relevance to the secession and chieftainship questions. These are:

5. Ownership of the industrial land within the tribal area ("the Babelegi industrial land").
 - 5.1. This land was initially purchased in freehold by the tribe and was thereafter held by the Minister of Native Affairs in trust. At a certain point it appears as if it was leased to the South African Development Trust.
 - 5.2. During or about 1980 the land was purportedly sold to the South African Development Trust for approximately R 100,000-00. It was thereafter transferred to Bophuthatswana, and is presently vested in the Bophuthatswana National Development Corporation.
 - 5.3. Our clients allege that the land was not validly sold in that the cheiftainess (Esther Kekana) who acted on behalf of the tribe was neither properly appointed as such, nor did she have a mandate to conclude this agreement on behalf of the landowners. They allege that the terms of the lease agreement have not been honoured by the Departments of State involved. They wish to claim the rental amounts due to them.
 - 5.4. Instructions to set aside the transfer of the land were given to Adams and Adams.
 - 5.5. The permission required to allow the Tribal Authority to institute action in terms of section 31 (b) of the Traditional Authorities Act was refused by the President of Bophuthatswana. Proceedings were then instituted through Adams and Adams for the requisite permission.
 - 5.6. In a replying affidavit, the President of Bophuthatswana raised one significant defence: the claim had prescribed at that point and his consent to an impossibility was not required. Although this defence may not have been relevant to the issues before the Court, it appears that it would have been relevant

in any subsequent proceedings relating to the contracts in question.

- 5.7. The application was not pursued; the attorneys having withdrawn for lack of instructions and funds.
 - 5.8. Further proceedings were instituted by the then Chief, Agrippa Kekana, for the release of the monies held in trust by Adams and Adams pursuant to the transfer. The money was released thereafter.
 - 5.9. These contractual issues are not deemed to be public interest matters, but the ownership of the land may be relevant in regard to the secession.
6. It is alleged that the area that is used as industrial land is greater in extent than that which was transferred to the Development Trust, and that the industrial area is encroaching on the land which the tribe still owns. This is, likewise, not seen as a public interest issue, and is not further addressed herein.
 7. Related to this is the question of squatters on the land. It is alleged that the supporters of the present chief have no right to reside on the land. Likewise, this is not a public interest matter.
 8. An amount of some R 98,000 disappeared from the Tribal Authority's offices on or about 23 February, 1987. This was the money paid over after the land dispute was concluded. This matter is not deemed to be a public interest matter.

The chieftainship

1. The facts of the dispute are not altogether clear, but are set out below as best as possible.
2. The original chief was Lebelo Kekana. He ruled the tribe, which had broken away from the Ndebeles at Moletsane and resided at Uitvlugt.
3. The Lebelo tribe followed the tradition of the mother tribe by marrying the Chief to a nominated Queen, whose oldest male descendant then became the Chief's successor.
4. Prior to becoming Chief, Lebelo had a son by a private union. His name was Jan Tane Kekana.
5. Upon becoming Chief, a Queen was nominated and Lebelo gave birth to sons by her. The eldest was Johannes Mongonyama (Jakalas) Kekana; who then became Chief after Lebelo's death.
6. The tribe purchased and occupied land around Wallmansthal at some time before 1887, but lost this land after a Court case against the Lutheran Church. The tribe returned to

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its land at Uitvlugt, but Jan Tane Kekana remained on this land as a priest. He had a son called Karel Kekana.

7. Chief Johannes (Jakalas) Kekana was married to a tribal queen and gave birth to Marman and Makera William Kekana.
8. In 1912 the tribe purchased land at Leeuwkraal, Hamanskraal ("the land"). This is the land that they presently occupy. The title deed was made out in the name of Johannes Kekana and Makera William Kekana. The tribe also continued to occupy land at Uitvlugt.
9. Karel was appointed by Chief Johannes Kekana to administer the land. Karel administered the Leeuwkraal land well, and was promoted to the position of regent when the Chief was not in a position to administer the tribe, and his sons were too young to do so.
10. Karel was recognised as the Chief of the tribe residing at Leeuwkraal and the other tribal farms surrounding it.
11. Karel was married to Lydia Mmasempane as a tribal queen. Lydia was the daughter of Chief Hans Langa of the Mapela location at Potgietersrust, and was underage at the time of the marriage. She was accordingly replaced as tribal queen by Sakheleni Malesiba Langa, who was ready for marriage. Sakheleni Malesiba Langa was infertile and, by the time Lydia came of age, Karel had died.
12. On a visit to Zebedelia, Karel had fallen in love with Masokgokgithi, who was already lawfully married. They eloped and lived together. They gave birth to a son called Johannes Asha Dingaan Kekana.
13. Since Lydia was now of age, Johannes Asha Dingaan took her over and Malesela Hans Kekana and Agrixxa Kekana were born.
14. The recognition of Karel and his followers appears to have the consent of the tribe at this stage.
15. When Hans became an adult, he was made a chief. Our clients contend that he should have been a regent, as his title derived from Karel, who was only a regent. He married Ester Langa as a tribal queen.
16. Hans and ^{Ester} had two daughters, and no sons.
17. In the meantime, Makera William had come of age and had sons, Sakgalane Abraham Matsobane Kekane; is still alive and resident at Marokolong, Leeuwkraal.
18. By a tribal resolution of 23 June, 1963 Daniel Duncan Kekana was appointed Chief and Nathaniel Sello Kekana was appointed as his "assistant". Duncan died approximately a year thereafter.

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19. It appears as if there was an extended period of dispute over the chieftainship during this period. The issue was not apparently referred to any body for a decision. It appears that there were two separate lines, each of which enjoyed support: Ester and Agrippa (deriving their title from Karel) and Abraham (deriving their title from Jakalas). As pointed out elsewhere, the central issue appears to be less the chieftainship than the support that various chiefs gave to constitutional developments regarding Bophuthatswana.
20. The validity of Ester's position was disputed in proceedings before the Transvaal Provincial Division of the Supreme Court during 1968. The Plaintiff's were Abraham Sambalane Kekana, Reuben Kekana, Lazarus Kekana, Edward Kekana and Judas Kekana versus the Amandebele a Moletsane. The matter came before Moll J, who ordered that the chieftainship should vest in Abraham. Abraham was not prepared to act as Chief, and the Court ruled that the chieftainship should vest in Enoch and, since he had not yet attained the age of majority, Nathaniel Sello Kekana would act as regent. Now recently Abraham is prepared to takeover.
21. At an unknown point, Sakgalane Abraham Matsobane Kekana was instructed by the elders to appoint 10 elders who would then appoint a chief. The elders of the tribe thus appointed determined that Nathaniel Sello Kekana should be chief.
22. Nathaniel Sello Kekana was recognised as chief for the period 1 July 1977 until October 1981. It is presumed that this recognition was by a State official, but it is not known by whom.
23. Nathaniel Sello was deposed by the President of Bophuthatswana. This appears to be a political act, with no basis in law to justify it.
24. Agrippa Letheng Kekana became chief and was installed on 15 August 1981. But the royal family did not recognise him because he was an illegitimate child.
25. Proceedings in the Bophuthatswana Supreme Court were instituted in approximately January 1983, between Abraham Sambalane Kekana and the Deputy Minister of Traditional Affairs and Agrippa Letheng Kekana to contest this appointment. They were brought Adams and Adams acting on behalf of the Plaintiff. It is not at this stage known what the outcome was.
27. The chieftainship dispute was referred to a Commission of Inquiry established in approximately 1983 by the President of Bophuthatswana in terms of section 37 of the Bophuthatswana Traditional Authorities Act.

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28. There were various disciplinary complaints about Agrippa. Thomas acted as Chief for a period of approximately 1 year. Nathaniel thereafter. He was not, however recognised as Chief by the President in terms of the Bophuthatswana Traditional Authorities Act.
29. The latest appointment - of Silas Tlhabaki Kekana, the son of Agrippa Letheng Kekana - was made on or about December, 1989.
30. The following appear to be considerations in approaching the chieftainship dispute:
 - 30.1 If we are to contest the present chieftainship, we will require expert evidence on the lineage question.
 - 30.2 The Commission presents a significant obstacle. We will have to challenge the Commission as well. There does not appear to be any substance in the argument that our clients were not given an opportunity to appear before it. Their case is not strengthened by the delay. It is also possible that subsequent proceedings have compromised our clients' claims.
 - 30.3 It is uncertain what the impact on the community will be if the present chief is overturned.
 - 30.4 At the root of the chieftainship question is a long standing power struggle. The eruption of the issue since the late 1960's appears to arise from the incorporation of the area into what is now Bophuthatswana. If this is the central issue, then it should be addressed directly and not made dependent on the uncertain prospects of a challenge to the chieftainship.
 - 30.5 There must be serious doubt about the public interest merits of the chieftainship issue. Its primary relevance appears to be to the secession from Bophuthatswana.
31. The following four options present themselves:

- 32.1. Legal avenues could be explored, but, at the outset, there does not appear to be much hope of success in the light of the Commission's finding.
 - 32.2. The disputed chieftainship could be referred to third party intervention in the form of arbitration. This could take place through the appointment of another Commission, a referral of the dispute to arbitration or legal proceedings.
 - 32.3. The parties could agree to settle the dispute between themselves. This would presumably only occur if the present ruling House could be persuaded to consider such an agreement, and would in turn be dependent on the political strength of their opponents. An approach to this is presented by the question of the secession from Bophuthatswana.
 - 32.4. The tribe could split, with the one faction moving onto alternative land.
33. These are obviously far-reaching decisions that can only be made by our clients.

The position of the tribal authority

1. The Tribal Authority was established in terms of the Black Administration Act.
2. Various persons were appointed to the position of tribal councillors before or during 1987. Their names appear in a letter from the Administrator to the Secretary of the Tribal Authority dated 16 November, 1987.
3. In terms of section 3(6) of the Bophuthatswana Traditional Authorities Act, these persons will hold office for a period of 5 years. They could also be removed from their positions if:
 - 3.1. Their occupancy of the positions is not valid in terms of the Act. Their removal, in the absence of consent, would require an order of Court.
 - 3.2. The President of Bophuthatswana dissolves the tribal authority in terms of section 3(2) of the Act.
 - 3.3. The grounds set out in section 28 of the Bophuthatswana Traditional Authorities Act are present.
 - 3.4. There is no longer a quorum as envisaged in sections 33 and 34 of the Act.
4. There does not appear to be any further provision for the removal of a councillor from office before the expiry of his period of office, and the law and customs of the tribe

concerned are not recognised in the Act for purposes of deposing councillors.

5. At the root of the Tribal Authority problem is a disagreement between two factions within the councillors, one led by Nelson Poto and the other by our clients. Our clients allege that the Poto grouping are allied with the wife of the late Chief Agrippa Kekana and were not original landowners. They accordingly have called upon them to produce proof of their right to be on the land. It is also alleged that the Poto Tribal Authority is allowing unauthorised persons to settle on the community's land. There were also problems arising out of the control of the funds collected from the squatters for rental and the monies raised from the rental of the Babelegi industrial land.
6. Difficulties in co-operation with the Poto Tribal Authority arose at least as early as September, 1987. The Administrator and Magistrate were apparently called in on various occasions to mediate in disputes, but without apparent effect.
7. A Commission of Inquiry was appointed by the President of Bophuthatswana on or about 22 February, 1988 to inquire, inter alia, into the reconstitution of the Tribal Authority. It is not clear in terms of which legislation this commission was appointed: the Bophuthatswana Traditional Authorities Act does not make provision for such a commission. The terms of reference included complaints relating to the administration of the tribe. Proceedings took place during April, 1988. The outcome is not known.
8. Different persons were elected as counsellors at a Special Executive meeting of the tribe or tribal authority held on 25 January, 1989. Their names appear on the agenda of that meeting. Their names were forwarded to the Bophuthatswana Government for recognition.
9. By letter dated 11 October, 1989 from the Administrator to the Tribal Authority a meeting was to be convened to recognise the persons set out in that letter as councillors in a reconstituted tribal authority. It is not clear if this was done, and if these latter persons have been recognized by the Bophuthatswana Government.
10. If the position of the present councillors is in dispute, they would either have to be removed or their periods of office would have to lapse before the election of new councillors could validly take place.
11. Except to allege that the Chief was not validly in office, and to aver that this then renders the members of the Traditional Authority impeachable, there do not appear to be grounds for alleging that the present councillors do not validly hold office. In terms of section 3(6) of the Bophuthatswana Traditional Authorities Act, it is not

adequate to allege that the tribe has chosen different councillors.

Secession from Bophuthatswana

1. The area was incorporated into the territory of what is now Bophuthatswana with effect from a date that is at present not known.
2. As far as we can ascertain, the secession issue was first raised in a letter from the Tribal Authority to Swartz Goldblatt dated 14 March, 1978. Swartz Goldblatt were acting on behalf of the Department of Co-operation and Development in regard to the transfer of the land to the South African Development Trust.
3. The incorporation has not been previously challenged in legal proceedings, and there have not apparently been any negotiations in regard to the secession. There has been general popular opposition. The extent of this opposition is not known, but it can be assumed that it is significant. Letters have been written to the South African Government on various occasions in regard to dissatisfaction with the incorporation. Any work in this regard that may have been done by Munro-Becker is not known.
4. There appear to be two central avenues, neither of which excludes the other: Court and political approaches. These will be considered below.
5. Possible approaches to Court are set out below. These are tentative ideas, and need to be further researched.
 - 5.1. If consultation prior to incorporation into a Regional Authority was a statutory or legal requirement (which is at present not yet certain), we could allege that the incorporation is void for want of proper consultation.

In regard to the heirs to the land, we could also allege that there was no consultation with the persons on whose behalf the land was held in trust.

If there was consultation with the then Chief, we could allege that this was not adequate as the issue affected the property and other rights of a wider circle of persons, and that the Chief was either not properly appointed or lacked a mandate to represent the tribe or the heirs of the landowners in this regard.

- 5.2. If there was no consultation and the rights or legitimate interests of our clients were affected, we could review the incorporation.
- 5.3. The persons on whose behalf the land is held in trust could only be compromised by the trustees if it was in

the public interest or to the advantage of the persons on whose behalf the land was held in trust. We could allege that the actions of incorporating the land into an ethnically different tribal area was a breach of this fiduciary duty. Any claim arising out of this duty would be subject to prescription of three years.

- 5.4. We could allege that the incorporation of an ethnically different tribe into Bophuthatswana was ultra vires the powers of the South African officials who made this decision.
- 5.5. It may be also possible to trace a technical flaw on the incorporation procedure, which could then be used to declare the incorporation null and void.
6. None of these approaches are simple and, in addition, we face the following procedural difficulties:
 - 6.1. The decision to incorporate or transfer the land, and its inclusion within the unit that was transferred to Bophuthatswana was made by South African officials. They are not domiciled in Bophuthatswana and there does not at present appear to be any way that they can be brought before the Bophuthatswana Courts.
 - 6.2. Even if we could find a way of doing this, there is no way that the Supreme Court in South Africa would make an order that could not be given effect to. Since the land is in Bophuthatswana, and not subject to the jurisdiction of the South African Government, the Court is most unlikely to make a finding.
 - 6.3. The only possibility is to approach the Bophuthatswana Courts, and cite the South African officials. We face a potentially politicised and hostile bench.
 - 6.4. There is also the question of delay: review proceedings need to be launched within a reasonable time, and a three year prescriptive period would apply to contractual or delictual claims.
 - 6.5. The residents' locus standi to challenge the transfer of that land to Bophuthatswana would depend on their rights to the use of the land. We would have to ensure that they could do this as they have no property or other rights in this land at present. It is uncertain whether the land that was transferred to the Development Trust includes the land occupied by our client, or if it is only the Babelegi Industrial Sites.
 - 6.6. If there is a division within the tribe, we would have difficulty in obtaining a mandate from them. We would be unable to act in the name of the Tribal Authority, both because of the allegiance of the present incumbents and because we would require Mangope's

consent to any such action. We may then face locus standi problems.

7. If the incorporation decision were to be declared null and void, we face the same difficulties as set out above, except that we could avoid the difficulties occasioned by the delay. There is then the additional problem of having a finding against us that we should have proceeded by review.
8. If we approach the matter from a political perspective, we would have to be mindful of Mangope's attitude that the tribe may leave the area, but that their land must remain in Bophuthatswana.
9. We would then presumably be required to look for alternative land within KwanDebele or South Africa. For this, we could approach the South African Department of Constitutional Planning and Development. It may have the advantage of allowing the tribe to split; with the chieftainship dispute being resolved for all practical purposes.
10. The "political" option appears to be the only feasible route to follow. However, in the absence of any real power to support our client's position, there is little likelihood of any change in the attitudes of the South African and Bophuthatswana Governments. Success would be dependent on future political events, particularly the constitutional position of Bophuthatswana in the face of negotiations on South Africa.
11. The following issues are in our clients favour in regard to political approaches to secession.
 - 11.1. The fact that most of the residents have retained their South African citizenship.
 - 11.2. The South African Government's professed concern regarding the protection of minorities.
 - 11.3. Mangope's attitude that he will not deal with our clients because they are not citizens of Bophuthatswana.
 - 11.4. The absence of proper consultation at the time of incorporation.
12. The following options are available in the event that political options are pursued:
 - 12.1. There must be a clear statement that the majority of people want to secede from Bophuthatswana. This could be demonstrated by a petition, a mass meeting of both.
 - 12.2. A comprehensive memorandum of all relevant developments in regard to secession should be

prepared and placed before the South African and Bophuthatswana Governments.

- 12.3. Support should be canvassed from other political groupings, including COTRALESA, the KwaNdebele Government and the ANC, with a view to placing the issue on an agenda for discussions on land when the occasion arises.

The holding of meetings in the area

1. The present attitude of the Bophuthatswana Government appears to be that no meetings will be permitted. The Internal Security Act is abused to thus prevent meetings. The situation is aggravated by the State of Emergency.
2. There appear to be two options available:
 - 2.1. A meeting could be organised at a venue outside Bophuthatswana. Transport would then be required for the tribespeople to travel to the venue, and permission in terms of the South African legislation would have to be obtained if the venue is not indoors. Such permission is not difficult to obtain.
 - 2.2. A meeting could be arranged in Bophuthatswana. This would require the permission of the Minister of Law and Order of Bophuthatswana. As in the past, it will not be readily given. It will accordingly be necessary to anticipate legal proceedings to enforce the right to freedom of assembly. This can best be done by:
 - 2.2.1. Planning the meeting well in advance, so that there is time to compel the Minister to make a decision within the two week period that the Act stipulates and thereafter approach the Court to review any refusal of the meeting. It is estimated that the meeting should be planned for at least two months in advance of the date on which the Minister is approached for permission.
 - 2.2.2. We should pre-empt any argument by the Minister that unrest in the area precludes the granting of permission. We should accordingly bring any application at a time that the area is patently peaceful.

A BRIEF ACCOUNT OF THE ORIGIN OF CHIEF LEBELO KEKANA OF THE NDEBELE TRIBE NOW SETTLING ON LEEUKRAAL NO 396, MORETELE -
HAMMANSKRAAL :

IN ABOUT THE YEAR 1800, LEBELO, AFTER A DOMESTIC QUARELL BETWEEN HIM AND HIS HALF BROTHERS IN THE ROYAL KRAAL, REMOVED WITH A GROUP OF FAMILIES AND RELATIVES FROM MOLETLANE TO THE SOUTH AND SETTLED IN THE REGION OF MOUTSE AT NOKANA-PEDI WHERE HE WAS MADE THE FIRST CHIEF OF THE NEW BRANCH OF THE TRANSVAAL NDEBELE GROUP.

LEBELO WAS ^{at} THAT TIME MARRIED TO HIS FIRST WIFE, BUT HIS GROUP OF ROYAL COUNCILLORS ORGANIZED MARRIAGE OF TRIBAL QUEEN FOR HIM TO PRODUCE WITH HER AN HEIR TO CHIEFTAINSHIP ACCORDING TO TRADITION, AND AFTER THE MARRIAGE OF THE QUEEN, SUCH HEIR WAS BEGOTTEN AND THAT WAS MOKONYAMA JOHANNES KEKANA, WHO BECAME THE NEXT CHIEF AFTER CHIEF LEBELO'S DEATH IN MOUTSE.

DURING HIS RULE, IN MOUTSE, CHIEF JOHANNES MOKONYAMA KEKANA TOGETHER WITH HIS COUNCIL AND THE TRIBE ORGANIZED AND BEGAN TO PURCHASE THE FARM AT WALMANSTHALL AND REMOVED TO IT WHERE THE TRIBE SETTLED FOR SOME TIME UNTILL A QUARELL AROSE BETWEEN CHIEF JOHANNES AND MISSIONARIES OF THE CHURCH OF LUTHER WHICH HAD BEEN ESTABLISHED ON THE FARM. THE QUARELL TOOK PLACE PRIOR TO THE COMPLETION OF THE PURCHASE OF THE FARM.

THE RESULT OF THE QUARELL:

THE RESULT OF THE QUARELL WAS THAT THE ^{CHIEF} AND THE TRIBE REMOVED BACK TO RESETTLE IN MOUTSE, LEAVING THE FARM WALMANSTHALL PARTLY PAID FOR ON THE PURCHASE TERMS. HALF BROTHER OF CHIEF JOHANNES REMAINED SETTLING ON THE FARM UNDER THE MISSION AUTHORITIES.

PURCHASE OF LEEUKRAAL :

WHEN THE TRIBE WAS SETTLING AGAIN IN MOUTSE, ^{IT} CONCEIVED THE IDEA OF PURCHASING ANOTHER FARM.

PURCHASE OF THE FARM LEEUKRAAL :

WHEN THE CHIEF AND THE TRIBE WERE RESETTLED IN MOUTSE, THEY ORGANISED THEMSELVES AND PURCHASED THE FARM LEEUKRAAL NO. 396 AROUND MORETELE IN THE DISTRICT OF HAMMANSKRAAL / 0400, CONTRIBUTING IN MONEY, BUT PRINCIPALLY IN LIVESTOCK IN MOUTSE. BUT BECAUSE THE CHIEF NAMELY MOKONYAMA JOHANNES KEKANA WAS THEN LIVING IN MOUTSE, A PLACE REMOTE FROM LEEUKRAAL, HE, CHIEF JOHANNES KEKANA IN MOUTSE APPOINTED KAREL KEKANA AS REGENT TO RECEIVE PEOPLE FROM OUTSIDE INTO THE FARM FOR RESIDENTIAL PURPOSE, AND TO SUPERVISE, AS WELL AS TO HOLD AN AGENCY - COURT ON THE PRINCIPAL CHIEF JOHANNES KEKANA. THE CHIEF ALSO AUTHORISED HIM TO COLLECT MONEY FROM IMMIGRANTS AND REGULARLY REPORT TO CHIEF JOHANNES.

RESULTS OF APPOINTMENT OF KAREL KEKANA BY CHIEF JOHANNES KEKANA :

KAREL HAVING WORKED WELL WITH THE CHIEF AND IN ACCORDANCE WITH THE CHIEFS' INSTRUCTIONS WAS ON BONA FIDE GROUNDS AUTHORIZED TO FILE THE LAND TITLE DEED, WHICH HAD BEEN ISSUED IN THE NAMES OF CHIEF JOHANNES KEKANA. BUT IN THE COURSE OF TIME AND WITHOUT KNOWLEDGE OF THE CHIEF, KAREL'S REGENCY WAS UNRIGHTFULLY CONVERTED TO CHIEFTAINSHIP. EVERSINCE THAT TIME, KAREL CONTINUE TO RULE TILL HIS DECEASE, AND HIS DESCENDANTS ALSO RULED UNDER THIS FALSE TITLE, TO THIS DAY.

DISPUTE BETWEEN DESCENDANTS OF KAREL AND CHIEF JOANNES KEKANA :

THE FINAL CASE AFTER A SERIES OF DISPUTES WAS THE ONE WHICH ENDED IN A JUDICIAL HIGH COURT UNDER JUSTICE MOHL IN FAVOUR OF MR. SOMBALANE ABRAM KEKANA. ABRAM WAS AWARDED RIGHTS TO CHIEFTAINSHIP AND OF OWNERSHIP OF THE FARM LEEUKRAAL, IN TERMS OF HIS GRAND FATHER'S TITLE DEED. BUT LATER HIS GRAND FATHER'S NAME JOHANNES WAS FORGED FOR DINGAAN TO BE CALLED JOHANNES, ALTHOUGH THE HIGH COURT MANAGED TO FIND OUT WHICH JOHANNES WAS REFERRED TO.

AS MRS ESTHER KEKANA WAS RULING, SHE HAD TO STEP DOWN OFFICIALI
AS A RESULT OF THE DECISION BY COURT, TO ENABLE ABRAM TO ASCENI

WHAT FOLLOWED AFTER THE JUDICIAL DECISION:

MR. ABRAM SOMBALANE KEKANA, INSTEAD OF TAKING OVER HIMSELF,
APPOINTED MR. SELLO NATHANIEL KEKANA TO ACT, AND IT WAS ABAIN
FROM THAT STAGE THAT THE STATE PRESIDENT OF THE REPUBLIC OF
BOPHUTHATSWANA CONTINUED TO APPOINT CHIEFS FROM THE HOUSE
OF KAREL TILL NOW.

SIGNED :


CHAIRMAN

(SECRETARY)

DESCRIPTION OF PORTION 11 OF LEEUWKRAAL NO 396
OF THE NDEBELE TRIBE OF THE ORIGINAL CHIEF
JOHANNES KEKANA

Portion 11 of Leeuwkraal No. 396 adjoins the Marokolong Area in the South where it borders on the Renstown area. It is a thin strip of land now populated by a community of residents who are liable to pay into the tribal fund fees on tribal levy in respect of the purchase of the farm Leeuwkraal No. 396.

Henceforth, Portion 11 of Leeuwkraal No. 396 shall be referred to as "KEKANASTAD EXTENSION" and its population as "KEKANASTAD EXTENSION COMMUNITY".

ADMINISTRATION OF KEKANASTAD EXTENSION

The Kekanastad Extension and residents thereon shall be under the management of its Committee which will be responsible to the Royal Executive Council of the tribe for managing directions and it will be under the umbrella of the government of South Africa.

THE CAUSE OF SEPARATION OF PORTION 11 FROM THE
MAIN TRIBAL LAND

When the rest of the tribal land was transferred by mistake to the government of Bophuthatswana, from the government of South Africa, without due consultation with the royal council of the tribe, as well as the tribe adequately represented at meeting, the portion was excluded through omission.

PRESENT DECISION TAKEN BY EXECUTIVE ROYAL
COUNCIL UNANIMOUSLY WITH THE TRIBE

The royal council and the tribe have resolved finally to withdraw their land and the Title Deed from under the Republic of Bophuthatswana, with a view to re attaching same to the Republic of South Africa.

These Kwa Xuma telephone guys should take a leaf from the book of the sweet voiced sirens of Orlando

AHA! They are at last sorting them out. These Kwa Xuma guys' cross-crossing wires and acting very high-handed about being switchboard operators. Didn't I tell you at the beginning of this year that it's easier to phone London than Soweto? Good morning. I'm prepared to make enemies if the people will benefit. In fact don't only blame the Kwa Xuma telephone exchange operators for being arrogant and peevish. The whole blinking lot in the townships should get it where the chicken got it... in the neck.

I understand the system's going automatic. The point is disciplining these workers in spite of automation, because when machines replace them, they'll take up other jobs and practise those same trade habits in other fields so teach them good manners at the wires. Charity should begin at home with them.

In any case modernity will catch up with them and many might have to crawl the ranks of the unemployed and grovel for dule money. Lest I and you forget, let me give you examples how some of them treated me.

I want to go through to Mr Richard Maphonya. I have forgotten his number and I duly ask the operator that side to put me through. Know what the beggar told me?

"Look it up in the book!"

One time I started thus: "Excuse me, sir, can you help me?" reply from him: "What have you done to me?"

Speak up quick, I've not time to waste." You know what, dear reader? I was happy

when I came to work but after this rousing my day was spoilt.

As a firm believer in not hitting a man when he's down, let's leave these fellows to stew in their own juice for the moment and savour the telephone im-

Carnegie or else from in hors. Always a out how gem is. I tempt voiced darts B... here tier spnals:

Its Doc B finger on

provements in the Orlando Complex. Have you noticed the saccharine voice greeting you on this exchange? Yes, they have employed birds or chicks or scuzz on this line.

I must salute these ladies. Helpful, friendly voices and all the formulas of Dale Carnegie or else from in hors. Always a out how gem is. I tempt voiced darts B... here tier spnals:

was - "Ho I nearly me on the floor tolerat mans sweet-mans Not those and ill-term When the saw the pic Daily Mail



Chiefness Esther Kekana... cutting Tswana lies



Chief Lucas Mangope - Ndebele challenge.

Ndebele tribe pulls out of Mangope government

By MIKE LOUW

THE Amandebele tribe of KwaNatal, near Pietermaritzburg, which falls under Chiefness Esther Kekana, has informed the Chief Minister of Bophutha-Tswana, Chief Lucas Mangope, that they are no longer prepared to fall under his control, specifically after Bophutha-Tswana has gained its independence.

Copies of the letter containing this threat have also been sent to the Department of Bantu Administration and Development and the local magistrate in the area where the tribe lives.

The letter was released by Chiefness Kekana and a number of her councillors at the office of their legal adviser in Johannesburg, late last week.

The letter, signed by the chiefness and the councillors, Mr Joseph Kekana, Mr Alagus Mmonyeane, Mr Ntsoe Kekana, Mr Phillip Mautsira and Mr Erasmus Joseph Motau, states: "The Amandebele Tribal Authority and the Amandebele tribe under Chiefness E. H. Kekana, unanimously agreed at a meeting to withdraw from the Bophutha-Tswana Legislative Assembly and its Government with effect from October 1 last year.

"This is done in order to cooperate with other Amandebele tribes elsewhere. The Amandebele tribe, together with other tribes voluntarily joined what was then known as the Kgatla-Ndebele Regional Authority, now known as Moretele Regional Authority.

"The mentioned authorities joined the Tswana Territorial Authority, presently known as the Bophutha-Tswana Government. This was done joining the... traditional language and culture would not be interfered with, but as time went on our assumption was proved to be wrong. This is just like water and oil which don't go together.

"On the surface, there appeared to be peace, but deep in the heart and life of the Amandebele tribe, erosion was busy eating up the tradition of the tribe.

"It has now become clear

that the Amandebele tribe can't forsake their traditions, language and culture. The Amandebele tribe wishes to thank the Bophutha-Tswana Government for the years during which we have been together.

"It is clear that just as much as the people of Bophutha-Tswana would like to preserve their language, culture and custom, so do the Amandebele people."

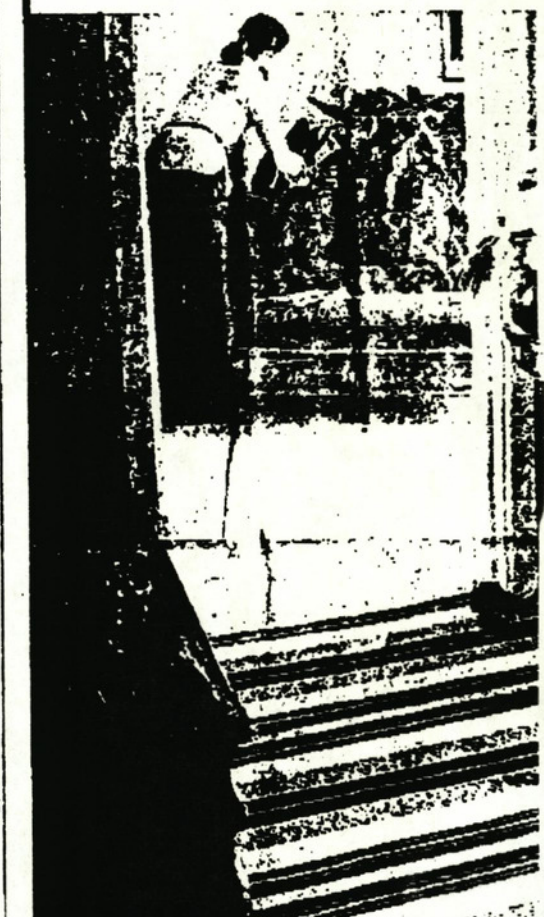
The chiefness added in an interview that her tribe has succeeded from the Bophutha-Tswana Government.

She said under prevailing circumstances, it appears her tribe would be placed in an awkward position if it fell under Bophutha-Tswana when it gains independence.

One of her councillors who accompanied her to Johannesburg, Mr Erasmus Joseph Motau, said: "Our position is likely to be worse if we remain under Chief Mangope, after his homeland has attained independence."

Another councillor, Mr Ntshane Euyis Hendrik Kekana, said: "Our tribe has been living in the area since the period of President Paul Kruger and our language has never been in-

Freedom never



Natural elegance and extra dimension is added to a small hall by the hospitable and warm strokes of a homely maid. Note the...

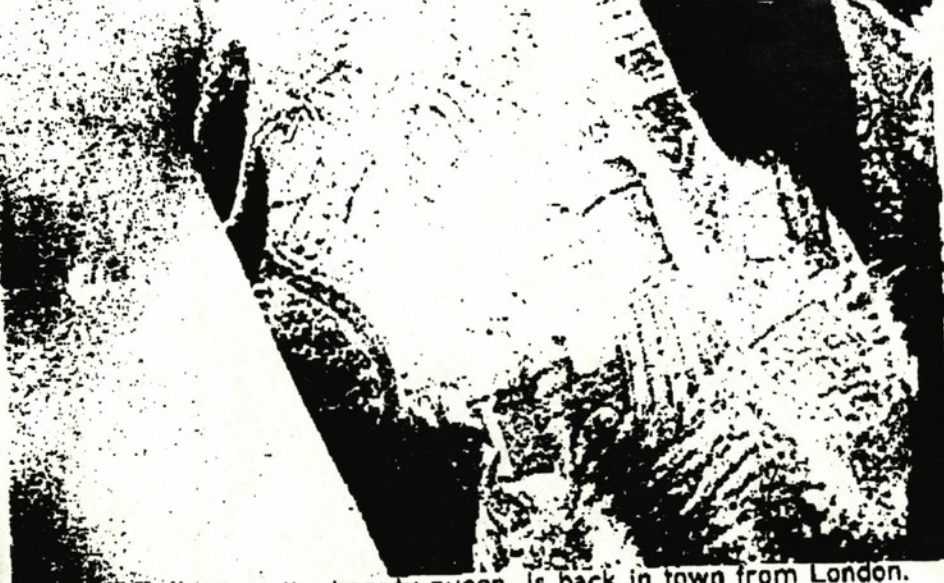
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Rozette Motsepe, the beauty queen, is back in town from London. Picture: HAROLD FIGLAN

the Security P... "They m
arrested by other departments
possibly the CID", he said.

Those from Rockville are Mr Dan Mot
Ernest, 28; Mr Solomon Luckyboy Mel
Joseph Boyboy, 24; Mr Philemon Mash
Nkotsi, 20; Mr Joseph Molotsane, a stude
of the North (Turfloop) and David Mam
Baswana Junior Secondary School in M

Some of them are reported to be the f
Mnikati, 22, a Johannesburg furniture c
and Mr Thabiso John Moephudi, 19, who v
their homes early last Wednesday morn
Two brothers were also arrested at
previously raided by police looking for st
Mashinini.

This was the fourth police raid cond
since the June riots, according to the
Seakamela, a cartage contractor in Dui

Arrested

He said the police arrived at his hon
yesterday and arrested his two sons. Ma
pupil at Morris Isaacson High School
Form Three pupil at Sekano Ntoana S
not know why the police picked up
took them.

"I was about to get up when I heard
slamming outside," said Mr Seakame
through the curtains of his window, he s
eight White policemen walking into h
shone a torch at his window and asked h
Mr Seakamela said he had earlier he
shout, "Majudah," which is a nickname
he opened the door, the police entered
rooms asking, where his son, Marks w

They found him together with Joha
backyard rooms.

Mr Seakamela said this was the fourt
the police. "The first was shortly after
the police came here and said they wer
Mashinini. The second, third and last
looking for my son, Marks a qualified m
Mr Seakamela.

Widowed Mrs Veronicah Lenyai, 76,
Mashile, said yesterday that she was f
Security Policemen called.

A relative of the Motsisi brothers sai
in three cars and a police van woke the
2 am.

There were six plain-clothed Whites
was thoroughly searched before they c
and Dan.

"I believe they were taken to John V
making efforts to see them, but one poi
bring them, clothes and food only," sa

One of the Melk brothers, Joseph, w
be in poor health. He had been out of w
ing for employment when he was picke
Three other men are known to have
past 10 days. They are Mr Mandia Khu
"The Star"; Mr Beki Sibeko and
Mthimkulu, a student.

Defiant Chieftainess may face a charge

Staff Reporter
CHIEFTAINESS Esther
Kekana of the Amandebele
— A-Moleletane tribe at Ma-
janeng near Hammanskraal,
may face a criminal charge
if she fails to attend a
meeting at which her position
as leader of the tribe
will be discussed.

The chieftainess whose
tribe numbers more than 60
000 has been summoned to
appear before the local
Moretele magistrate
together with members of
the royal family on Friday,
December 17.

Chieftainess Kekana and
some of the members of the
royal family have refused to
attend meetings called by
the BophuthaTswana
cabinet to discuss the same
issue.

On December 2 the
magistrate, Mr P. W. van
Niekerk, told Chieftainess
Kekana to call the royal
family to the tribal offices
where he was going to tell
them about Mafeking's rul-
ing about the future of the
chieftainess as head of the
tribe

Instead the tribal
authority refused to call the
meeting and when Mr Van
Niekerk arrived, he found
the gates locked.

"I told Mr Van Niekerk
that the tribe did not want
anyone to meddle in the
Amandebele chieftainship,"
the tribal head said.

In a letter to Chieftainess
Kekana, the magistrate
wrote:
"You are hereby ordered
to attend at the office of the

magistrate on December 17
for the purpose of a meeting
about chieftainship of
Amandebele. Please note
that a failure to comply with
this order is a criminal of-
fence."

Reacting to this Chief-
tainess Kekana accused the
BophuthaTswana Govern-
ment of what she described
as "nothing else but
deliberate interference in
the Amandebele tribal mat-
ters."

She said the tribe cut ties
with BophuthaTswana
homeland in September and
this, she added, was made
"clear" in a letter the tribe
sent to Mr I. P. van Onselen,
Secretary for Bantu Ad-
ministration.

"My tribe does not want
any interference from the
BophuthaTswana Govern-
ment although neither they
nor Pretoria have
acknowledged our letter of
secession," she said.



Chieftainess Kekana
"Hands off my
tribe"

Promoter paralysed after stab

By AMOS MNGOMA
DURBAN — The man who
brought world cruiserweight
contender Ritchie Kates to
this country and made Natal
famous by bringing other top
international fighters is ly-
ing seriously injured in a
Durban hospital after being
stabbed at the weekend.

Mr Agrippa Cebekulu, one
of the leading boxing
promoters in Natal and a
socialite was stabbed on the

spine at Chesterville
township in Durban on
Saturday night. He was
taken to hospital completely
paralysed from waist,
downwards and in a serious
condition.

Speaking to Rand Daily
Mail from his hospital bed,
Mr Cebekulu said he was
stabbed from behind after
an argument with a group of
youths. He was at a musical
show when a group of youths

tried to gatecrash. Mr
Cebekulu disarmed one of
them who was brandishing a
knife. The group then ran
away.

A youth came back and
stabbed Mr Cebekulu who
was not watching from the
back. He fell down.

This is the third serious
knife attack on Mr Cebekulu.
In 1976 he was stabbed in the
neck when attacked by a
knife and kierre-wielding

gang.
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Mr Joseph
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the closing date
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so far registered