

**APPLICATION FOR GRAVE RELOCATION PERMITS, EXHUMATION
AND REBURIAL SERVICES FOR THE SWAZI RAIL LINK PROJECT –
NEW LINK**

**EXHUMATIONS ON THE FARM BLOEMKRANS PORTION 1,
LOTHAIR, MSUKALIGWA LOCAL MUNICIPALITY, UNDERTAKEN IN
TERMS OF SECTION 36 OF THE NATIONAL HERITAGE
RESOURCES ACT (NO 25/1999)
FEBRUARY 2019**

HERITAGE CONSULTANTS	CLIENT
Mbofho Consulting and Project Managers 89 Hans van Rensburg Street Office 209 Polokwane 0700 Tel: 015 280 0088 Cell: 079 1930 634 Email: info@mbofhoconsulting.co.za	TRANSNET SOC LIMITED, TRANSNET GROUP CAPITAL 18th Floor, Carlton Centre 150 Commissioner Street Johannesburg Nonhlanhla Maluleke Tel: 011 308 4524 Cell: 060 760 4470 Email: Nonhlanhla.Maluleke@transnet.net

Friday, 03 May 2019

LIMPOPO

89 Hans van Rensburg Str/ 90 Schoeman Str
Office 209, Polokwane, 0699
P.O Box 54, Polokwane, 0700

GAUTENG

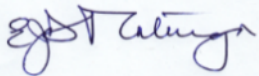
1 Looper Road
51 Hill of Good Hope
Midrand, 1682

NORTH WEST

No 2, Kudu street
Elandsrand, Brits
PO Box 3119, Brits, 0250

MPUMALANGA

Pet Street 26
Ermelo
2350

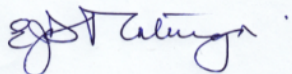
	Name	Signature	Date
FIELD WORK & REPORT	E. Matenga		10/03/2019

DECLARATION OF INDEPENDENCE

Dr Edward Matenga an independent consultancy: I hereby declare that we have no interest, be it business, financial, personal or other vested interest in the undertaking of the proposed activity, other than fair remuneration for work performed, in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999).

DISCLAIMER

All possible care was taken to identify and document heritage resources during the survey in accordance with best practices in archaeology and heritage management. However it is always possible that some hidden or subterranean sites are overlooked during a survey. The researcher will not be held liable for such oversights and additional costs thereof.



Full Name: Edward Matenga

Title / Position: Principal Researcher

Qualification(s): PhD Archaeology (Uppsala/Sweden) MPhil, Archaeology (Uppsala), Certificate in International Training on the Conservation of Heritage Territories and Landscapes of Heritage Value (ICCROM / Rome)

TABLE OF CONTENTS

1. INTRODUCTION	7
1.1. Brief description of the scope of the project.....	7
2. LOCATIONAL DETAILS AND HISTORY	8
3. THE BURIAL GROUND ON BLOEMKRANS PORTION 1	9
4. LEGAL FRAMEWORK.....	10
4.1. Protection of Graves and Burial Grounds	10
5. METHODOLOGY.....	11
5.1. Archaeological salvage of graves.....	11
6. FINDINGS.....	13
6.1. Summary of Findings	14
6.2. Reburial	14
6.3. Family ceremonies and rituals	14
7. EXHUMATIONS CATALOGUE.....	15

EXECUTIVE SUMMARY

1. Transnet SOC Ltd appointed Mbofho Consulting and Project Managers (MCPM) to apply for a permit from the South African Heritage Resources Agency (SAHRA) for the exhumation and relocation of one (1) grave of Linah Khumalo from a burial ground on the Farm Newstead. Transnet SOC Limited (hereinafter referred Transnet) is a government (state) owned company (SOC) and is the custodian of South Africa's railway, ports and pipelines, and in the capacity responsible for delivering reliable freight transport and handling services that satisfy customer demand. Transnet in collaboration with Swaziland Railway identified the construction and upgrade of the railway line between Davel in Mpumalanga and Richards Bay in KwaZulu- Natal, connecting via the Swaziland rail network, as a strategic project. The aim of the project is to unlock the potential of a multinational strategic rail corridor and divert general freight traffic off the dedicated heavy haul Richards Bay coal line which runs from Ermelo through rural Kwa-Zulu Natal to Richards Bay.
2. The proposed development entailed the relocation of approximately 88 graves located on three burial grounds near Lothair on the farms Bloemkrans Portion 1, Bloemkrans Portion 12 and Newstead Farm.
3. At the burial ground on Bloemkrans Portion 1, six graves were the subject of the exhumation and relocation permit application under Section 36 of the National Heritage Resources Act (25/1999). Two were adults, two infants and one indeterminate as no human remains were found. Detailed attributes of each grave are presented in a Catalogue in Section 7 of this report.
4. There is a noticeable difference between grave chambers of adults and those of infants. In adult burials the skeleton lay directly below the gravestones or grave markers. The body was in an extended (straight) posture, face up, either put in a coffin or wrapped in a cloth/blanket. Grave shafts were rectangular, while the actual chamber in which the coffin was laid was a narrower rectangle excavated further downward thus creating a step or terrace on each of the longer sides.

Timber was laid across to cover the chamber before a metal cover was placed over (in some cases) and the grave shaft refilled with soil.

5. On the hand, infants were buried in a side chamber, a cavity carved in the earth on the side of the shaft. When the body had been placed in the cavity it was sealed off with timber or metal sheets laid vertically, and the shaft refilled with soil as with the adult graves. In this case, however, the infant's body was not located directly below the grave marker. The rationale of the practice is to be found in African worldview on premature / infant mortality and entrenched beliefs about witchcraft, which required that the remains must be "hidden" and should not be easy to find.
6. All graves were marked by a cairn of felcritic stones. These appear to have been sourced locally.

7. Summary of attributes

NO	AGE GROUP	CULTURAL MATERIAL
5638710	Infant	Corrugated iron sheet cover, coffin with polythene lining
5638711	Uncertain (nothing found)	-
5638712	Infant	Corrugated iron sheet cover, blanket cover
5638714	Adult	Blanket/cloth cover
5638715	Adult	Wooden coffin, blanket cloth cover
5638716	Infant	Corrugated iron sheet cover, wooden coffin

8. Reburial

All graves were moved to the municipal cemetery at Silindile Township, Lothair, in accordance with the wishes of the families. A map of the layout of the new graves is annexed to this report.

9. Family ceremonies and rituals

A budget was provided to cater for the performance of family ceremonies or rituals before and after exhumations. Such performances were deemed to be private affairs and no further details are available.

1. INTRODUCTION

1.1. Brief description of the scope of the project

Transnet SOC Ltd appointed Mbofho Consulting and Project Managers (MCPM) to apply for a permit from the South African Heritage Resources Agency (SAHRA) for the exhumation and relocation of 6 graves from a burial ground on the Farm Bloemkrans Portion 1. Transnet SOC Limited (hereinafter referred Transnet) is a government (state) owned company (SOC) and is the custodian of South Africa's railway, ports and pipelines, and in the capacity responsible for delivering reliable freight transport and handling services that satisfy customer demand. Transnet in collaboration with Swaziland Railway identified the construction and upgrade of the railway line between Davel in Mpumalanga and Richards Bay in KwaZulu- Natal, connecting via the Swaziland rail network, as a strategic project. The aim of the project is to unlock the potential of a multinational strategic rail corridor and divert general freight traffic off the dedicated heavy haul Richards Bay coal line which runs from Ermelo through rural Kwa-Zulu Natal to Richards Bay.

The project scope of work encompasses various streams of work, including the upgrading of existing railway sections and construction of an entirely new rail link from Lothair (RSA) to Sidvokodvo in Swaziland.

The proposed development entailed the relocation of approximately 88 graves located on three burial grounds near Lothair on the farms Bloemakrans Portion 1, Bloemkrans Portion 12 and Newstead Farm).

The Consultant is expected to provide the following key specialist services:

- Social Consultation
- Community meetings
- Public legal notices of the intended relocations
- Permit applications to the relevant authorities
- Obtain relevant permits
- Determination of wake fees to next of kin
- Exhumation and relocation action plan

Exhumation and relocation of graves is managed in terms of the following pieces of legislation and regulation:

- *Sections 36 of the National Heritage Resources Act (NHRA) (No 25 of 1999),*
- *The Human Tissues Act (No 65, 1983); and*
- *Regulations relating to the management of Human remains (Gazette 36473, Notice R363)*

Consent to move the graves must be duly granted by the affected families or persons affiliated to the graves. Where graves have not been identified permission for exhumation and relocation is granted under Section 36 of the NHRA.

The issue of graves may provoke intense emotions, and in due respect of public sensibilities, a comprehensive public participation process underpins success of this project.

2. LOCATIONAL DETAILS AND HISTORY

The Farm Bloemkrans Portion 1 (GPS coordinates: Lat: 26°23'45.10"S; Long: 30°24'34.50"E) is located on the western outskirts of Lothair, a small highveld town situated 65 km east of Ermelo (Figure 1). Lothair was established in 1878 by Scottish immigrants and is believed to be named after Benjamin Disraeli's novel of the same name published in 1870.¹ Benjamin Disraeli was twice the Prime Minister of Great Britain (1868, 1874-1880). The farms around Lothair practice mixed agriculture with a significant commercial agri-forestry component

Bloemkrans dates back to the occupation period in which commercial farms were established and land parcels were much larger. Subsequently Bloemkrans was subdivided into several holdings. One of the portions now called Randells Ranch has a museum with a fascinating vintage collection of farm equipment and machinery. Bloemkrans Portion 1 was once owned by Mr Potgieter who sold the farm to current

¹ Lothair. Found at: <https://www.goodreads.com/book/show/844190.Lothair> Consulted March 2019.

owner, Mr Crawford. In the 1980s it is reported that the farm bred horses.² The majority of the population in Lothair speak isiZulu and isiSwati and live in Silindile Township.

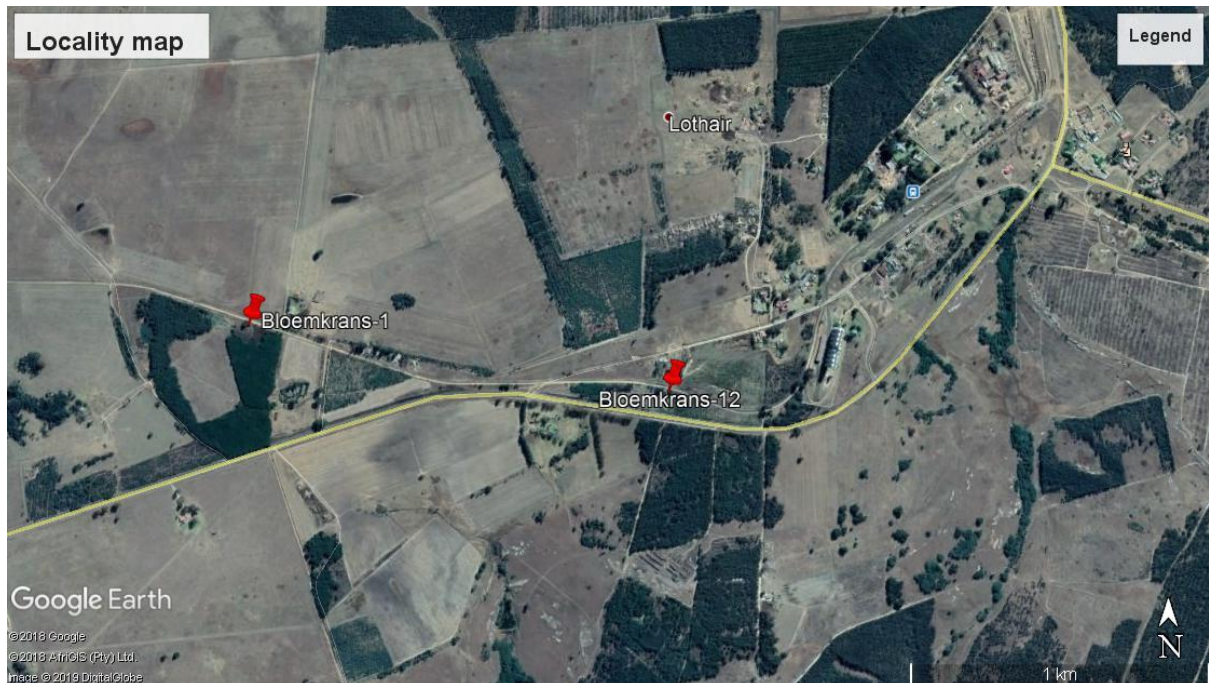


Figure 1: Google-Earth Map shows the location of the burial ground on the Farm Bloemkrans Portion 1.

3. THE BURIAL GROUND ON BLOEMKRANS PORTION 1

The Burial Ground on Bloemkrans Portion 1 located on the edge of a wattle plantation held thirteen (13) individual graves, of which seven (7) were identified. After a comprehensive public consultation process including a notice published in the local weekly newspaper, the Highvelder, six (6) graves remained unclaimed. Section 36 of the National Heritage Resource applied with respect to unknown graves, under which an exhumation permit was issued by SAHRA to pave way for the exhumation and relocation of the graves (Figure 2, Annexure I(i)).

² Stanford Vilakazi, Next of kin of Deceased. October 2019.



Figure 2: View southwest of the burial ground on Bloemkrans Portion 1.

4. LEGAL FRAMEWORK

4.1. Protection of Graves and Burial Grounds

Section 36 of the NHRA provides for the protection of certain graves and burial grounds. Graves are generally classified under the following categories:

- Graves of victims of conflict;
- Graves younger than 60 years;
- Graves older than 60 years, but younger than 100 years;
- Graves older than 100 years; and
- Graves of individuals of royal descent
- Graves that have been specified as important by the Ministers of Arts and Culture.

This study is however mindful of public sensibilities about the sanctity of graves and burial grounds whether they are protected by the law or not.

The **World Archaeological Congress (WAC)** has set international ethical standards for the treatment of human remains. In 1989 the WAC Inter-Congress in South Dakota (USA) adopted the **Vermillion Accord on Archaeological Ethics and the Treatment of the Dead**.

Accordingly:

- (i) *Respect for the mortal remains of the dead shall be accorded to all, irrespective of origin, race, religion, nationality, custom and tradition.*
- (ii) *Respect for the wishes of the dead concerning disposition shall be accorded whenever possible, reasonable and lawful, when they are known or can be reasonably inferred.*
- (iii) *Respect for the wishes of the local community and of relatives or guardians of the dead shall be accorded whenever possible, reasonable and lawful.*
- (iv) *Respect for the scientific research value of skeletal, mummified and other human remains (including fossil hominids) shall be accorded when such value is demonstrated to exist.*
- (v) *Agreement on the disposition of fossil, skeletal, mummified and other remains shall be reached by negotiation on the basis of mutual respect for the legitimate concerns of communities for the proper disposition of their ancestors, as well as the legitimate concerns of science and education.*
- (vi) *The express recognition that the concerns of various ethnic groups, as well as those of science are legitimate and to be respected, will permit acceptable agreements to be reached and honoured.*

5. METHODOLOGY

5.1. Archaeological salvage of graves

Over time an appropriate methodological toolkit has been developed for handling graves unearthed accidentally and seen as standing in the way of a proposed development. SAHRA recommends salvage of the graves and re-interment in a formal cemetery unless there are strong objections from local communities or the next of kin of the deceased where they have been identified.

In most archaeological salvage operations time tends to be a limiting factor; there is no time available for a meticulous operation prioritising documentation and lifting the skeleton with the bones in their respective positions.

While every effort was made to find and collect all the human remains, time constraints precluded detailed investigation of many other aspects of human burials and mortuary practices of great interest to science. These include isolating the burial shaft from its natural surroundings, detailed documentation of the soil fill and examination of the skeleton itself for specific attributes such as age, gender and other physical and cultural characteristics of the deceased.

6. FINDINGS

As much as is possible details of each grave were documented and are presented in a Catalogue in Section 7 of this report. Suffice it here to provide a general description of attributes and other information that could be gleaned about mortuary practices.

Six (6) graves were the subject of the exhumation and relocation permit application. Two were adults, two infants and one indeterminate as no human remains were found. There is a noticeable difference between grave chambers of adults and those of infants. In adult burials the skeleton lay directly below the gravestones or grave markers. The body in an extended (straight) posture, face up, was either put in a coffin or wrapped in a cloth. The grave shafts were rectangular, while the actual chamber in which the coffin was laid was a narrower rectangle excavated further downwards thereby creating a step or terrace on each of the longer sides of the shaft. Timber was laid across to cover the chamber before a metal cover was placed over (in some cases) and the grave shaft refilled with soil.

On the hand, infants were buried in a side chamber, a cavity carved in the earth on the side of the shaft. The body placed in a coffin or wrapped in a cloth/blanket, was put in the cavity which was sealed off with timber or metal sheets laid vertically, and the shaft was refilled with soil as with the adult graves. In this case, however, the infant's body was not located directly below the grave markers. We attempted to establish the rationale of this practice. It is an African worldview expressing emotions about premature / infant deaths and entrenched beliefs about witchcraft. The body is "hidden" in case someone maliciously intends to come and retrieve it (in which case it would difficult to find it).

All graves were marked by a cairn of felcric stones. These appear to have been sourced locally.

6.1. Summary of Findings

NO	AGE GROUP	CULTURAL MATERIAL
5638710	Infant	Corrugated iron sheet cover, coffin with polythene lining
5638711	Uncertain (nothing found)	-
5638712	Infant	Corrugated iron sheet cover, blanket cover
5638714	Adult	Blanket/cloth cover
5638715	Adult	Wooden coffin, blanket cloth cover
5638716	Infant	Corrugated iron sheet cover, wooden coffin

6.2. Reburial

All six graves were relocated to the Municipal Cemetery in Silindile (Lat: 30°27'16.85"; Long: E26°23'51.93"S). A map of the burial ground showing the layout of the new graves is annexed to this report (Annexure I(ii)).

6.3. Family ceremonies and rituals

A budget was provided to cater for the performance of family ceremonies or rituals before and after exhumations. Such performances were deemed to be private affairs and no further details are available.

7. EXHUMATIONS CATALOGUE

NAME OF DECEASED	SERIAL NUMBER	DATES
Unknown	5368710	Unknown
OBSERVATIONS		
		
Corrugated iron sheet appears on the south side of the trench indicated a side chamber.		



Corrugated iron sheet



White polythene lining of infant coffin



Corrugated iron sheet cover and timber found closing the chamber

FINDS



Soil remains of the polythene folder taken for burial. No actual human remains found.

NAME OF DECEASED	SERIAL NUMBER	DATES
Unknown	5368711	Unknown

OBSERVATIONS





At 50 cm felcretic hardpan encountered.



Extension trench opened to the south. Nothing found. Excavations halted.

FINDS

No human remains found. Soil taken for reburial

NAME OF DECEASED	SERIAL NUMBER	DATES
Unknown	5368712	Unknown

OBSERVATIONS





Side chamber was closed using a corrugated iron sheet.



FINDS

Remains of an infant wrapped in a blankets. It was deemed unnecessary to unfold the blanket

NAME OF DECEASED	SERIAL NUMBER	DATES
Unknown	5368714	Unknown

OBSERVATIONS



Remains found at 140 cm depth.



Remains of a blanket/cloth cover



Impression of the head/skull. Remains in an advanced state of decomposition.

FINDS

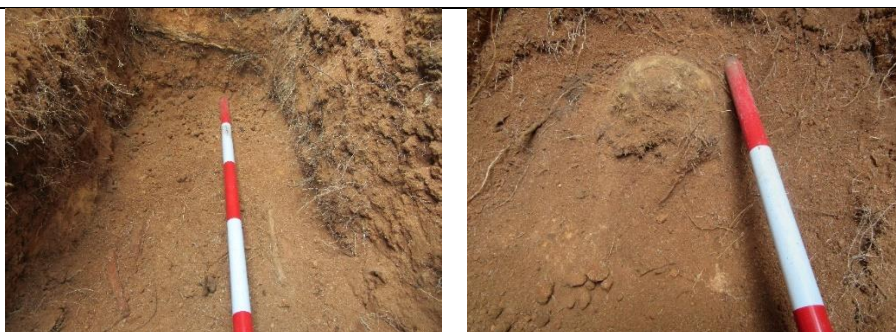
Finds removed and reburied.

NAME OF DECEASED	SERIAL NUMBER	DATES
Unknown	5368715	20/05/1954 - 12/12/1957

OBSERVATIONS



Remains at depth of 190 cm. Timber cover seen on the wall of the trench



Body laid in an extended position head to the west.

FINDS.

Skeleton found, removed and reburied.

NAME OF DECEASED	SERIAL NUMBER	DATES
Unknown	5368716	Unknown

OBSERVATIONS



Flat iron sheets closing a side chamber at 40 cm depth.

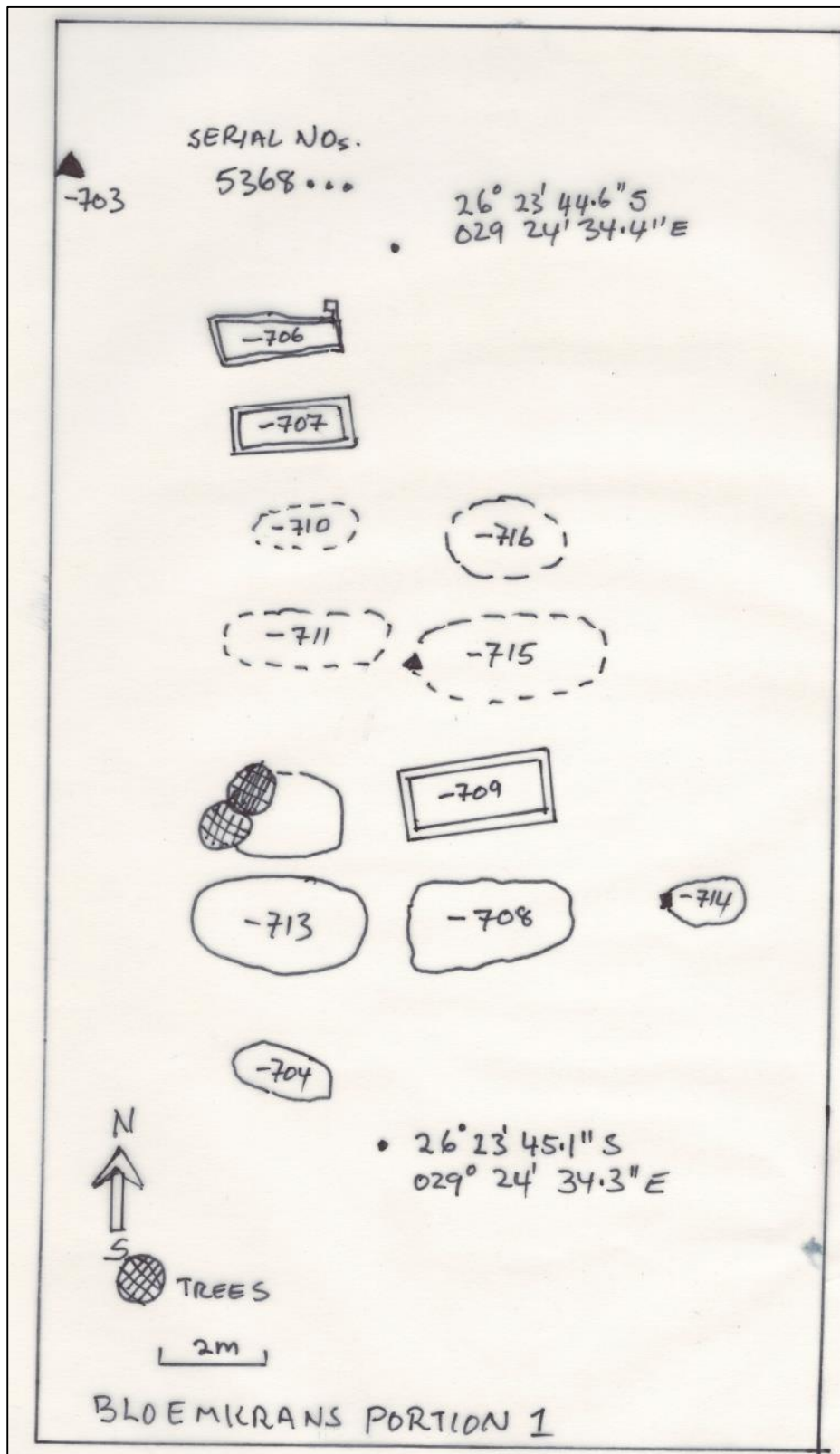


Decomposed remains of a small wooden coffin suggest an infant burial tucked in a cavity on the side of the grave shaft

FINDS & MITIGATION

Decomposed remains of a small wooden coffin taken for reburial.

ANNEXURE I: LAYOUT MAPS OF THE BURIAL GROUNDS



i) Layout map of the burial ground on Bloemkrans Portion 1

Layout map of new graves at Slindile Cemetery

NAME	MAP	MAP	NAME	North ↑ South
MATHEBULA V Themba	5368704	5368703	NGEMA Thomas	
Unknown	5368557	5368706	MNISI Philip	
Unknown	5368560	5368707	MNISI N Sarah	
Unknown	5368556	5368708	NKOSI Mateo	
Unknown	5368559	5368709	NKOSI Thoko	
Unknown	5368554	5368713	VILAKAZI Nduna	
Unknown	5368558	5368519	NKOSI Jalamín	
ZWANE Sibusiso	5368520	5368518	ZWANE Mahlafune	
Unknown	5368553	5368710	Unknown	
Unknown	5368552	5368714	Unknown	
SIMELANE Sidudla	5368515	5368555	Unknown	
NKAMBULE Sinethemba	5368512	5368503	NKAMBULE Mfanzani S	
SIMELANE Lahliwe	5368514	5368517	NGWENYA Deliwe	
SIMELANE Mfaniseni	5368516	5368510	SIMELANE Mzondi	
SIMELANE Ntombizodwa	5368513	5368507	SIMELANE Thekwane	
NKOSI Dingabakubo	5368550	5368502	SIMELANE Jonah	
NKOSI Hlaluse	5368549	5368505	SIMELANE Willem	
NKOSI No Name	5368551	5368506	SIMELANE Lisa	
MASUKU Mpumuzo	5368548	5368504	SIMELANE Mfana J	
SIMELANE Meriam	5368509	5368511	SIMELANE Sigubhu	
SIMELANE Johannes	5368508	5368501	SIMELANE Sphetho	
Unknown	5368563	5368541	NKOSI Langinyana	
Unknown	5368562	5368542	NKOSI Elizabeth	
Unknown	5368561	5368544	NKOSI Bidibidi J	
Unknown	5368715	5368543	NKOSI Bridy	
Unknown	5368716	5368546	MASUKU Christine	
Unknown	5368711	5368545	MASUKU Jabu	
Unknown	5368712	5368547	MASUKU Paulos	

LEGEND

	Heritage Permit
	Health Permit

ii) Layout map of the new graves at Silindile Cemetery

8. REFERENCES

Republic of South Africa. 1999. The National Heritage Resources Act (No 25/1999)

World Archaeological Congress. 1989. Vermillion Accord on Archaeological Ethics and the Treatment of the Dead.

Lothair. Found at: <https://www.goodreads.com/book/show/844190>.Lothair Consulted March 2019.