

# Voorspraak van Generaal

## De Redenen voor de Ontbinding van het

### SEGESSIE DE LEVENSPOLITIEK DER NATIONA

## DE IMPERIALE KONNEKTIE EN BUITENLANDSE BE- DE BINNENLANDSE POLITIEK VAN DE UNIE.

Pretoria, 3 Dec.—(Reuter)

Gen. Smuts sprak heden in de Landbouwsaal te Pretoria een grote vergadering van zijn kiezers toe. Zijn toespraak luidde als volgt. Ik heb u laatst, toegesproken in de loop van 'n algemene verkiezing. Ik had toen nooit gedacht dat mijn volgende toespraak binnen aegen maanden zou plaats vinden bij het begin van een andere algemene verkiezing. Een algemene verkiezing is voor niemand een plezier en zeker allerminst voor een Regering aan het roer van het land. Maar 't zijn slechts redenen van meest dringende en belangrijke aard die mij bewogen hebben de Gouverneur-Generaal aan te raden het Parlement te ontbinden en opnieuw een beroep te doen op het land voor 'n nieuw mandaat.

### De Redenen voor de Ontbinding.

Laat mij dus vanavond beginnen door de redenen uiteen te zetten die mij ertoe gebracht hebben de Gouverneur-Generaal te adviseren het Parlement te ontbinden.

Zoals u bekend, was de uitslag van de laatste algemene verkiezing niet bevredigend; geen partij kreeg een parlementaire meerderheid. Wat moest toen gedaan worden? Een tweede algemene verkiezing onmiddellijk na de eerste was buiten kwestie, vooral omdat het Parlement dadelijk, nog voor het einde van 't bijna afgelopen financiële jaar moest vergaderen. Daarom besloot ik met mijn kollega's om ten spijte van onze parlementaire minderheid aan te blijven. Ik deed echter mijn best om de samenwerking van de andere Partijleiders te verkrijgen in het daarstellen van een non-partij Regering, die op een parlementaire meerderheid zou berusten. Ik slaagde er niet in, omdat een partij (de Arbeiders) op grond van beginsel weigerde samen te werken en een tweede (de Nationalisten) onmogelijke voorwaarden stelde. In kort, gen. Hertzog heeft sedert verklaard dat hij geen vertrouwen in mij had en beslist niet in dezelfde regering met mij zou dienen. Ik maakte geen persoonlijke bezwaren tegen iemand en was bereid met de andere partijleiders samen te werken, als ik daardoor het land van dienst kon zijn. Het kwam mij voor dat de politieke situatie en het feit, dat geen partij een meerderheid had, en de behoefte van 't land aan politieke rust en economische ontwikkeling, maakten het noodzakelijk om alle partijgeschillen te laten varen. Maar er waren anderen die meer om hun partij dan om hun vaderland gaven en die dan om hun favorover mijn moeilijkheden misschien nog ondersteuning der Unionisten gaven. De andere partijen zou niet voldoende de weest zijn om de Regering een werkdade meerderheid te geven.

Echter, de Regering is met succes door de zitting gekomen en heeft ten spijte van haar parlementaire minderheid een groot program van nuttige hervormingen doorgezet. Maar de reeds aangehaalde zeer bijzondere omstandigheden alleen rechtvaardigen haar afbreken en zij was volgens onze democratische instellingen verplicht het volk bij de eerste gelegenheid te raadplegen. Die gelegenheid zou nu voordoen zodra 'n nieuwe politieke situatie zou ontstaan, en dit is nu gebeurd. De politieke toestand heeft een belangrijke verandering ondergaan. De partijen hebben zich sinds de jongste verkiezing in andere groepen verdeeld.

nieuwe politieke toestand is inderdaad ontstaan, zodat het recht en behoort ik om het volk opnieuw te raadplegen. Mijn beroep op het volk in paar maanden geleden gedaan om 'n nieuw begin te maken in onze partij-politiek heeft goede gevolgen gehad. De gemiddelden van alle partijen zijn nu naar een duitweg uit het tegenwoordige politieke standpunt in onze politiek. Een sterk verlangen naar vrede en vreedvullige ontwikkeling gaat het land door. Het land is moede van ruzie, en nu wil de wilde en gevaarlijke praktijk van afscheiding van 't Britse Rijk. De grote meerderheid van gemiddelde kiezers die tot voorheen aan geen partij hebben behoord, hebben gehoor gegeven aan mijn beroep op een zeer bemoedigende wijze. Velen zelfs in de geleerden van de Nationalisten en Arbeiders zijn moede van het vruchteloze partijgeschreeuw dat hen in 't verleden van ons heeft weggehouden.

### Geen Partijkwestie, doch een Nationale Gebeurtenis.

Wat heden geschiedt is niet slechts een partijkwestie. Het is een nationale gebeurtenis van het eerste belang in de politieke geschiedenis van Zuid-Afrika, waarbij het volk de geleerden behoort te hebben om zijn zinswijs uit te drukken. De Regering onderwerpt zich met alle ootmoed maar met vol vertrouwen aan zijn oordeel.

Vergun mij enige woorden over de gebeurtenissen van de jongste paar maanden die deze grote verandering in onze politieke toestand teweeg gebracht hebben.

Een miting met de partijmoedigheden voortspuitende uit de jongste algemene verkiezing was hereniging. De vereniging van de Nationalisten Partij met de Zuid-Afrikaanse Partij, waarvan zij zich seven jaar geleden had afgescheiden. Een sterk en ernstig verlangen naar hereniging opbehaalde inmiddels de geleerden van beide partijen. Dit rond miting in verschillende konferenties en uiteindelijk op het Bloemfontein Kongres van laatste September. Werd hereniging verkregen door de verenigde partijen een gezamenlijke parlementaire meerderheid gehaald hebben en een nieuwe regering kon gevormd worden.

De afgevaardigden van de Zuid-Afrikaanse Partij gingen naar het kongres met de ernstig verlangen om tot hereniging te geraken en de akelige breuk van jaren geleden te heilen. Maar onthoudt dat de poging tot hereniging mislukte omdat de Nationale leiders geen woordvoorders geleedtemoord waren om hun politieke van afscheiding van de Britse Konnectie aan de Zuid-Afrikaanse Partij op te dringen.

De afgevaardigden op dit punt waren van mening dat de afscheiding van de Britse Konnectie een noodzakelijke voorwaarde was voor de hereniging.

### Oorzaken van de Ontbinding.

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it was Elijah (since dead) who gave the orders, but he could not say. There was great excitement over the seizure of the cattle, and in order that peace might be preserved, witness reported to the Superintendent of Natives, and the superintendent called a meeting. Witness pointed out at the meeting that the cattle must have been seized in retaliation, and he further said that the trouble regarding the chieftainship was the cause of the cattle being taken. Afterwards there was a meeting of the Kgotla, or native counsel, and there witness suggested that an independent chief should be called in to settle the friction, because Lotlamoreng was interested, through his father-in-law being a party to the case against Ackerman. Some of the headmen said they had better settle the matter among themselves, whereupon witness suggested six Councillors, three from either side, should settle the matter, and this was agreed to, but the arrangements afterwards broke down. The present chief had told the Resident Commissioner of the Bechuanaland Protectorate that he never accused witness in connection with the taking of these four cattle, but it was the Government who did so.

Witness was cross-examined at great length by Mr. Loewenthal.

Mr. Loewenthal: You say your party had sent in a petition to Government to get rid of the present chief. Supposing Government does not accede to your request, and the present chief remains chief, are you going to continue this business?—I hold on to the native custom.

Supposing the present chief has a case brought before him, and he fines you personally two head of cattle, and takes two away, are you going to retaliate?—I will retaliate.

You say Government has no right to appoint the present chief?—The GOVERNMENT HAS A RIGHT TO SANCTION

the wish of the people, but not appoint. Have they any right to depose?—They have no right to depose.

The Judge: As far as I can see, Silas, this sort of thing cannot go on. The chief, acting within his jurisdiction as he thinks, fines a man two head of cattle, and the other party goes and seizes cattle of the headman of that chief. Where is the thing going to end? It seems to me your people are coming to a deadlock there.

Witness was questioned by the foreman of the jury as to the point of his recognition of the authority of the chief and his headman, and at length the foreman remarked: "It seems to be a case for a Government inquiry instead of a case to be tried by a jury."

The Judge: That is what defendants contend. That is the whole thing I am going to leave to you in the end.

The Judge described the law as applied to the area in question, which had left certain jurisdiction to be exercised by the natives as between members of their own tribe, concerning certain civil and other minor matters. He pointed out their liquor law was retained by them, by which no native could get liquor under any circumstances.

Other evidence was given for the defence.

Mr. Loewenthal addressed the Court for the Crown. He showed that there was evidence against Tau and Molokwane for taking the four cattle away, while there was also evidence against Molokwane and Motshegare for selling the skins of the two slaughtered animals. He admitted the case was not so strong against Silas and Goitsenna.

Mr. Kitchin, in his address for the defence, urged there was no evidence against Silas and Goitsenna. As to Tau and Molokwane taking the cattle away, he urged there might have been a bona-fide mistake in their identification by the one witness who said she saw them. As to the selling of the skins by Molokwane and Motshegare, he said even if they were in possession, they were not in guilty possession of them. Concerning the charge of malicious injury to property, there was nothing to connect any of accused with the shooting of the two animals. With regard to the general question, he said it would appear to be more

A MATTER FOR LEGISLATION than anything else, after a proper inquiry.

The jury found Silas and Goitsenna not guilty, and Tau, Molokwane, and Motshegare guilty of theft; and the foreman said they would like to add that the three guilty men had been strongly influenced by this tribal dispute, and therefore they begged to recommend them to the Judge's consideration.

The Judge: I think I have a right to do that.

Mr. Loewenthal: In this case the Government does not press for anything more than a fine.

His Lordship intimated that he proposed doing this.

Mr. Kitchin asked that a suspended sentence should be passed.

The Judge thought it would be better not to pass a suspended sentence. It would be misunderstood. He did not propose to pass a heavy sentence. The tribe would pay the fine and not the individuals.

Mr. Kitchin said then he would ask His Lordship to deal with them as leniently as possible.

The Judge: I propose to deal with them quite leniently.

His Lordship, in passing sentence, said Silas and Goitsenna had been found

## European's Death.

WILLIAM MONTSIOA OF THE RATSIDI TRIBE.

### Spec. "Diamond Fields Advertiser" B. 11. 20 The Ratsidi's Dispute.

#### CASE FOR THE DEFENCE COUNCILLORS FINED

The case was resumed in the Criminal Sessions, before the Hon. Sir John Lange on Tuesday, in which five Councillors of the Ratsidi branch of the Baralong nation, viz., Silas Molema, Goitsenna Lekoma, Tau Tawana, Molokwane Lekoma and Motshegare Motshegare were indicted for stealing two head of cattle, the property of Dinko Mooki, and two head of cattle, the property of Tiego Tawana, or alternatively with malicious injury to property by shooting an ox, the property of Tiego Tawana, and one heifer, the property of Dinko Mooki.

Mr. Advocate F. K. Loewenthal represented the Crown, and Mr. Kitchin, K.C., instructed by Messrs. De Kock and De Kock, of Mafeking, appeared to defend.

In this case it appeared there had been a dispute among the Ratsidis as to the chieftainship of the tribe. Chief John Montsioa had been deposed by the Government, and Chief Lotlamoreng appointed by Government in his place. Part of the Ratsidis objected to Lotlamoreng, because he was not the nearest successor, according to native custom, and part supported the Government nominee. When Lotlamoreng's headman, acting under instructions from the chief, fined a native named Ackerman two oxen, and he did not pay, it was stated Ackerman's two oxen were seized by orders of the chief and slaughtered. Some of the natives, who did not favour Lotlamoreng, then seized four cattle in retaliation, two of which they slaughtered. Accused were charged in connection with the taking of these four oxen. A sixth Councillor named Lebopea Molema was charged originally along with the other five, but was discharged on the ground that there was no evidence against him.

The defence was now entered upon, Silas Molema, the first accused, giving evidence. He said he was headman and Councillor of the Ratsidi tribe at Mafeking, and was related to the late Chief Montsioa through his brother Molema. His defence briefly was that he had nothing to do with the seizing of these cattle. He did not recognise Lotlamoreng as Chief of the Ratsidis, though he recognised him as his superior by birth. He said the

#### SUCCESSION TO THE CHIEFTAINSHIP

was by birth, and there were many nearer heirs to the chieftainship than Lotlamoreng, who had recently been appointed by Government. This contention was upheld by the majority of the tribe, who did not support the chief appointed by Government.

Witness said the rightful chief was Tshiperang.

Mr. Kitchin: Is he regarded by the majority of the Ratsidis as the rightful

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Witness said the rightful chief was Tshiperang.

Mr. Kitchin: Is he regarded by the majority of the Ratsidis as the rightful heir?—Yes.

The Judge: He is not proclaimed until he becomes of age? Then you proclaim him?—Yes.

Mr. Kitchin: According to your native custom, has the Government once a chief has been proclaimed by the assembly of the people and accepted as the chief by the people—has the Government any right to depose such a chief?—No, sir.

Has the Government any right to appoint anyone else who is not the rightful heir as chief?—No, sir.

Supposing one dies has the Government any right to bring in a tenth-rate man in the order of succession, and put him over the rightful heir?—No.

The Judge: How came Lotlamoreng to be appointed? Some of the people must have made representations to the Government about it?—There was a private petition drawn up by a certain party to the Government to come in and proclaim him, and depose John Montsica.

The Judge: You say a petition was sent by some of your people to Lotlamoreng's people. Then Government had a meeting, I suppose. How did they come to put Lotlamoreng's people in?—The Minister of Native Affairs came and said he had got a petition from some of the Baralong people to come and proclaim Lotlamoreng as their rightful chief, of course, there was opposition—great opposition—on the ground that Lotlamoreng was not the proper chief. At the same time they wanted to be given time, so that they could consult all the nation, and discuss the matter, and this was

#### REFUSED BY THE GOVERNMENT.

In answer to counsel, witness said they were all on friendly terms, personally. This was only a political matter. There was no bad feeling against anyone of the other party.

The Judge: When you meet the Chief Lotlamoreng, do you speak to him or go on?—Yes: I give him what is worthy to be given him, in the line of money or anything he ought to get. Even himself (Lotlamoreng) he is on friendly terms with me.

Witness, proceeding, said the majority of the Baralongs were with him (witness) in this matter. A petition was sent to Government this year, signed by 400 Ratsidis, and there would have been more, but some did not know the way to sign.

Witness said he heard of the four cattle being seized, but did not know by whose orders it was done. He presumed

would be misunderstood. He did not propose to pass a heavy sentence. The tribe would pay the fine and not the individuals.

Mr. Kitchin said then he would ask His Lordship to deal with them as leniently as possible.

The Judge: I propose to deal with them quite leniently.

His Lordship, in passing sentence, said Silas and Goitsenna had been found not guilty by the jury, and would be discharged. Tau, Molokwane and Motshegaro had been found guilty of stealing these cattle, but the jury had recommended them to mercy. As a rule, men who stole cattle were seriously dealt with, but the jury had recommended them to mercy because they considered they were influenced by this tribal trouble. He warned them to take care not to be so influenced in the future. If the Chief imposed a fine on a man, and any of them retaliated, as it was said they did here, they would get into very serious trouble, or if any others did so they would get into trouble. He advised them to tell all the people in the stad that if such a thing occurred again—if they went and took other people's cattle and killed them because the Chief gave a decision of which they did not approve—it would not be a question of a fine in the future, but the question of a long term of imprisonment, and possibly of lashes as well. He was going to let them off lightly, and they would each be fined £10, or in default of payment three months' imprisonment with hard labour. Then he must also make them pay the value of the two cattle not recovered. He took the value of each at £15, and they would have to pay among them that amount of £30, and in default of payment of this amount they would each have to go to prison for an extra three months, with hard labour. If they did not pay either amount, they would receive six months' imprisonment each, with hard labour. Time was allowed for payment until 4 p.m. on Tuesday, November 9, and accused were let out on bail on their own recognisance of £25 each.

## European's Death.

### Singular Occurrence at Oudtshoorn

Oudtshoorn, Nov. 2 (Reuter).—A European, aged 50, who is said to have been suffering from toothache, gashed his abdomen with a knife so severely, that he died in hospital last night. The European was named Henry Acker.

Reduction.—Collisons announce a reduction of 12s. per dozen on Commando and all their other choice brandies. If any difficulty in obtaining supplies, write Box 390, Kimberley.

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HAD BEEN SLAUGHTERED, and the present chief could in no way satisfy the parties, and Tiego and Mooki said all the accused should be charged with theft. Accused were before the Court on this charge. Originally, said Mr. Loewenthal, the dispute arose during the deposed chief Montsiva's time. It came about through this man Ackerman. It would appear that Ackerman was one of those who did not recognise the present chief, and a judgment had been given against him in connection with some land he claimed as his own. Ackerman was dissatisfied with the judgment, and treated this land still as his own. When he went along one day he found others tapping it—it belonged to these others, and judgment had been given in their favour—and he molested some women there, and in consequence this charge was brought against him, and he was deposed as two head of cattle. It would appear from what Mr. Nicholson would say that at a later stage, some

one of the largest ever held. It was attended by a very large crowd of the general public. The Church was packed, and gathered in the cemetery.

## Durban's News

Mr. Fleming Johnson

Durban, Nov. 1 (Reuter's). Mr. Fleming Johnson was formally sworn in this morning, and Mr. George Deputy Mayor, vice Mr. T. Mr. W. Gilbert, who have been as a result of litigation reported.

## Colliery Fatalities

Fitter Killed Through Pa

Dundee, Nov. 1 (Reuter's). A fatality is reported in a South African Colliery, where a man named Chas. Herzel was killed as a result of the fall of a sect

being called to settle the matter to Government. Mr. Kitchin: The nation is fairly evenly into two parties matter?—Witness: I am not to say they are evenly divided is a division, and it is a serious because the most influential men of the tribe is on one side. I was at a meeting in November, 1919, when John was deposed by the Government. Silas Molema objected at that meeting.

After Mr. Loewenthal had announced the conclusion of the case for the Crown, Mr. Kitchin asked the Judge, under section 221 of Act 31 of 1917, to direct the jury to return a verdict of not guilty.

After considerable discussion between counsel, His Lordship directed the jury to return a verdict of not guilty in respect of accused No. 2, and the jury did so, and accused No. 2 was discharged. The Judge intimated that he could not do as Mr. Kitchin had requested in the case of the other accused.

The case was thereupon adjourned till to-day, when the defence will be entered upon.

Mr. Kitchin: The present Chief Lotlamoreng was born in 1896, five years after the death of his so-called father?—I do not remember this.

Mr. Loewenthal said he expected this point to be raised. Lotlamoreng, the present chief was born five or six years after his father died, the reason being a seed was implanted to keep the family going. A child was born about six years after the old man had died. Lotlamoreng was that offspring. One did not know who his father was.

The Judge: It is

### A CUSTOM AMONG NATIVES

that when a chief dies without heirs the next brother, either marries the chief's widow, or lives with her, to procure an heir, and the heir succeeds to the deceased person. It is an old custom. I do not say this was so in this case, but one has heard of this. It is an ancient Biblical custom. You will find something of this kind in the Old Testament.

Mr. Kitchin: We are all agreed that is the custom. Our evidence is that also. There is such a custom.

Mr. Kitchin (to witness): Who do you say was the father of Lotlamoreng? Who was the man who raised offspring from the widow according to native custom?—At that time I was still a boy, and do not know.

Mr. Kitchin: Our evidence will be old Montsiva himself was the father of Lotlamoreng. He had four wives already, and this was a fifth.

The Judge: He took his son's wife to wife?

Mr. Kitchin: You have heard about this, haven't you?—No, I have not heard about it.

You are all more or less related. All the accused are related to Montsiva's family, aren't they?—Yes.

The Judge: And so are you?—Yes. Evidence was given by a native housewife as to seeing Nos. 4 and 5 take the four cattle from Tiego's kraal.

An interesting witness was Lotlamoreng, the present chief of the Ratsidis, who is approved by Government. He wore a summer suit of a light holland material, and had a very youthful appearance. He



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