1. Introduction

Klapmuts is a small hamlet with a population of approximately 6000, centrally located approximately 15km from the towns of Paarl, Stellenbosch and Kraaifontein. It has experienced slow growth as a residential area considering its proximity to Cape Town and other towns in the Winelands. It has lacked basic services infrastructure, such as water, until very recently and has historically been "viewed by planners as a deconcentration point for metropolitan Cape Town".¹ Large plots of land within the village are undeveloped and vacant. The local setting of Klapmuts (Figure 2) however forms an important sector of the ‘Greater Simonsberg’ wine route. Historic werfs (Elsenburg, Muldersvlei and Natte Vallei) are located to the west and south of the village. Klapmuts itself is a poor community, however in recent years it has been seen as a potential growth point at which a number of more upmarket developments are proposed.

The development proposal that has triggered this report is for the construction of 15 town houses. The proposal involves the consolidation of erven 212, 213, 214, 223 & 224 situated between Beyers Street and Bell Street within the residential areas of Klapmuts. The existing Klapmuts River is located along the Western boundary of the properties and has been upgraded with pedestrian access along the river. The existing erven are all zoned residential, however the owners of the property, KWV international (Pty) Ltd wish to rezone and sub-divide the property into residential zone 3 in order to build 15 freehold townhouses for the use of the company staff. The site under consideration (Figure 1) takes on the appearance of a vacant plot of land adjacent to the railway line surrounded by low cost housing. There are no structures on the site; however there are a number of graves on the existing residential erven which constitute the only identifiable heritage indicators.

Figure 1 Location of the proposed development in Klapmuts.

¹ Klapmuts Hills Residential Development, Rezoning and Subdivision Application, Anton Lotz Town and Regional Planning August 2006, p1.
Figure 2 Location of the site.
Figure 3 Views of the study area in its current condition.

View onto the properties from Beyers Street with Klapmuts River on right

View onto the properties from Bell Street with Klapmuts River on left
1 Historical Context

The hill known as ‘Klapmuts’ was so named by Abraham Gabbema, VOC Fiscal and Bailiff, who explored the Berg River Valley with seven officers in 1657. This series of early Dutch East India Company reconnaissance missions resulted in much of the localised nomenclature still used today. Gabbema coined ‘Clapmusbergh’, ‘Diamant’ and ‘Paarl’ Berg, and in so doing, inscribed this foreign landscape with familiarizing features of home.2 ‘De Clapmuts’ (later the vernacularized to ‘Klapmuts’) resembled a style of sailor’s cap with flaps3, although Jan van Riebeeck makes reference in his journal to the hill resembling a farm maiden’s hat.4 A “muts” in Dutch refers to a beanie-type cap.

A VOC outpost, or buitepost, was established at Klapmuts but its exact location is still a matter of some uncertainty5. The outpost may well have been ‘De Clapmuts’ farm (granted in 1684) on the southeastern flanks of Klapmuts Hill. Lending support to this locality is a 1796 application submitted by Sgt. Johan Christiaan Loork, who was stationed at the buitepost. He requests permission to rent a place called Klapmuts; to live and ‘work at the same place where he worked for the VOC’.6 According to Hans Fransen, the buitepost was indeed at Klapmuts farm, which “was one of the Company’s posts; it remained unsold until 1791 when the other properties of the Company - or as many of them as possible – were sold.”7

1.1.1 Early Settlement and Land Ownership in Klapmuts Region: De Groene Fonteijn

Historically, the freehold land grants around Klapmutskop primarily focused on grain production and stock farming. Citizen inventories (Opgaaf rolle) also indicate an emphasis on wine production in the greater Klapmuts area which continued for almost 200 hundred years until the end of the 19th century when vines across the region were devastated by the outbreak of Phylloxera, and many farmers were bankrupted. Fortunately, unaffected vines and new technology allowed the wine industry to recover.

The old ‘De Groene Fonteijn’ farm limits fall within the present-day boundaries of Klapmuts. Abraham Diemer acquired De Groene Fonteijn in 1699. He managed Simon van der Stel’s (later Willem Adriaan’s) farm Stellengift in Simondium (Simonsvlei), located on the northeastern flanks of Klapmuts Hill.8 Joan Blesius and Abraham Diemer had been co-grantees of Stellengift. However, as employee of the

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2 Smuts, Francois, 1979: Stellenbosch Three Centuries, Official Commemorative Volume, published by the Stellenbosch Town Council in Collaboration with the Oude Meester Group
3http://www.thepropertymag.co.za/pages/452774491/articles/2005/May/Yellows_Brick_Road_.asp
4 Unpublished report on Klapmuts by Maretha Geldenhuys for the proponent. Reference to Jan van Riebeeck’s Daghregister which states that the mountain peaks of Klapmuts remind him of the hats of 17th century farm women.
5 Sleigh, Dan, pers. comm
6 CA BO 110, 59
7 Fransen, Hans 2004: Old Buildings of the Cape, p. 206
8 Fransen 2004: 211
VOC, it was illegal for Blesius to hold land. He stayed on in town, while Diemer managed the farm. It was thus Diemer, whom according to Margaret Cairns in her research on Simonsvlei farm history: “was the real creator of the estate”.⁹ Agricultural productivity was excellent during Diemer’s tenure. By 1692, 4000 vines had been planted and “wheat, barley, and rye had been sown and reaped and the land supported some 450 head of assorted livestock”.¹⁰

Diemer married in 1697 and moved to Table Valley and took up a post with the Burger Cavalry and was Commissioner of the Marriage Court. He and his wife presumably died during the first Cape smallpox epidemic in 1713.¹¹ According to Hans Fransen, De Groene Fonteijn came into the possession of Adriaan Louw in 1775 or 1776 through his marriage to the widow of previous owner Joseph le Riche, although the next officially recorded transfer on the register was not until 1797 when the property was transferred in its entirety from J. le Riche to Johannes Andrian Grundelingh. The latter half of the 19th century saw portions of the farm being subdivided off, indicating the burgeoning development of Klapmuts settlement.

**Table 1:** Transfer Deeds History: Farm 742/3 Klapmuts Rivier

<table>
<thead>
<tr>
<th>Deed</th>
<th>Date</th>
<th>From</th>
<th>To</th>
<th>Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paarl Q. 2.1</td>
<td>12.11.1884</td>
<td>Grant</td>
<td>1. Johannes Nicolaas de Villiers</td>
<td>483 mgn, 226 sq. rds</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2. Estate Adriaan Jacobus van der Byl</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>3. Jacobus Johannes Brink</td>
<td></td>
</tr>
<tr>
<td>170</td>
<td>11.6.1885</td>
<td>Estate Late A J vd Byl</td>
<td>Andries Christoffel v. d. Byl</td>
<td>whole</td>
</tr>
<tr>
<td>164</td>
<td>14.7.1887</td>
<td>J de Villiers</td>
<td>J J Brink</td>
<td>208 mgn 310 sq.rds</td>
</tr>
<tr>
<td>165</td>
<td></td>
<td>A C van der Byl</td>
<td></td>
<td>7 mgn 208 sq. rds.</td>
</tr>
<tr>
<td>166</td>
<td></td>
<td>J J Brink</td>
<td></td>
<td>203 mgn 307 sq. rds.</td>
</tr>
<tr>
<td>2386</td>
<td>27.11.1890</td>
<td>J J Brink</td>
<td>John Starke</td>
<td>203 mgn, 307 sq. rds.</td>
</tr>
</tbody>
</table>

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¹⁰ Cairns 1999:3
¹¹ Ibid
Figure 4 The broader erf 714 which was divided into erven 212, 213, 214, 223 & 224.
1.1.2 Farm 742 Klapmuts Rivier

Farm 742/3 ‘Klapmuts Rivier’ was a portion that is listed as being subdivided from De Groene Fonteijn in 1884 and granted to Johannes Nicolaas de Villiers and two others (Figure 5). Over the years, the de Villiers, Byls and Starkes have played their roles as proprietors of Farm 742 – familiar names in Klapmuts land ownership history (Table 1). The de Villiers family owned several farms in the region – Natte Valleiij was bought by Abraham de Villiers in 1770, and Jacob Izaak de Villiers built the Le Bonheur (Weltevreden, see next section) homestead around 1820. In 1944, Portion Figure 5: Lot E, Farm 742 Klapmuts Rivier, Grant diagram, surveyed 1884 DO Paarl Q 1.2, 12.11.1884

3 was subdivided (85,400 morgan) and was transferred to Julius Jesse Starke from John Isaac Starke. It has remained in the Starke family until very recently.

12 DO Paarl Q 1.2, 12.11.1884
1.1.3 Farm 744 Oude Weltevreden

Oude Weltevreden was originally part of the neighbouring ‘Natte Valleij’ farm. After owner Abraham de Villiers’ death in 1814, various deductions were made and a portion passed to his ninth child, Jacob Izaak, who named it Weltevreden. According to Phillida Brooke Simons, J.I. de Villiers is believed to have been born in an outbuilding on the farm in 1791, and built what is now the H-shaped homestead around 1820. The homestead and wine farm was renamed ‘Le Bonheur’ in 1994 to avoid confusion with the three other farms of the same name in the area. A portion of the original Weltevreden farm is included in the proposed development, but the land itself does not have any heritage resources or structures of significance on it.

1.1.4 Evolution of Klapmuts settlement

The area around Klapmutskop was primarily grazing and agricultural ground during the early farming and settlement period of the 17th and 18th centuries. An important feature of the area during this period was the ‘Clapmuts Outspan’. Outspans were laid out at intervals as ‘resting places’ for farmers driving heavy ox-wagons back and forth to the Cape markets. Many of the steep passes, such as Franschoek Pass, were not far from Klapmuts and this particular outspan served as a critical stopover interval that offered sufficient grazing land and water. The presence of the outspan, and later on the railway may well have been the original impetus leading to the eventual construction of the Klapmuts Hotel – possibly on the outspan site.

The development of Klapmuts hamlet did not begin until after the inauguration of the railway line (Cape Town - Paarl) in 1863. The 1873 map (Error! Reference source not found. Figure 6) indicates that the new hamlet constituted a grid system of roads parallel with the railway line, with the Klapmuts station as focal point of the plan. Furthermore, the settlement was called the ‘Village of Bennetsville’. The names ‘Bennetsville’ and ‘Klapmuts’ seemed to have been used interchangeably during this period. The Klapmuts Hotel was soon built by the Ward family in the late 1890s, and became a favourite watering hole for travelers.

The character of the settlement was that of a poor and generally disenfranchised community: farm labourers, the unemployed, and those trying to eke out a living from rail construction and associated odd jobs. In an 1882 request for gratis community smallpox vaccinations, a concerned local teacher C. Benjamin, noted that the doctor’s fee would be “a heavy one, and as most of the people in this neighbourhood are poor, it will be too hard on them to pay it.”

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14 Simons, Phillida Brooke 2000: 145
16 CA CO 4220 B72
A lock-up and convict station were established near the Klapmuts station at the turn of the century. Convicts were a source of free labour in both rural areas and towns. In a letter dated 24.1.1899, the Inspector of Prisons remarked that in Klapmuts “thirty [convicts] were working in groups of ten each guarded by a Constable at the farms of Messrs. Louw, v.d. Byl and Groenewalt, a considerable distance from the Station – the nearest four miles away.”

The quartering of workers for the railway line, its locality in the winelands (with its infamous dop system), and the establishment of a convict outpost was a formula for attracting less-than-desirable social elements. Local complaints mention, for example, “a coloured man lying drunk in the middle of the road, not 100 yards from the Station”, at which the police remarked he “could lie there until he died.” Mr. John Whitley complained in 1904 that illegal gambling and the selling of liquor was occurring in the evenings at the railway relief camps “amongst the unemployed at

17 CA CO 1884 123
18 CA AG Vol. 1486 ref 8059
Klapmuts”. Upon investigation, a response by Sgt. D. T.M Davison paints a picture of Klapmuts on the weekends and evening: “The detachment at Klapmuts are fully employed keeping order in the village, 25 arrests were made last month mostly for drunkenness and breaches of the peace.”

It was around this time that the matter was raised of an official name change for the settlement. In 1902, Mr. Cloete wrote a letter to the Resident Magistrate requesting the Klapmuts Station name to be changed to Bennetsville, necessitated by the confusion and inconvenience of the many ‘Klapmuts’ place names in the area. Mr. Cloete had “urgent official letters” delayed by being delivered to the Klapmuts Station, rather than to his ‘Klapmuts’ farm. He contends that he has ‘right of name’ by not only his position as Field Cornet of the Ward, but by virtue of “the name of my farm being Klapmuts which dates back previous to 1825 when transfer was passed to my father.”

He proposed a name change of the station to ‘Bennet’s Ville’ that was the “original name of that Station and Post Office ever since the line was built…called so after the Engineer who had charge of that portion of the line.” He further stated, “People of the neighborhood were quite satisfied with the name [Bennet’s Ville]…and have no objection to the name being restored.”

After some debate at the district level authorities, this proposed alteration of the name was denied. A letter from the Chief Traffic Manager sums up the outcome as follows: “Since 1902, Klapmuts Railway was become of considerable importance to a section of the community throughout South Africa who are interested in the establishment of a Klapmuts Racing Club”, and that owners “as far distant as East London, Durban, Johannesburg and Kimberley sent horses to compete in the Klapmuts Handicap”. The name of the Station, and village he suggests should not be changed unless the “Klapmuts Racing Club and all other parties interested in the land surrounding the Station agree to it”.

Apart from the Klapmuts Hotel and a few railway related houses, there are very few buildings of architectural significance in Klapmuts. This is evident by examination of early- mid 20th century aerial photographs that depict very little apart from the railway station and the hotel. Most of the buildings were built after 1960. Slow growth of the town can be linked to the lack of service infrastructure. Bore holes, for example were the only source of water until 1996. In 1998, two phases of low-cost housing were built and 850 units absorbed a large proportion of shack dwellers from La Rochelle and Mandela Park. Informal settlement continues to exist along the periphery of the low-income housing schemes immediately adjoining the proposed Klapmuts Hills development site.

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19 CA AG 1509 10426
20 Ibid
21 CA CGR 2/1/405 ref. 371/5/34604
22 http://www.thepropertymag.co.za/pages/452774491/articles/2005/May/Yellows_Brick_Road_.asp
1.2 The development area: Erven 212, 213, 214, 223, 224, 255, 256

The above erven were all previously portions of Erf 38, being lots 1-6 and 10-16 Block H on the General plan for the village of Bennetsville (SG 921/1894). Block H was previously part of the quitrent land of the farm Groenfontein, granted to Johannes Minnaar in 1827. A much older piece of freehold land, following the course of the Klapmuts River (granted in 1699 to Abraham Diemer) is contained within the quitrent lease.

Figure 7 Quitrent grant of the farm Groenfontein to Johannes Minnar c1827 (SG 344/1818) showing the location of the earlier 17th century freehold grant.
In 1850 the farm was sold to Robert Hare. From 1863, Hare started subdividing. 37 urban lots were sold off during 1863 and 1865. Land for the railway line was sold to the Colonial Government in 1880 and a further 4 lots were sold privately. Hare died in 1887 and after the death of his wife, the subdivision of large portions of the remainder of the farm took place as part of the establishment of the village of Bennetsville. Both Hare and his wife are buried at the St John’s Cemetery in Wynberg.

William Higgie Baxter acquired large portions of Bennetsville and in 1894 sold Block H (amongst other portions) to John Andrew Ward for the sum of £2500. The property remained in the Ward family until John Andrew’s death in 1935. Ward bequeathed Block I to his common-law wife and the remainder of the estate was divided equally between her and their 4 children (They appear to have paid £1790 for the properties). Both John Ward and a second grave (presumably Rachel Bailey) are buried on what was once Erf 38. There is evidence of other graves on the erf, but these are unmarked.

In April 1938, the Wards sold to Floors van Niekerk for the sum of £1200 (rather less than what was paid for it). The property was bequeathed to Alexander Gedult van Niekerk, the son of Floors and Hester Jacoba. He appears to have been insolvent and the property immediately transferred to Basil Lloyd Williams.

23 Ward and Rachel Bailey were not married. He refers to her in his will as ‘his friend’. Whether this was a factor of Rachel Bailey being a woman of colour, or another reason, is unknown.
In none of the transfer deeds are there any mention of a burial ground, nor conditions regarding access to a burial ground.

Table 2 Deeds Summary: Klapmuts erf 714.

<table>
<thead>
<tr>
<th>ERF No</th>
<th>Diagram</th>
<th>Deed</th>
<th>Date</th>
<th>Extent</th>
<th>From</th>
<th>To</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>714/1</td>
<td>344/1818</td>
<td>StQ7.51</td>
<td>4/07/1827</td>
<td>1370M 352.5 SR</td>
<td>Grant Abraham Diener</td>
<td>Johannes Minnaar</td>
<td>Original freehold grant along the course of the Klapmuts River. The erven not situated on this, but subsequent quitrent grant is annex</td>
</tr>
<tr>
<td>714/1</td>
<td>165</td>
<td></td>
<td>27/12/1845</td>
<td>1370M 352.5 SR</td>
<td>JA Grundeling</td>
<td>Cornelius Ernestus Grundeling</td>
<td></td>
</tr>
<tr>
<td>714/1</td>
<td>128</td>
<td></td>
<td>9/08/1849</td>
<td>1370M 352.5 SR</td>
<td>JA Steydler</td>
<td></td>
<td></td>
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<td>714/1</td>
<td>86</td>
<td></td>
<td>12/04/1850</td>
<td>1370M 352.5 SR</td>
<td>JA Steydler</td>
<td>Robert Hare</td>
<td></td>
</tr>
</tbody>
</table>

Robert Hare subdivides the farm, starting in 1863: 37 erven sold between 1863 and 1865
Erf 33 sold to the Colonial Government in 1880 for the railways (SgD 2087/1879)
Subdivision picks up again in 1886 onwards.

<table>
<thead>
<tr>
<th>ERF No</th>
<th>Diagram</th>
<th>Deed</th>
<th>Date</th>
<th>Extent</th>
<th>From</th>
<th>To</th>
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<tr>
<td>38</td>
<td>921/1894</td>
<td>3803</td>
<td>12/07/1894</td>
<td>1M 74 SR</td>
<td>Est Robert Hare</td>
<td>William Higgin Baxter</td>
<td>Formerly lots 1 - 6, and 10-16 Block H Baxter also owned numerous other lots</td>
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<tr>
<td>38</td>
<td>5774</td>
<td></td>
<td>12/10/1894</td>
<td>1M 74 SR</td>
<td>WH Baxter</td>
<td>John Andrew Ward</td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>1483</td>
<td></td>
<td>18/2/1938</td>
<td>1M 74 SR</td>
<td>Est JA Ward</td>
<td>Rachel Jacoba Bailey</td>
<td>His common law wife and children</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>John BC Ward</td>
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<td>Catherine GM Ward</td>
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<td></td>
<td>William JR Ward</td>
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<td>Martha J Ward</td>
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<td></td>
<td></td>
<td>Floors van Niekerk</td>
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<td>38</td>
<td>3592</td>
<td></td>
<td>13/4/1938</td>
<td>1M 74 SR</td>
<td>RJ Bailey and others</td>
<td>Floors van Niekerk</td>
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<tr>
<td>38</td>
<td>24822</td>
<td></td>
<td>27/10/1967</td>
<td>1M 74 SR</td>
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<tr>
<td>38</td>
<td>2483</td>
<td></td>
<td>27/10/1967</td>
<td>1M 74 SR</td>
<td>Insol Est AG van Niekerk</td>
<td>Basil Lloyd Williams</td>
<td></td>
</tr>
<tr>
<td>212</td>
<td></td>
<td></td>
<td>1973</td>
<td>56685 1988</td>
<td>1320 m²</td>
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<td></td>
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<td>213</td>
<td></td>
<td></td>
<td>1973</td>
<td>56686 1988</td>
<td>714 m²</td>
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<td>214</td>
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<td></td>
<td>1973</td>
<td>56687 1988</td>
<td>714 m²</td>
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<tr>
<td>223</td>
<td></td>
<td></td>
<td>1973</td>
<td>56692 1988</td>
<td>714 m²</td>
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</tr>
<tr>
<td>224</td>
<td></td>
<td></td>
<td>1973</td>
<td>56693 1988</td>
<td>2040 m²</td>
<td></td>
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<tr>
<td>255</td>
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<td>5217/73 1988 714 m²</td>
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</tr>
<tr>
<td>256</td>
<td></td>
<td></td>
<td></td>
<td>5218/73 1988 714 m²</td>
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</table>

Subdivided into 256 and 255
2 Heritage Indicators

On the site itself are remnants of 5 graves, all of them broken and clearly uncelebrated or visited for a considerable amount of time. Only one of the grave stones is legible. It commemorates the burial of Andrew John Ward who passed away in 1935. Next to it lies a second similar grave with the headstone missing. Presumably this was his life-partner, Rachel Baily.

Andrew Ward was the founder and owner of the Klapmuts Hotel and owner at one time of the land on which he is buried. Mr Ward, a Scotsman appears to have formed a close relationship with Rachel Jacoba Bailey, a local woman of "coloured" origin with whom he fathered a number of children. Like many South African families, racist attitudes of the times played havoc with the lives of the Ward Family. No doubt it was racial discrimination which led to his burial outside the "white cemeteries" of the day (ie Paarl or Stellenbosch).. Mr George Ward, Andrew Ward's grandson (interviewed by Rapport) tells how his family were forced as a result of a dispute to sell up, discriminated against and had to move to the other side of the railway. George Ward was still alive in 2010, however all attempts to contact him have proved futile. Rapport newspapers have been unable to supply us with his contact details despite several requests.

The wide distribution of the 5 visible graves in the study area was a cause for concern. In our experience this could mean that many graves had become lost over time. To check this, a ground penetrating radar scan was carried out which confirmed the presence of at least some 30 graves within the study area which have no visible grave markers of any kind. Many of these are very shallow being less than 1m deep. Unfortunately despite extensive local advertising and enquiries, the occupants of the graves remain unknown.

The site may have had a farm grave yard on it when Ward purchased the land in the 19th century and it was expedient for him to be buried there. Likewise the site may have been used as a burial ground for railway workers or even convicts. Similar such burial grounds are still to be found adjacent to the Western Main Railway system. Unfortunately the extensive review of the historical background of the land parcels involved makes no mention of a cemetery. The erf was originally subdivided to be part of Bennets’Ville, its intended use being for residential purposes. It therefore may be described as an unofficial cemetery outside the control of a local authority.

3 Impact of the proposed development

The development proposal will have no impact on broader heritage issues. In fact it could be argued that if the development will result in the upgrading of this area of the village and edge of the Klapmuts River, its contribution will be positive on both aesthetic and social grounds.

It is highly probable that the activity will impact the graves. At present the site is in a very poor condition. The majority of graves are lost under vegetation and dumped garbage. They are vulnerable in that activities such as laying of cables and services
(even if the proposed development does not go ahead) may result in accidental disturbance. By modern standards the graves are extremely shallow. The exhumation of the graves and the establishment of small memorial garden would afford the deceased a greater degree of dignity than what the site has to offer at this time.
Figure 9 Possible locations of graves as determined by ground penetrating radar with proposed development layout.
4 Public consultation

Notice of intension to exhume remains was well advertised by Doug Jeffery Environmental Consultants. Being a Klapmuts based company they were well placed to do this. Intent was advertised for no less than 60 days by notices on site and in local and regional newspapers. Enquiries within the present day Klapmuts community failed to produce any registration of interested and affected parties. Appendix A is a collation of measures taken to advertise intent.

5 Future direction

The possibility of leaving the graves in-situ and developing over them was explored with the developers and their consultants. Unfortunately the apparent very shallow depths of the graves make them liable to be impacted by the installation of services or potentially even deep building foundations.

The wide dispersal pattern of the graves means that it is not possible to develop the site in such a way as to avoid them. For this reason the consensus of opinion was that they should be dis-interred.

Since it has not been possible to contact any interested and affected parties, or elicit a response form the Klapmuts community a course of action is suggested.

- The research that has been undertaken has established that there is a connection between the history of Klapmuts and Andrew John Ward. It is suggested that this connection be physically acknowledged through memorialization on site.

- The persons buried on the site remain unknown. It is likely they had a connection with Klapmuts through farm labour or railway work. It is suggested that this connection be physically acknowledged through memorialization on site.

- The fact that no interested and affected parties have come forward, does not exempt the human remains from being treated with sensitivity. It remains possible that there are still relatives that may come forward to acknowledge their ancestors.

- The graves do not form part of any official cemetery administered by a local authority; hence the burials unit of SAHRA is the compliance and permitting authority.
It is recommended that the human remains be exhumed by an undertaker working in collaboration with an archaeologist who will create an archive of observations and findings. The remains are greater than 60 years of age which means that archaeological involvement is required in terms of section 36 of the National Heritage Resources Act.

While analysis of the human remains is not recommended for such “recent” graves, the archaeologist must observe (and record details of) the process to the point at which he/she is satisfied that no “foul play” has played a role in the original burial of human remains. If there is suspicion that “foul play” is involved, a full forensic analysis will be required.

It is recommended that the human remains be cremated and the ashes returned to the site for internment within a small memorial garden situated at a convenient locality within or close to the new development. Remains of grave stones including those of Andrew Ward should be displayed at the memorial along with a communal marker/stone/sign acknowledging the lives of unknown persons;

Or

Subject to permission from the local authority, it is recommended that the human remains be placed in mini-coffins and be returned to the site for internment within a small memorial garden situated at a convenient locality within or close to the new development. Remains of grave stones including those of Andrew Ward should be displayed at the memorial along with a communal marker/stone/sign acknowledging the lives of unknown persons.

Should decomposition of the human remains be total (which is possible in granite derived soils) a memorial should be erected nevertheless.

5.1 Permits

This report serves in apart as a heritage assessment and in apart as a motivating document to apply for an exhumation permit from SAHRA for relocation of graves greater than 60 years of age outside the control of a local authority.

Before work begins the local branch of the South African Police services should be informed.

The state pathologist for the region should be notified.
Appendix A

Supporting documentation
PUBLIC PARTICIPATION PROCESS
NOTICE OF INTENT TO RELOCATE BURIALS
(SECTION 36, NATIONAL HERITAGE RESOURCES ACT, NO. 25 OF 1999)

Location & Activity:
Information and comment is sought from interested and affected parties with respect to graves located on erf 212, 213, 214, 223 and 224, Klipmuta. The site is located between Beyers Street and Bell Street, adjacent to the Klipmuta River.

Application has been made to redevelop the land for housing purposes.

Notice hereby given of intention to disinter and relocate the human remains in terms of section 36 of the National Heritage Resources Act 25 of 1990.

Opportunity to participate:
Persons who consider themselves interested and affected parties or have information about the history of the graves are invited to provide written comment to the contact details provided below and/or register as interested and affected parties before 20 December 2010 (60 days).

In order to register or submit comment, IAPs should provide their name, address & contact details (indicating your preferred method of notification) and an indication of any direct business, financial, personal, or other interest which they have in the application.

DOUG JEFFERY ENVIRONMENTAL CONSULTANTS
ATT: Clinton Geyser
P O Box 44, Klipmuta, 7825
Tel: 021 675-5272; Fax: 021 675-5515
Email: clinpr@dougjeff.co.za

COMMENTS MUST BE SUBMITTED ON OR BEFORE MONDAY 20 December 2010!
Umhlaba & Umsebenzi:
Kutunjwa inkukhala neengcamango zabantu abanomudla nabachaphazelekayo malungu namangowaba abeke kwiziza ezinyungoboko 212, 213, 214, 223 nowama-224, eKlapmuis. Lo mhlaba uphakathi kweBeyers Street kunye neBell Street, kutuphi nomlambo iKlapmuis.

Sifakte wIsiekelo sokuba kusetyenzwe lo umhlaba kwakhona ukwenzela ukuba kwakhwe izindlu.


Ithuba lokuthatha Inxaxheba:
Abantu abazathatha njengabo banomudla kwemphelo baphazelekayo okanye abanomukhu kwemvelaphi yala mangowaba, banyana, ukube bagqithisele lingcamango zabo ezibhalwe phantsi kwazi nkukhala zonoziselelwano zibhalwe apho ngazantis kwivyiki okanye babahlise njengabo banomudla nabachaphazelekayo ngaphambi komkholela wama-20 kuDisemba 2010 (Insuku ezizingama-60).

Ukuzo bakwazi ukuthaliya okanye baphakhe lingcamango, abantu abanomudla nabachaphazelekayo kufuneka bagqithise amagama, lidlidi & inkukhala zonoziselelwano (ezibonisa indlela abayikhethayo yokuthunyelela kwabo izadzo) baze babonise nqo nqo tshozi. Lekhethweni, okanye nezinye izinto ezibhalwezayo kwesi sicielo.

DOUG JEFFERY ENVIRONMENTAL CONSULTANTS
IYAL KU- Olmon Geyer
P O Box 44, Klipmuis, 7625
Number: 021875-5572; Faks: 021875-5515
Imvelo: site@dojjeff.co.za

INGCAMANGO KUFUNEKA ZIFAKWE NGO-OXANYE NGAPHAMBI KWANGO 20 kuDISEMBA 2010!
Plek & Aktiwiteit:
Inligting en kommentaar word gevra van belanghebbende en geaffekteerde partye met betrekking tot die grafte geleë op erwe 212, 213, 214, 223 en 224, Klapmutts. Die terrein is geleë tussen Beyers Straat en Bell Straat, aangrensend aan die Klapmutts-rivier.

Aansoek is gedaan om die grond vir behuising doeleindes te herontwikkel.

Kennis geskied hiermee van voorneme vir opgrawing en verplasing van die menslike oorskot in terme van artikel 36 van die Wet op Nasionale Erfenis Hulpbronne, No 25 van 1999.

Geleentheid om deel te neem:
Persone wat hulself beskou as belanghebbende en geaffekteerde partye of inligting oor die geskiedenis van die grafte het word uitgenooi om skriftelike kommentaar te lewer by die kontaknemmers hieronder en/of te registreer as belanghebbende en geaffekteerde partye voor 20 Desember 2010 (60 dae).

Om te registreer moet u versoek om op die lys geplaas te word of kommentaar lewer, B&GP moet ons voorsien van hul naam, adres en kontak besonderhede (met aanduiding van die gewenste metode van kennisigewing) en 'n aanduiding van enige direkte sake-, finansiële-, persoonlike- of enige ander belang welke hulle in hierdie aansoek mag hê.

DOUG JEFFERY ENVIRONMENTAL CONSULTANTS
AANDAG: Clinton Geyser
Posbus 44, Klapmutts, 7625
Tel: 021 875-5272; Faks: 021 875-6515
Epos: clinton@dougjeff.co.za

KOMMENTAAR MOET ONS VOOR/OP MAANDAG 20 Desember 2010 BEREIK!
PUBLIEKE DEELNAME PROSES

HÉRINGS VAN VOORNEMSTE OM DRIFTE TE VERPLAAT

(ARTIKEL 38, WET OP NATIONALE ERFENS KUNSPROR, NO.20 VAN 1998)

Inligging en kommentaar wordt gene van belanghebbende en geaffecteerde partijen met betrekking tot de grafte gebeur op aanv. 313, 311, 274, 321 en 322, Kapbrone. Die terras is gebeutel tussen Bayers Street en Bell Street, aangrenzend aan die Kliprivierser.

Aanspraak of gedoe oor die grond as belasting bestemde te beraam.

Kennis gawe kanaal van voorlopse oor opvoering en verplaatsing van die beperkde oorsak in bere van artikel 38 van die Wet op Nationale Erfens Kunspoor, No. 20 van 1998.

ONBEWALIJS GOED DE RIK NAGA

Verbetering met hulde bestaans en geaffecteerde partijen of belanghebbende die geskiedenis van die grafte met ons opec en al spelende kommersieel te lewe in die kunslanden van land, oor die rekenings van belanghebbende en geaffecteerde partijen – van 29 November 2010 (30 dae).

Om te reguleren volg u vertek dit en die boogete word of kommentarie bevor, WEGNA mengings toegelaat in hul aan sels en bly nie, leedstende aangewys van die geskiedenis van kernsetting en – asbudding van onge drukte sake. Rekondisie, persoonlike en

OSUJ JEFFERY (ENVIRONMENTAL CONSULTAN)

ADIUS: Christo Greef

Produkt: Kapspruin, 2010

Tel: 021 374-3732 Fax: 021 374-3733

Kont. info@osujco.co.uk

KAPMENTAAR GOET CHD VOSKOP MAANDAG 26 December 2010 BERNERI

21/10/2010 08:47
Oupa se grond vir nageslag verlore
2010-01-23 17:33


Marlene Malan
mmalan@rapport.co.za

Hy onthou nog goed hoe hy 75 jaar gelede saam met sy ouma, ouers, susters en broer uit hul tuiste, die Klapmuts-hotel, moes padgee. “Ná my wit oupa se dood was ons nie meer welkom in die wit gebied nie omdat Ouma bruin was. Ons moes na oorkant die spoorlyn trek. “Oupa se groot ‘sonde’ was sy vrou, Rachel Jacoba Bailey, en die kinders wat uit dié verbintenis gebore is. Oupa en Ouma kon nooit trou nie.” Mnr. George Ward (79) van Monte Vista naby Kaapstad het lankal vrede gemaak met die verlede.

Hul grondeis op ’n deel van die grond wat in Klapmuts aan sy oupa behoort het, is dertien jaar gelede aan die Ward-nageslag uitbetaal. Tog grief dit hom dat Klapmuts nooit ontwikkel het nie – omdat die verkoop en ontwikkeling van “die hele gebied” jare gelede deur die staat gevries is, glo weens ’n dispuut oor sy Skotse oupa, John Andrew Ward, se testament.

“Oupa het die hele Klapmuts besit. Ek lees nou hoe ’n klomp mense praat oor hoe wonderlik dié gebied ontwikkel gaan word. Maar niks kan met daardie grond gebeur voordat die dispuut uitgeklaar is nie.”

Volgens George het sy oupa die grootste deel van sy grond aan ene Louis Hodes verkoop. Hodes het dié grond aan sy seun, Issy, bemaak, “maar Issy het alles verloor omdat sy pa ook as getuie in my pa se testament geteken het. Dis onwettig. Daar is geen twyfel nie dat Louis die grond wederrregtelik uit my pa gekry het.”

Die kooptransaksie, volgens die koopbrief, was op 17 Oktober 1935. John Andrew is op 23 Januarie 1936 dood en die grond is ’n week later, op 31 Januarie 1936, in Louis Hodes se naam geregistreer. Die datum van ’n kodisil aan die testament, wat Louis Hodes as getuie geteken het, was Augustus 1935.
Dokumente wat George opgespoor het, bewys Hodes het daarna die grootste deel van John Andrew se reeds bemaakte grond gekoop. George vertel dit het hom jare geneem om sy oupa se testament en die res van die dokumente wat hy aan KaapRapport gewys het, in argiewe te vind.

“Tot vandag dink ek my oupa is dood omdat die verlies van sy grond vir hom te erg was.” Op John Andrews se doodcertificaat word sy beroep as hoteleienaar aangegee. Sy huwelikstatus was “ongetrou” en Rachel Jacoba word in sy testament “my friend” genoem. Hul vier kinders was John Benjamin (George se pa), Catherine Georgina, William Johan en Martha Jacoba.


- Rapport