

72, 1931

165

**PART II.**

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**EXHIBITS.**

**SECTION "A."**

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**SIMON RATSHOSA**

*VERSUS*

**CHIEF TSHEKEDI KHAMA.**

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MEMO. EXPLAINING WHY CERTAIN EXHIBITS WERE  
NOT PRINTED.

EXHIBIT "C."  
EXHIBIT "E."  
EXHIBIT "K2."  
EXHIBIT "S."  
EXHIBIT "T."  
EXHIBIT "U."  
EXHIBIT "V."  
EXHIBIT "W."

## MEMO.

SIMON RATSHOSA *vs.* TSHEKEDI KHAMA.

The following documents are not included in the record. They concern cattle claims which are not now under review.

Exhibit  
Mark.

- “ A ” Letter No. 89 in Manifold Book.
- “ B ” Manifold Book.
- “ D ” Document signed by Ratshosa.
- “ F ” Minute from R.M. Francistown.
- “ G ” Copy of records of cases held at Palapye Road.
- “ G2 ” Document given to Chief by Dr. Lang.
- “ H ” Letter from Imperial Cold Storage.
- “ I ” Letter from Plaintiff to Defendant.
- “ J ” Receipt from Dr. Drew to Defendant.
- “ K ” Letter from Magistrate to Defendant.
- “ L ” Letter from Defendant to Magistrate, Serowe.
- “ M ” Travelling pass of Ramorobe (witness).
- “ N ” Letter from Magistrate, Serowe, to Defendant.
- “ O ” Letter from Defendant to Magistrate, Serowe.
- “ P ” Letter from Magistrate, Serowe, to Defendant.
- “ Q ” Copy of minute from Resident Commissioner.
- “ R ” Letter from Ben Rose to J. Ratshosa.

**EXHIBIT " C. "**

Exhibit " C. "  
 Letter from Simon  
 Ratshosa to  
 Segwabe Phuu.  
 Produced by  
 Defendant in Cross-  
 Examination of  
 Plaintiff.

Segwabe Phuu  
 Tamasane.

I am very pleased with your words, also your wife's, and I have also heard what you have said to your younger brother regarding the cattle. Of course, Gaobotse did not do it of his own he had been told by Lekgoba and others to possess himself of the cattle. But this matter about the cattle is a very serious matter. We have told the white people that our people—the owners of the cattle—have been taken away from us. After the people had been taken away an attack was made upon the cattle in the absence of their herds who had been taken away from them, in order that no information may be available regarding the treatment of the cattle, and also in order that the number of dead and scattered cattle may be concealed. But I have written to the Resident Commissioner that I want sufficient money to buy the number of my cattle when they were still at Shashe and before they were attacked by the regiments. I have said there were seven cattle posts of my own. 10

(1) Gaobotse, (2) Longone, (3) Radipuo, (4) Ohadie, (5) Ramoye, (6) Setlabofhsane, (7) Raseriri. 20

I also wrote that Obeditse's were:

(1) Radikhukhuane, (2) Mogotetse.

And when you communicate the number of cattle to me you should write it thus—in order that it should not differ from mine here which I know:

(1) Gaobotse	cattle	135	calves	30	
(2) Longone	"	137	"	35	
(3) Raseriri	"	140	"	45	
(4) Radipuo	"	78	"	20	
(5) Ohadie	"	85	"	25	30
(6) Setlabofshane	"	95	"	28	
(7) Ramoye	"	75	"	20	
(8) Radikhukhuane	"	80	"	25	
(9) Mogotetse	"	130	"	40	

Up to the present they are scattered in the veldt, some are being eaten by beasts on the veldt, bulls are in Rhodesia with many more cattle. This information is from the Police, white people and natives. We understand you are being forced to say that the number of the cattle is in order (all the cattle are there) when in fact they are not there. You must refuse and be firm. I think the number of cattle absent is about 200 or 300. You must not agree 40

Exhibit " C."  
 Letter from Simon  
 Ratshosa to  
 Segwabe Phuu.

to speak lies. You should tell them Simon knows the number well. Tell Longone also to write his numbers similar to what I have written. There is no way out for them because they entered the cattle posts after seizing you in order that they may steal the cattle in your absence. I know that you and Raseriri, if he survives, cannot be turned away by them at all. And when you write, write to Rasegokotlo and tell him all. Regarding the number at Tamasane, we have got it also the number at Motloutse. The number we have not got is that of the Madinare cattle. And Ramaeba (Col. Ellenberger) says Tshekedi himself asked to collect the cattle and that he would look after them and be responsible therefor. And we say: Yes, it is well. We shall demand all the cattle including those which have disappeared from him. The Government denies liability saying it is all Tshekedi's doing; also about cattle sold by public auction he will pay them all as also the horses. Tamasane cattle have scattered all over the veldt. But try to talk like men, you will have got them right. I have summonsed Ratanki for theft of 11 head of cattle, also about the cattle he has killed. The case about the two head of cattle has been tried he will be sentenced on the 13th of the month; and then the case about the 11 head will be taken also the case of the cattle he has killed. When I divided your cattle posts the numbers of the cattle were the same as yours and yours have increased, while he has spent his—and he will go to gaol for them. I have given instructions long ago that you sell 4 head of cattle and send the money realised here. If you like you may sell a tolly and send Mmalekan here. Sentibile is well. Her mother is still in Mafeking. The matter goes on quite well. We have told the white people we require all Segokotlo's people. They are not Masarwa who have no say. They are people and cannot be separated from Segokotlo's property at all. I have instructed that boy (bearer) regarding Raseriri and you should act accordingly. They cannot escape and can be imprisoned for four years. Raseriri should write and so should his wife. They should write all what has been done to them. They should write to Rasegokotlo. And that boy should remain one day only and return here. When you have read this letter you should burn it.

Greetings to you all,

S.R.

Exhibit " E. "

**EXHIBIT " E. "**

Letter from  
Magistrate, Francis-  
town to Magistrate,  
Serowe.

No. F. 29/28

Produced by Clerk  
of Court, Serowe.

The Resident Magistrate,  
Serowe.

24.2.1928.

With reference to your telegram No. 99 of the 23rd February, I have notified the Ratshosa that their cases will be heard by Captain Stigand commencing on the 12th March, or a date thereafter.

They wish the following witnesses to be subpoenaed to appear at Serowe :—

10

1. Rasiriri Bolelang, Nkebelele's Stadt, Tonota.
2. Sakaria, Macloutsie Camp.
3. Gabanakgosi, Macloutsie Camp.
4. Rasetupo, Vukwe.

If the Subpoenae are made out at Serowe the Subpoena on the last named can be sent for service by the Police here.

(Signed) G. B. MOSELEY,  
Resident Magistrate.

Francistown,  
24th February, 1928.

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Exhibit "K2."  
 Account and Receipt  
 from Bulawayo  
 Memorial Hospital.  
 Produced by  
 Defendant.  
 21.5.1926.

262 Native A/c.  
 Kgosidintsi  
 Dr. to

**EXHIBIT "K2."**

April, 1926.

Memorial Hospital.

Apr. 7.30.	24 days @ 2/6 per diem	3	-	-
May 1. 6.	5 " " " " "	12	6	
		<u>£3</u>	<u>12</u>	<u>6</u>

10

Southern Rhodesia.

Credit Revenue

May 21st, 1926.

Received from Kgosidintsi, per Magistrate Serowe, the sum of Three pounds twelve shillings and six pence for a/c 262

Memorial Hospital

I. Mitchell,  
 p.p. Secretary,

Bulawayo.

£3. 12. 6.



Exhibit " T. "  
 Judgment in cases  
 Rex vs. Simon and  
 Obeditse Ratshosa.  
 Produced by Clerk  
 of Court, Serowe.  
 23.9.1926.

**EXHIBIT " T. "**

In the Court of the Resident Commissioner for the Bechuanaland Protectorate holden at Mafeking before His Honour, Lieutenant Colonel Rowland Mortimer Daniel, Acting Resident Commissioner of the said territory on the 18th day August, 1926.

An Appeal from the Court of the Additional Resident Magistrate of the Ngwato District in the case of Rex *versus* SIMON RATSHOSA and OBEDITSE RATSHOSA charged with assault with intent to murder.

S. Minchin, Esquire, LL.B., Crown Prosecutor, for the Crown. 10  
 M. E. Lang, Esquire, LL.D., for the Appellants.

In this case the accused have appealed on the following grounds:—

1. That the conviction cannot be upheld on the ground of *Autrefois* convict, in that the Accused had already been convicted in the Kgotla.
2. That the conviction is bad in law in that the accused Simon Ratshosa could not be found guilty of the same offence as Obeditse Ratshosa in as much as there was no common purpose proved. 20
3. That the Record of the Political Enquiry was wrongly admitted.
4. That the conviction is against the evidence.
5. That the sentence is excessive.

As to the first of these points it is alleged that the Appellants before their trial in the Court of the Additional Resident Magistrate at Palapye had already been convicted in the Chief's Kgotla.

The facts are that certain damage to the property of the Ratshosa family was commenced while the mob was out of hand on the evening of the 5th April, the damage being completed as an act of retaliation by the Chief's directions on the following morning, but this destruction took place after the Magistrate at Serowe had stopped the firing and taken the accused into safety at the Government Camp, and after he had informed the Chief that he had taken over control. 30



Exhibit " T. "  
 Judgment in cases  
 Rex vs. Simon and  
 Obeditse Ratshosa,  
 continued.

The accused were not brought before the Chief in Kgotla or subjected to any trial nor is it shown that they were lawfully convicted in Kgotla according to native custom or in any judicial court in regard to the same offence until brought before the Additional Resident Magistrate at Palapye.

With regard to the second ground of Appeal that the conviction is bad in law in that the accused Simon Ratshosa could not be found guilty of the same offence as Obeditse Ratshosa in as much as there was no common purpose proved.

The evidence shows that they shared a common grievance, they together neglected to obey the Chief's summons, and after running away from the meeting at which they were ordered to be punished, they both set out again for the Kgotla and together returned for their arms, they both fired towards the Chief and his people sitting in the Kgotla while Simon Ratshosa gave the word to commence firing. I hold that they acted in concert to commit the crime and that they are both equally guilty. 10

The third ground of Appeal is that the Minutes of an Enquiry marked Exhibit " I " were wrongly admitted in evidence at the Trial. 20

I find that this Exhibit contains hearsay evidence and that it should not have been admitted as a part of the Record.

I will now consider what bearing this evidence which was improperly admitted had in relation to the proviso to Section 27 of Act 5 of 1879 and what effect it may have had on the determination of the judgment in the Magistrate's Court.

After carefully considering the relative portion of the Act and all the decided cases which have been quoted I am satisfied that, apart from this hearsay evidence, there is ample on the record to justify the conclusion that both the Accused are guilty and that no substantial wrong was done to them by its admission or that they were prejudiced thereby in their defence. 30

The fourth ground of Appeal is that the conviction is against the evidence.

I have studied the record from this aspect of the case and I have come to the conclusion that the prosecution has proved its case without a doubt by a number of reliable witnesses on the material points, that the account given by the accused of the incident is not to be believed and that their intention was to commit the crime.

I therefore see no reason to disturb the judgment arrived at by the Magistrate. 40

Exhibit " T. "  
 Judgment in cases  
 Rex vs. Simon and  
 Obeditse Ratshosa,  
 continued.

As regards the fifth ground of Appeal that the sentence is excessive.

Although the Appellants bring this point as a ground of Appeal this Court will not disturb the sentence merely because it is considered excessive, it can however make representations to His Excellency the High Commissioner respecting the mitigation of the sentence as the circumstances of the case may appear to justify and such representations will be duly made.

For the reasons given the Appeal must therefore fail to all grounds and I confirm the conviction and sentence with a recommendation to the High Commissioner that His Excellency may be pleased to consider a substantial reduction of the sentence on the grounds that it is excessive and in view of the fact that the accused suffered injury to their property. 10

R. M. DANIEL,

Acting Resident Commissioner.

3rd September, 1926.

Sentence reduced in the case of each of the prisoners to imprisonment with hard labour for four years. (High Commissioner's despatch No. 1382 of 21st September, 1926.) 20

R. M. DANIEL,

Acting Resident Commissioner.  
 23.9.26.

Certified True Copy.  
 (Signed) H. H. Price,  
 Registrar,  
 R.C.'s Court.

Exhibit "U."  
 Evidence taken on  
 Commission.  
 A. L. Cuzen.  
 Produced by Clerk  
 of Court, Serowe.  
 Defendant's Case.  
 19.3.1928.

**EXHIBIT "U."**

**IN THE COURT OF THE RESIDENT MAGISTRATE FOR  
 THE LOBATSI DISTRICT.**

**COMMISSION DE BENE ESSE.**

In the matter between

Chief Tshekedi and Ratshosa Brothers.

ALLAN LECKIE CUZEN, duly sworn, states:

I arrived at Serowe on the 26th March, 1926, to take over the duties of Resident Magistrate and did not have any need to examine the Ratshosa buildings nor did I then know where they were situated. 10

Upon the day the shooting affray took place at Serowe (Easter Monday, 1926), I had occasion to go to the Ratshosa Buildings to bring the Ratshosa brothers to Camp. Being under fire at the time there was no idea of examining the buildings and in fact the only building I have seen closely was the hut occupied by Obeditse, but even that I know nothing about. After the burning I did not examine the buildings nor have I ever been nearer to them, since that time, than the motor road passing these houses.

In connection with instructions to John Ratshosa to expedite disposal or removal of Cattle from Bamangwato Reserve, instructions were given to Johnny Ratshosa by His Honour the Acting Resident Commissioner personally, somewhere about September or October, 1926, at Palapye Road to the effect that he must dispose of all stock within the Reserve within four months (as cattle in the Bamangwato Reserve could not go outside the Reserve when Johnny was banished) the time allowed for their departure as contained in the Banishment Order. Correspondence in Serowe will show Johnny Ratshosa was warned more than once to get rid of all stock in the Bamangwato Reserve. 30

About January, 1927, Colonel Ellenberger also instructed Johnny Ratshosa personally that he must make arrangements to dispose of the stock in question as time was short and up to that time nothing had been done. Eventually Johnny Ratshosa went to Mafeking to see His Honour the Resident Commissioner to endea-

Exhibit "U."  
Evidence taken on  
Commission.  
A. L. Cuzen,  
continued.

your to obtain an extension of time and a short extension was granted. When it was originally intended to send Johnny Ratshosa and Oratile to Ghanzi correspondence was entered into between Mr. H. C. Weatherilt and the Administration regarding an arrangement to get rid of the Ratshosa cattle by means of exchange with Weatherilt's cattle at Ghanzi, but when it was decided not to banish Johnny Ratshosa to Ghanzi this matter lapsed. As Ratshosa was informed both by the Resident Commissioner and the Acting Resident Commissioner there was no need for me to tell him also.

I am of opinion that Lieut. Poole also conveyed the same 10 instructions to John Ratshosa.

(Signed) A. L. CUZEN.

Sworn to and adhered to before me at Lobatsi this 19th day of March, 1928.

(Signed) V. ELLENBERGER,  
Ag. Resident Magistrate,  
Lobatsi.

Resident Magistrate,  
19th March, 1928,  
Lobatsi.

Exhibit " V. "  
Telegram from  
Resident  
Commissioner.  
Put in by Court.  
23.3.1928.

**EXHIBIT " V. "**

Serowe, Bechuanaland Protectorate,  
23 March, 1928.

Mafeking 2.40.

Additional Magistrate.

218 March 23 Your 166 of Twentieth I only recollect one occasion namely case of Moeti said to have been burnt out of south of old Tati about 1921 when Phethu Mopeni was in charge of property of Bamangwato. To best of my belief I gave no Dictum as to correctness of procedure.

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Resident Commissioner.

Exhibit " W. "

Evidence on  
Commission.  
A. L. Cuzen.  
Produced by Clerk  
of Court.  
Defendant's Case.  
24.3.1928.

**EXHIBIT " W. "**

IN THE COURT OF THE RESIDENT MAGISTRATE FOR  
THE LOBATSI DISTRICT, BECHUANALAND PROTEC-  
TORATE.

EVIDENCE ON COMMISSION.

In the matter between Chief Tshekedi and Ratshosa.

ALLEN LECKIE CUZEN makes oath and says:

During the afternoon of the 5th April, 1926, while the shooting was still in progress at Serowe, I proceeded to the Ratshosa dwellings. I called to the brothers to come out as I had come to take them to Camp for protection. I found Obeditse armed but Johnny was hiding and eventually he came out from his hiding place. They were afraid to go with me seeing the Chief's regiments lined the road. I told them I would protect them and for that purpose I proceeded beforehand towards the regiments and told the leaders I wanted safe passage for the Ratshosas. This was granted. There was no guarantee of protection of their property by the Government or myself as at the time there was no thought in my mind that any harm would come to their property. I was only concerned with their lives which I consider I saved. There was nothing at the time to show, or to project, that there would be any burning of property. It only happened the next day. About 9 p.m. the same evening after finding Simon Ratshosa I proceeded to the Kgotla and there told the Chief that the shooting must cease as the Ratshosas were in my hands and under Government protection. The Chief said there would be no more shooting and he would see that the people remained quiet. Next morning on my way to the Kgotla I noticed the Ratshosa houses burning. This was at some distance. I went to the Chief and asked him what was happening. As far as I can recollect he said he had sent a regiment to burn the Ratshosa dwellings. I did not make any comment but returned to camp. It will be understood how difficult it is for me to remember everything that happened two years ago. It may be that the Chief said a regiment had gone to burn the houses and not that he had actually sent the regiment.

(Signed) A. L. CUZEN.

Before me at Lobatsi this 24th day of March, 1928.

(Signed) V. F. ELLENBERGER,  
Ag. Resident Magistrate.

**PART II.**

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**EXHIBITS.**  
**SECTION "B"**

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**JOHNNY RATSHOSA**

*VERSUS*

**CHIEF TSHEKEDI KHAMA.**

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MEMO. EXPLAINING WHY CERTAIN EXHIBITS WERE  
NOT PRINTED.

EXHIBIT "A."

EXHIBIT "F."

EXHIBIT "G."

## MEMO.

JOHNNY RATSHOSA *vs.* TSHEKEDI KHAMA.

The following documents are not included in the record for the reasons stated:—

Exhibit mark.	Nature of Exhibit.	Reason for non-inclusion.
" B "	Copy of Captain Nettleton's evidence in Simon vs. Tshekedi ... ..	Already appearing in the record at pages 61—63. Simon Ratshosa vs. Tshekedi Khama.
" C "	Statement with supporting papers of sales by plaintiff ...	The exhibit only concerns cattle claims which are not now under review.
" D "	Certified copy of Ben Rose's evidence in Case No. 1 ... ..	Already appearing in the record at pages 59 and 60. Simon Ratshosa vs. Tshekedi Khama.
" H "	Receipt handed in by Lieut. Poole from J. Ratshosa ... ..	Refers to disposal of cattle which is not now under review.
" I "	Inventories of sales Sundry Creditors vs. Ratshosa ... ..	do.
" J "	Minute from R.M., Serowe to Messenger of Court ... ..	do.
" K "	Receipt of Headman Neo ... ..	do.
" L "	Letter from Johnny to Lieut. Poole ... ..	do.
" M "	Letter from Johnny to Lieut. Poole ... ..	do.
" N "	Copy of Power of Attorney to Dr. Lang ... ..	do.
" O "	Copy of receipt by Dr. Lang to Chief ... ..	do.
" P "	Letter from Imperial Cold Storage to Chief ... ..	do.
" Q "	Copy of evidence on Commission A. L. Cuzen ... ..	Same as Exhibit " W " in Simon Ratshosa's case.



Exhibit "A."  
Inventory of Goods.  
Produced by  
John Ratshosa.

## EXHIBIT "A."

INVENTORY OF GOODS AND PROPERTY BELONGING TO  
JOHN RATSHOSA

Destroyed during the Easter (1926) Riots at Serowe in the  
Bechuanaland Protectorate.

INVENTORY OF HOUSE No. 1.			
BEDROOM.			
1. One Double Bedstead Oak	£8 10 0	42. One chest cover trimmed crochet ... ..	6 6
2. One Coir Mattress ... ..	2 10 0	43. Two prs. gent's socks ...	4 0
3. One Spring Mattress ... ..	3 0 0	44. Two prs. gent's socks ...	9 0
4. One pr. Double bed Sheets	1 5 0	45. One pyjama Suit ... ..	8 0
5. Two cotton blankets ... ..	1 0 0	46. One pyjama Suit ... ..	15 6
6. Three Pillows ... ..	15 0	47. Three prs. leather gloves	12 0
7. Two Blankets (Wool) ...	4 10 0	48. One pr. Military Gauntlets	1 10 0
8. Blind with spring roller ...	12 6	49. One Shaving Brush ... ..	4 6
9. Three shirts ... ..	2 0 0	50. One Valet Auto Strop Razor ... ..	1 5 0
10. Quilt ... ..	1 0 0	51. 30 Blades for Razor ... ..	1 0 0
11. Gent's Suit ... ..	6 6 0	52. One washing stand ... ..	2 10 0
12. One pr. Gaberdine trousers	1 5 0	53. Five piece enamelled toilet set ... ..	1 10 0
13. One pr. trousers ... ..	15 0	54. One pair of Boots ... ..	1 5 0
14. One pr. white gaberdine trousers ... ..	1 0 0	55. One pair of Boots ... ..	1 0 0
15. Half. doz. ties ... ..	7 6	56. Two pairs slippers ... ..	15 0
16. Eight Linen Collars ... ..	8 0	57. One pr. riding breeches	1 0 0
17. Four soft collars ... ..	4 0	58. One pr. canvas leggings	1 10 0
18. Two Helmets ... ..	3 10 0	59. One pr. pigskin leggings...	1 15 0
19. One Military cap ... ..	1 10 0	60. One white silk jacket ... ..	10 0
20. One Double Terai Hat ...	2 10 0	61. One jacket ... ..	2 2 0
21. One Double Terai Hat ...	1 10 0	62. One pr. spectacles, gold frame ... ..	1 10 0
22. One Felt Hat ... ..	10 0	63. One pipe ... ..	10 6
23. One Felt Hat ... ..	6 0	64. One Gold Watch ... ..	3 0 0
24. One Over Coat ... ..	3 0 0	65. One tin trunk ... ..	1 15 0
25. One Waterproof Coat ...	6 10 0	66. One pr. field glasses ... ..	4 10 0
26. Two Swords ... ..	6 0 0	67. Two cans of powder ... ..	10 0
27. One Mauser Pistol with cartridges ... ..	6 0 0	68. Two tins of Caps ... ..	10 0
28. One Pistol ... ..	4 0 0	69. One leather cartridge bag	1 10 0
29. Four Walking sticks ... ..	2 10 0	70. One gun metal watch ...	10 0
30. 100, .318 Cartridges ... ..	2 10 0	71. One watch ... ..	1 10 0
31. Set of cartridges, tools ...	1 10 0	72. One small leather bag ...	5 0
32. One Fountainpen ... ..	2 2 0	73. Linoleum ... ..	5 5 0
33. Two cigarettes and one cigarette holder ... ..	1 6	74. One black military cap, gold braid ... ..	2 10 0
34. One dressing chest ... ..	7 10 0	75. One sword belt ... ..	1 5 0
35. One small chest ... ..	3 15 0	76. Three belts ... ..	10 0
36. One top hat (silk) with case ... ..	2 15 0	77. Three artificial teeth, gold plated ... ..	6 18 0
37. One Bath Towel ... ..	1 5 0	78. Coat rack ... ..	10 0
38. One Towel ... ..	2 6	79. Soap ... ..	1 6
39. One Tooth Brush ... ..	1 0	80. Boot polish and brushes ...	4 0
40. Two combs ... ..	1 6	81. Two Watches ... ..	3 10 0
41. Two cloth brushes ... ..	5 6		
			<u>£152 8 6</u>

Exhibit " A. "  
Inventory of Goods  
continued,

INVENTORY OF HOUSE No. 2.

1. One Double Bedstead ...	£16 0 0
2. One Spring Mattress ...	3 10 0
3. One Coir Mattress ...	3 0 0
4. Three Blankets (Wool) ...	9 10 0
5. Two cotton Blankets ...	1 10 0
6. One pair bed sheets ...	1 10 0
7. One Motchosa Kaross ...	9 0 0
8. Four Pillows ...	1 12 0
9. One Quilt ...	1 5 0
10. A Bed frill ...	16 0
11. One Oak Dressing Chest bevelled mirror ...	8 10 0
12. One tin trunk ...	2 10 0
13. One leather suitcase ...	7 5 0
14. One Lady's Skirt ...	1 10 0
15. One Lady's Frock ...	3 3 0
16. One Lady's Frock ...	4 4 0
17. One Lady's Frock ...	3 3 0
18. One Lady's Frock ...	5 5 0
19. One Lady's Frock ...	4 4 0
20. One Lady's Frock ...	6 6 0
21. One Lady's Frock ...	2 2 0
22. One Lady's Costume ...	8 8 0
23. One Bridal Dress ...	14 14 0
24. One Lady's Frock ...	5 5 0
25. Two Bridal Veils ...	1 2 0
26. One pr. Lady's gloves ...	5 6
27. One Bridal Coronet ...	5 0
28. Bouquet and flower bunches ...	10 0
29. One Lady's Cardigan (wool) ...	1 10 0
30. One Lady's silk coat ...	5 5 0
31. One Lady's belt ...	2 6 0
32. One pair of earrings ...	10 0
33. One rolled gold bangle ...	5 6
34. One silk muffler ...	15 0
35. One silk muffler ...	1 10 0
36. One silk muffler ...	1 0 0
37. One silk shawl ...	3 0 0
38. One silk Spanish shawl ...	8 8 0
39. One Wool Shawl ...	4 0 0
40. One Shawl ...	2 10 0
41. One Pair lady's shoes ...	2 15 0
42. One Pair casement cur- tains ...	2 5 6
43. Three yds. sail ...	15 0
44. One Towel ...	5 0
45. One white enamelled washing Basin ...	7 0
46. Four chest cloth covers, trimmed crochet ...	4 0 0
47. One tooth brush ...	1 6
48. Two lady's chemises ...	1 10 0
49. One sewing machine ...	6 10 0
50. One Lady's leather shop- ping handbag ...	15 0

51. One comb ...	2 0
52. One looking glass ...	2 6
52. Needles, crochet needles, & Scissors ...	6 6
54. Two native skin mats ...	10 0
55. One Electric torch ...	1 2 0
56. Linoleum ...	10 0 0
57. Two Anchor Filosheen em- broidery ...	1 6
	<hr/>
	<u>£189 12 6</u>

INVENTORY OF HOUSE No. 3.

1. One single Bedstead ...	£3 10 0
2. One single Cork mattress .	1 10 0
3. One Dressing Chest (Oak)	12 10 0
4. One dressing chest (Teak)	10 0 0
5. One Tin Trunk ...	3 0 0
6. One Grey Suit ...	8 8 0
7. One Riding Suit, Silk Gaberdine ...	12 12 0
8. One Blue Serge Suit ...	9 9 0
9. One Check Suit ...	8 8 0
10. One Frock Suit ...	12 12 0
11. One Summer Suit ...	6 6 0
12. Three ties ...	12 0
13. Two Shirts ...	2 0 0
14. Six Soft Collars ...	9 0
15. Four Hunter's scarf ties	6 0
16. One silk scarf (Gent's) ...	3 6
17. One silver chain ...	1 15 0
18. One Lion Claw, gold mounted ...	2 10 0
19. Two leather chains ...	4 0
20. One Silver Hunter's Watch ...	4 10 0
21. Two wristlet watches ...	3 10 0
22. Two chest covers, crochet trimmed ...	1 0 0
23. One Snuff box, silver ...	10 0
24. One Snuff box, tin ...	1 6
25. One pair of lace curtains	1 5 0
26. One pair of casement cur- tains ...	1 10 0
27. Sam belts ...	4 10 0
28. One military frock ...	4 15 0
29. One military tunic ...	4 4 0
30. One military Wrapper sail	1 10 0
31. One Holdall ...	1 10 0
32. Flannel Suit ...	6 0 0
33. One fan ...	2 6
34. Lionleum ...	5 0 0
	<hr/>
	<u>£186 2 6</u>

Exhibit "A."  
Inventory of Goods  
continued.

INVENTORY OF HOUSE No. 4.	
1. One sideboard, bevelled large plate mirror, (teak)	£40 0 0
2. One cupboard	4 10 0
3. One cupboard	3 15 0
4. One Dining room table	6 10 0
5. One Dining room table	3 0 0
6. Two prs. casement curtains	2 10 0
7. One white table cloth	15 0
8. Two cupboard covers, crochet trimmed	16 0
9. Two sideboard covers, trimmed	1 5 0
10. One cosy with crochet cover	10 0
11. Three crochet doilies	6 0
12. Six crochet doilies	15 0
13. One crochet tray cover	15 0
14. One milk jug	5 0
15. One enamelled basin	7 0
16. One enamelled basin	4 6
17. One white enamelled bucket	6 0
18. One enamelled bucket	10 0
19. One galvanized bucket	10 0
20. Twelve desert spoons	1 1 0
21. Twenty-four tea spoons	1 4 0
22. Twelve table spoons	1 4 0
23. Eighteen table knives	1 16 0
24. Sixteen forks	1 4 0
25. Twelve plates	18 0
26. Eight soup plates	16 0
27. Ten enamelled pie dishes	1 2 0
28. One enamelled teapot	8 6
29. One enamelled teapot	6 6
30. One enamelled teapot	5 6
31. One coffee pot	6 6
32. One silver teapot	1 5 0
33. One enamelled sugar basin	4 6
34. Twelve tea or coffee cups	18 0
35. One cut glass sugar basin	5 6
36. One cut glass butter dish	5 6
37. One cut glass jam dish	5 6
38. Three-bottle cruet, cut glass	15 0
39. One table lamp	1 10 0
40. One bottle cruet	8 6
41. One large tray	10 6
42. One large tray	8 6
43. One tray	4 6
44. One large enamelled kettle	1 5 0
45. One tray	5 6
46. One teapot	6 0
47. One teapot	5 6
48. One coffeepot	4 6

49. Four sideboard covers crochet trimmed	2 0 0
50. One enlarged photo (Khama Sebele, and Bothoen)	2 2 0
51. Six photos	3 12 0
52. One enlarged photo	8 0
53. One Serowe photo	15 0
54. Eight photos	16 0
55. Two tuck-away chairs (teak)	6 10 0
56. Four dining room chairs	3 0 0
57. One clock	2 10 0
58. Carpet	5 10 0
	<hr/>
	£114 12 0
	<hr/>

INVENTORY OF HOUSE No. 5.	
59. Sideboard with shaped one large bevelled mirror and two shaped bevelled mirrors	£25 0 0
60. One teak settee with cushions	8 0 0
61. One round table	4 15 0
62. One round table with tea cloth crochet trimmed	3 0 0
63. Two teak Morris chairs with cushions	9 10 0
64. One Tea Table	2 10 0
65. One Tea Table	1 15 0
66. Two sideboard cloth covers crochet trimmed	2 0 0
67. Two tea cloths crochet trimmed	1 15 0
68. One Gramophone	6 10 0
69. Twenty-four Records	5 15 0
70. One Moir hair table cloth	7 0 0
71. One glass Hall Lamp	7 10 0
72. One Clock	4 15 0
73. Tea Set	3 15 0
74. One plate with Chief Khama's photo	2 10 0
75. One aluminum sugar basin	5 0
76. One aluminum sugar basin	3 6
77. One Earthen-ware teapot	7 6
78. One pair of casement curtains	1 0 0
79. One pair of lace curtains	1 10 0
80. One white cornice pole	10 0
81. Enlarged Chief Khama's photo	7 7 0
82. Enlarged Chief Sekgoma's photo	7 7 0
83. Enlarged Family photo	5 5 0
84. Enlarged Parent's photo	6 6 0

Exhibit "A."  
Inventory of Goods  
continued.

85. Enlarged Duke of Connaught's photo ... ..	2	2	0
86. Enlargement of Khama, Sebile, and Bothosu ...	2	2	0
87. Col. Panzera, Magistrate, Khama and People ...	1	2	0
88. Linoleum ... ..	15	10	0
	<hr/>		
	£146	17	0

123. Forty-eight sheets for type-writer ... ..	5	0
124. Sixty official envelopes ...	6	3
125. Four packets of envelopes ...	2	0
126. Four penholders ... ..	2	0
127. Two lead pencils ... ..	1	0
	<hr/>	
	£88	2 3

INVENTORY OF HOUSE No. 6.

OFFICE.

88a. One writing desk, shelving and doors ... ..	£5	5	0
89. One table cover ... ..		10	0
90. One book shelf ... ..	3	10	0
91. One book shelf ... ..	1	10	0
92. One book shelf ... ..	1	0	0
93. One letter scale ... ..		6	0
94. One letter binder ... ..		10	0
94. One letter hole cutter... ..		10	0
96. One Remington Typewriting Machine ... ..	15	0	0
97. One Pigeon holes shelf ...	2	0	0
98. One leather attache case... ..	2	10	0
99. One Letter Box ... ..		15	0
100. Two Ink Stands ... ..		10	0
101. 140 books ... ..	20	0	0
102. Six letter files ... ..	1	10	0
103. One Album with photos ...	2	5	0
104. One almanack wooden box ...		10	0
105. One tin of gold stain ... ..		3	6
106. One tin of silver stain ...		2	6
107. One bed stretcher ... ..	2	5	0
108. One Office revolving chair ...	3	10	0
109. Nine enlarged photos ... ..	4	10	0
110. One enlarged photo ... ..		10	0
111. Six photos ... ..		12	0
112. One set surgical tools ... ..	5	5	0
113. One two c.c. syringe ... ..		11	6
114. Four five c.c. syringes ...	3	2	0
115. One 10. Syringe ... ..	1	2	6
116. One 20 c.c. Syringe ... ..	1	5	0
117. One Diamond glass cutter ...	1	5	0
118. One ruler ... ..		1	6
119. Linoleum ... ..	2	2	0
120. One ruler ... ..		2	6
121. Two sets of geometrical drawing ... ..		10	0
122. Two writing pads ... ..		5	0

INVENTORY OF HOUSE No. 7.

128. One Shelf (Kitchen Shelf)	£3	0	0
129. One enamelled kettle ... ..		6	0
130. One Kettle (Copper) ... ..		5	6
131. One enamelled kettle ... ..		15	0
132. One enamelled bucket ... ..		4	6
133. One tin can ... ..		2	6
134. One enamelled bucket ... ..		3	6
135. Three galvanised buckets ...	1	1	0
136. Two enamelled buckets ... ..		16	0
137. Sad Iron ... ..	1	5	0
138. Three pairs of harness ... ..	18	0	0
139. One enamelled saucepan ...		5	6
140. Three wagon front boxes... ..		6	0
141. Two wagon Cartils ... ..		5	10
142. One single bedstead ... ..		2	10
143. One spring mattress ... ..	1	5	0
144. Three sail empty bags... ..		15	0
145. Thirteen empty bags ... ..		9	9
146. Five empty sugar bags ... ..		1	9
147. One full bag of sugar ... ..	2	0	0
148. One half bag of sugar ... ..	1	0	0
149. One saddle ... ..	8	0	0
150. One saddle ... ..	3	0	0
151. One solid nickle bit ... ..		6	6
152. One lantrom ... ..		8	0
153. One Boer chair ... ..		5	0
154. Two enamelled basins ... ..		12	0
155. One saddle bag ... ..		15	0
156. Two bridles ... ..	2	10	0
157. One camp chair ... ..		3	6
158. One stool ... ..		2	6
159. One packet candles ... ..		1	6
160. One packet tea ... ..		3	6
161. One bottle sauce ... ..		1	6
162. Potatoes and Onions ... ..		4	0
163. Salt ... ..		3	0
164. Ten bars of soap ... ..		10	0
	<hr/>		
	£63	2	0

Exhibit "A."  
Inventory of Goods  
continued.

INVENTORY OF HOUSE No. 8.			
165. Eight native water pots ...	16 0	176. Two tins of paint ... ..	1 10 0
166. Four native baskets ... ..	£1 4 0	177. One tin of paint ... ..	15 0
167. Four native baskets ... ..	1 12 0	178. One tin of paint ... ..	12 6
168. Two native baskets ... ..	1 0 0	179. Three tins of varnish... ..	2 5 0
169. Two wooden basins ... ..	6 0	180. One Sieve ... ..	5 0
170. Four wooden basins ... ..	16 0	181. One native ... ..	3 0
171. Two wooden spoons ... ..	3 0	182. One tin of Carbolinium ...	15 0
172. Two wooden spoons ... ..	2 0	183. Bath ... ..	1 10 0
173. Four wooden spoons ... ..	2 0	184. One dog chain ... ..	4 6
174. Fifteen hides (oxen) ... ..	7 10 0	185. One funnel ... ..	5 0
175. One box full of carpenter's tools ... ..	15 0 0	186. Two small funnels ... ..	1 9
			<u>£86 17 9</u>

INVENTORY OF BUILDINGS, ETC., BELONGING TO JOHN RATSHOSA

Destroyed during Easter (1926) Riots at Serowe.

1. A house of six rooms, built in a modern style, verandahs front and back, square cut flags, smoothed facings, cement pointed, concrete octagon pillars, sitting room cement floor, an architrave cement round the arch between the sitting room and dining room, the whole outside of the building plastered with cement, foundation bull-headed stone all round—value ... ..	£985 10 0
2. Octagon hut, iron roof, painted, verandah all round—value ... ..	125 0 0
3. A house of two rooms, verandah all round, grass roof ... ..	155 0 0
4. A rondavel ... ..	35 0 0
5. A rondavel ... ..	15 0 0
6. A store ... ..	10 0 0
	<u>1,325 10 0</u>
Cash lost ... ..	993 10 0
	<u>£2,319 0 0</u>

GOODS AND PROPERTY DESTROYED.

INVENTORY OF HOUSE No. 9.			
1. White Mealies to the value of ... ..	£80 0 0	7. 2 bags of coir ... ..	14 0
2. Yellow Mealies to the value of ... ..	65 0 0	8. Osigo Kaffir corn grass baskets ... ..	2 0 0
3. Kaffir Corn to the value of	217 10 0	9. 2 sets of donkey harness ...	3 10 0
4. 6 Teak boards 10ft., to the value of ... ..	6 0 0	10. 6 Kaffir picks... ..	12 0
5. 2 deal boards 3 x 4, 16ft., to the value of ... ..	16 0	11. 7 Muralo brushes ... ..	8 0
6. 4 deal boards 3 x 2, 6ft. (teak) ... ..	2 0 0	12. 2 Paint brushes ... ..	5 0
		13. 2 Brown trunks ... ..	1 0 0
			<u>£379 15 0</u>

Exhibit "A."  
Inventory of Goods  
continued.

## INVENTORY OF HOUSE No. 10.

1. Fifty Motchosa Skins ... ..	£7 10 0
2. Three tiger skins ... ..	7 0 0
3. One buck shelf ... ..	10 0
4. One clock ... ..	1 10 0
5. One large photo frame... ..	15 0
6. Twenty sets of books ... ..	8 0 0
7. Two pairs of curtains ... ..	8 0
8. One box of spare tools ... ..	1 10 0
9. One Martiner Rifle... ..	5 0 0
10. One Air Gun ... ..	2 0 0
11. Two pairs of Brackets ... ..	3 0
12. Four Tower Bolts ... ..	4 0
13. One sjambok for hind oxen	6 0
14. One pocket knife ... ..	3 6
15. Rubber stamp ... ..	15 6
16. Four rim locks ... ..	2 0 0
	<hr/>
	£37 15 0

INVENTORY OF SUNDRY GOODS  
NOT ENUMERATED ELSEWHERE.

17. Two yards of sail ... ..	5 0
18. One cotton blanket ... ..	5 0
19. One cotton blanket ... ..	3 6
20. One pillow ... ..	2 6
21. Three baby's gowns ... ..	12 0
22. One infant's flannel gown	5 0
23. One infant's linen gown ...	5 6
24. Two infant's bonnets ... ..	10 0
25. Two infant's flannel bon- nets ... ..	6 0
26. One silk robe ... ..	1 1 0
27. One infant's bonnet ... ..	4 6
28. One infant's feeding bottle	7 6
29. One umbrella ... ..	8 0
30. Four napkins ... ..	6 0
31. One baby's Japanese basin	1 6
32. One baby's Japanese cup	1 0
33. One mug ... ..	1 0
34. One towel ... ..	1 6
35. One iron ... ..	6
36. One young lady's frock (silk) ... ..	2 2 0
37. One young lady's frock ...	1 10 0
38. One young lady's frock ...	2 10 0
39. One young lady's frock ...	1 5 0
40. One young lady's frock ...	2 5 0
41. One young lady's frock ...	2 2 0
42. One young lady's frock ...	1 0 0
43. One young lady's frock ...	15 6
44. One young lady's frock ...	10 6
45. One young lady's frock ...	18 0
46. One young lady's frock ...	12 6
47. One young lady's frock ...	12 0
48. Three petticoats ... ..	1 10 0
49. One pair of lady's shoes	1 10 0
50. Two pillows ... ..	8 0
51. Two cotton blankets ... ..	1 10 0
52. One towel ... ..	2 6
53. One comb ... ..	1 0
54. Five school books ... ..	10 6
55. One slate ... ..	1 6
56. One ink ... ..	6
57. Two exercise books ... ..	2 0
58. One pen holder ... ..	6
59. Three crochet lace ... ..	1 5 0
60. One crochet needle ... ..	6
61. Two woollen caps ... ..	5 6
62. One tin trunk ... ..	1 10 0
63. Two native trunks ... ..	10 0
64. Two prs. stockings ... ..	7 6
65. One girl's frock ... ..	1 0 0
66. One girl's overall ... ..	10 0
67. One girl's frock ... ..	15 0
68. One girl's overall ... ..	8 0
69. One girl's overall ... ..	10 0
70. One girl's overall ... ..	15 6
71. One pair girl's shoes ... ..	18 6
72. One pair girl's stockings .	5 0
73. Two blankets ... ..	1 5 0
74. One cotton blanket ... ..	10 0
75. One pillow ... ..	4 0
76. One crochet cotton ... ..	1 6
77. One kaross ... ..	2 10 0
78. One bottle vaseline ... ..	6
79. One tin boot polish ... ..	1 0
80. Two native mats ... ..	10 0
81. One petticoat ... ..	5 6
82. One woollen cap ... ..	2 6
83. One muffler ... ..	5 0
84. One honey comb shawl ...	10 6
85. Four school books ... ..	5 0
86. Two girl's belts ... ..	3 0
87. One crochet needle ... ..	6
88. One small tin box ... ..	1 0
89. One needle and six safety pins ... ..	3
90. One apron ... ..	3 6
91. One slate ... ..	1 0
92. One boy's suit ... ..	2 10 0
93. One boy's suit ... ..	2 2 0
94. One boy's trousers ... ..	12 0
95. Two boy's knickers ... ..	1 4 0
96. One boy's knickers ... ..	10 0
97. One boy's jacket ... ..	15 0
98. One boy's overcoat ... ..	3 10 0
99. One boy's jersey ... ..	15 0
100. Three blankets ... ..	2 15 0
101. One pair of shoes ... ..	1 0 0
102. Two caps ... ..	5 0
103. One hat ... ..	5 6
104. Two native mats ... ..	10 0
105. One tin trunk ... ..	1 10 0



Exhibit " F. "  
 Report by Magistrate,  
 Francistown, to  
 Government  
 Secretary.  
 Produced by  
 Defendant.  
 12.3.1927.

**EXHIBIT " F. "**

The Government Secretary,  
 Mafeking.

Johnny Ratshosa reports that he is here and that his family have arrived too by orders of the Chief Tshekedi. He has not enough money even to pay for food. He reports that his boy brought his car from Palapye.

He says that he has obeyed the Government's order to remove himself from the Nwato Reserve. That he has arranged with Smith and Bailey to buy his cattle, but that he has no means now 10 of pointing them out or of collecting them.

Meanwhile he says that the Chief is sending regiments to his cattle-post and taking his cattle.

He says that he is tired of the whole thing and that if the Government will give him one month he will do his best to dispose of all his property and that of Simon and Obeditse.

He would ask the Government, if this request is granted, to ensure that he is not interfered with in any way by the Bamangwato.

G. B. MOSELEY,  
 Resident Magistrate. 20

Francistown,  
 12.3.27.



Exhibit " G. "  
Statement by  
J. K. Sechele.  
Produced by Court.  
10.3.1928.

**EXHIBIT " G. "**

JAKOBA KGARI SECHELE, duly sworn, states:

I am a Mokwena Headman living at Molepolole. I am the eldest son of Kgari, the son of the late Chief Sechele I.

I removed with my followers to the Chief Khama's country in 1902 on account of differences between the Chief Sebele I. and myself. I repatriated to the Bakwena country in 1925—the time of the Prince of Wales's visit, with the approval of the Chief Sebele II. under whom I now live.

While I lived at Serowe under the Chief Khama I used to sit 10  
in the Kgotla there. All the Bamangwato know this.

I remember that the Chief Khama several times spoke in Kgotla about the question of the inheritance of female children. Khama said " If a woman was legally married and her husband died the daughters of the marriage cannot be treated like dogs. If such a mother has only one daughter and no sons that daughter must be provided for even if there is a son by another wife. When the Chief Khama said this he did not mean that such daughters should be given equal inheritance with the boy. Khama did not interfere with the Secwana law and custom of inheritance, but 20  
merely voiced his wishes that a girl was to be provided for out of her father's estate so that she could live. The Chief Khama also said that even if the girl's mother had not been legally married, nevertheless she must be provided for, but in a lesser degree than if her parents had been legally married.

Khama said this because he knew that according to Secwana custom all the cattle and property of the deceased's father's estate cannot be taken away. Whereas in the case of a girl she takes away whatever she has been given out of the Estate and, if she marries, her husband takes charge of all such cattle or property of hers and 30  
puts them into his lolwapa. This is why Khama spoke about this matter, because in some cases the girl received nothing at all out of the estate and had nothing to live on.

The Chief Khama most certainly never said that the boy and the girl had the same privileges from the estate of their father. The boy remains in his father's kgotla and carries on the duties of his late father.

According to the Secwana law of inheritance, if a man, whether he be a Chief or a commoner, has married three wives, each wife has

Exhibit " G. "  
Statement by  
J. K. Sechele,  
continued.

her own household. Each household has its own cattle (secwaela), that is, the cattle and property that the husband gives to his wife in his lifetime for her lolwapa for the support of herself and her children. This secwaela belongs exclusively to her lolwapa. If she dies the " motshegetsi," executor, will be her eldest son. If the latter is still under age then the eldest maternal uncle will be executor. This executor will distribute the deceased mother's " secwaela " in the same manner as would be the case of the estate of a deceased father.

As regards a deceased father's estate. If, for instance the first wife has no son, but only a daughter, and the second wife has no children, and the third wife has a son, then when the father dies the inheritance goes to the eldest male child of the third wife, since he is the father's heir. The daughter of the first house would only receive out of her father's estate whatever the " motshegetsi " (executor) chose to give her. If this executor does not treat such daughter fairly she can go to the Chief and complain. This is why the Chief Khama gave out in Kgotla that such girls must be helped and not left unprovided for. 10

I am a Mokwena and I have no interest whatever in any disputes there may be to-day among Bamangwato people and have no longer any concern with affairs in their country. 20

I have to-day told the Magistrate the words I heard the Chief Khama speak in his Kgotla and that is all.

(Signed) JAKOBA KGARI SECHELE.

Witness :

(Signed) A. MOLOSIWA.

Sworn before me at Molepolole this 10th day of March, 1928.

A. G. STIGAND,  
Resident Magistrate. 30