



Archaeos Culture & Cultural
Resource Consultants
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**A REPORT ON THE INVESTIGATION OF A NUMBER OF UNMARKED
GRAVES ON PORTION 90 (A PORTION OF PORTION 11)
OF THE FARM THE REST 454 JT,
NELSPRUIT, MPUMALANGA**

For:

***Thunderstruck Investments 55 (Pty)Ltd
P.O.Box 5269
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REPORT: AE732

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SUMMARY

Archaetnos cc was requested by Thunderstruck Investments 55 (Pty) Ltd to investigate a number of unmarked graves, in conjunction with Zenzele Funeral Home from Witbank, on Portion 90 (a portion of portion 11) of the farm The Rest 454 JT in Nelspruit. The possibility of the existence of these graves were reported by local community members and descendants of the deceased buried on this property. A low density housing development is in the process of being undertaken here, and the graves were not identified during initial surveys and the HIA carried out here before the development commenced.

No grave stones (dressing) were visible, and the possible location of the graves was indicated to the archaeologists by the community during social consultation. According to the community a paved road, cutting through the property, covered these graves. The developer agreed to lift the paving, and excavations were done in the area indicated by the community members.

Approximately 6 graves were reported to be present, and because no physical surface signs existed, it was decided to dig a number of test trenches over the area. Sixteen trenches in total were dug. No evidence of any burial pits, or human skeletal remains, was found in any of the excavations. Community members were present at all times during the excavations, and have conceded that no remains are indeed present, although they insist that there were graves.

It is our believe that the development can progress, but that negotiations between the developer and the community should continue so that a suitable solution can be decided upon.

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INTRODUCTION

Archaetnos cc was requested by Thunderstruck Investments 55 (Pty) Ltd to investigate a number of unmarked graves, in conjunction with Zenzele Funeral Home from Witbank , on Portion 90 (a portion of portion 11) of the farm The Rest 454 JT in Nelspruit. The possibility of the existence of these graves were reported by local community members and descendants of the deceased buried on this property. A low density housing development is in the process of being undertaken here, and the graves were not identified during initial surveys and the HIA carried out here before the development commenced.

After the necessary steps and processes were followed (social consultation, advertising) a permit (permit no. **80/07/07/006/51**) was obtained from SAHRA to exhume and relocate the possible graves. This report forms part of the fulfillment of the permit requirements.

TERMS OF REFERENCE

The Terms of Reference for the work was to:

1. Investigate the existence of a number of unmarked graves on the property and then to exhume and relocate the remains

LEGISLATIVE REQUIREMENTS

Aspects concerning the conservation of cultural resources are dealt with mainly in two acts. These are the National Heritage Resources Act (Act 25 of 1999) and the National Environmental Management Act (Act 107 of 1998).

South African Heritage Resources Act

Archaeology, palaeontology and meteorites

Section 35(4) of this act states that no person may, without a permit issued by the responsible heritage resources authority:

- (a) destroy, damage, excavate, alter, deface or otherwise disturb any archaeological or palaeontological site or any meteorite;
- (b) destroy, damage, excavate, remove from its original position, collect or own any archaeological or palaeontological material or object or any meteorite;
- (c) trade in, sell for private gain, export or attempt to export from the Republic any category of archaeological or palaeontological material or object, or any meteorite; or
- (d) bring onto or use at an archaeological or palaeontological site any excavation equipment or any equipment that assists in the detection or recovery of metals

- or archaeological and palaeontological material or objects, or use such equipment for the recovery of meteorites.
- (e) alter or demolish any structure or part of a structure which is older than 60 years as protected.

The above mentioned may only be disturbed or moved by an archaeologist, after receiving a permit from the South African Heritage Resources Agency.

Human remains

In terms of Section 36(3) of the National Heritage Resources Act, no person may, without a permit issued by the relevant heritage resources authority:

- (a) destroy, damage, alter, exhume or remove from its original position of otherwise disturb the grave of a victim of conflict, or any burial ground or part thereof which contains such graves;
- (b) destroy, damage, alter, exhume or remove from its original position or otherwise disturb any grave or burial ground older than 60 years which is situated outside a formal cemetery administered by a local authority; or
- (c) bring onto or use at a burial ground or grave referred to in paragraph (a) or (b) any excavation, or any equipment which assists in the detection or recovery of metals.

Human remains that are less than 60 years old are subject to provisions of the Human Tissue Act (Act 65 of 1983) and to local regulations.

Exhumation of graves must conform to the standards set out in the **Ordinance on Excavations (Ordinance no. 12 of 1980)** (replacing the old Transvaal Ordinance no. 7 of 1925). Permission must also be gained from the descendants (where known), the National Department of Health, Provincial Department of Health, Premier of the Province and local police. Furthermore, permission must also be gained from the various landowners (i.e. where the graves are located and where they are to be relocated) before exhumation can take place.

Human remains can only be handled by a registered undertaker or an institution declared under the **Human Tissues Act (Act 65 of 1983 as amended)**.

The National Environmental Management Act

This act states that a survey and evaluation of cultural resources must be done in areas where development projects, that will change the face of the environment, will be undertaken. The impact of the development on these resources should be determined and proposals for the mitigation thereof are made.

METHODOLOGY

One possible grave site (GRY A) was investigated. As there were no physical signs, such as stone cairns/grave dressing, of any graves, a number of test trenches were dug. Sixteen test trenches, each approximately the size of a normal grave, were opened up in order to locate any possible burial pits in the area demarcated by the community members and descendants

of the deceased. All the excavations and material recovered from it was photographically documented in detail as well, while detailed measurements of each trench was also taken.

DESCRIPTION OF THE AREA

The site is located on Portion 90 (a portion of portion 11) of the farm The Rest 454 JT, in Nelspruit, Mpumalanga. The grave area (See Fig. 1) is located between **25° 30.505 S and 30° 59.949 E**.

The remains of a small dwelling, associated with the possible graves, are located close by.

DISCUSSION

One grave site, with 6 reported graves were investigated. The existence of these graves was reported by local community members and descendants of the deceased to the developer some time after development commenced. During subsequent social consultation they indicated three possible areas where the graves were located. The site that was excavated is the third of these areas, and the one that the community indicated as the most likely location of the burials.

This area was already covered by a paved road, and as a result no physical evidence of any graves existed. The developer agreed to lift the paving so that the investigation could be conducted. The developer indicated that no sign of any graves was visible during construction work. The community, however, insisted that there were graves present. It was therefore decided that a number of test trenches, 16 in total, would be dug in the area to try and locate any possible burials here.

The graves site was numbered as GRY A, with each excavation given a unique number corresponding with this (GRY A1, A2 and so on). Each of these will now be discussed separately.

The following individuals were reportedly buried at the site:

- 1. Joshua Nkosi – died 17/08/1975**
- 2. Johanna Alice Sibande – died 02/04/1979**
- 3. Sipho Sibande – died 1965**
- 4. Mtobikayise Sibande – died 1965**
- 5. ? Nkosi (a female) – died 1969**
- 6. Unknown child who died during birth – 1969**

Although these graves, based on the dates of death, are all younger than 60 years of age, archaeological methods were deemed necessary to investigate the possibility of their presence on the site and therefore a SAHRA permit was obtained in this instance.

GRYA1 (Fig.2)

This test trench had measurements of 2.22m (l) x 1.01m (w) x 1.16m (depth). No evidence of any burial pit or any cultural or skeletal material was found. This was indeed the case with all the test trenches, except GRY A9, 10 and 11 that had some cultural material found in them.

The stratigraphic layering in GRY A1 – 5 was very similar, with 3 distinct levels occurring. The first layer (from the surface) is between 27cm and 40 cm thick (a coarse, pinkish layer), followed by a black soil layer of around 3 cm to 11 cm thick. This is followed in turn by a softer, red, sand layer.

GRYA2 (Fig. 3)

Measurements: 1.92m (l) x 1.30m (w) x 1.02m (depth)
No evidence of any burial pit or any physical remains

GRYA3 (Fig.4)

Once again no skeletal remains or any other cultural material associated with a burial were recovered. The excavation was 2.10m (l) x 1.06m (w) x 1.11m (depth).

GRYA4 (Fig. 5)

No remains of any nature. 1.76m (l) x 0.91m (w) x 1.00m (depth).

GRYA5 (Fig. 6 - 7)

This test trench measured 1.89m (l) x 0.93m (w) x 1.27m (deep). On both the western and eastern sides of the trench there is a 11cm thick black layer (around 42 cm below the surface). This layer is therefore uniform, and there is no evidence of a break in this layer (no disturbance such as a burial pit).

No cultural material or skeletal remains found.

GRYA6-7 (Fig. 8 & 9)

These two test trenches were dug in the north-western section of the indicated area (GRY A1-5 in the south-western section). The deposit in both is fairly uniform, and consists of a layer of pinkish, grey gravel. The soil here is also much more compacted than in GRY A1-5.

GRY A6: 1.77m (l) x 1.14m (w) x 1.16m (deep)

GRY A7: 1.63m (l) x 1.13m (w) x 1.13m (deep)

After the first 7 trenches did not reveal any evidence of burials, it was decided to excavate a further 9 test trenches, lying approximately in a north-south line next to each other, to cover as large a portion as possible of the area indicated by the community members. Although no physical evidence of any burials were found here, some cultural material were recovered from three of the trenches.

GRYA8 (Fig. 10)

This trench measured 1.95m (l) x 1.05m (w) x 1.11m (deep). No evidence of a burial

GRYA9 (Fig. 11- 12)

This was a 2.07m (l) x 1.01m (w) x 1.19m (deep) trench. Although it contained some cultural artifacts (see Fig. 12) these were found fairly high up in the trench. No other evidence of a burial was found.

GRYA10 (Fig. 13 – 14)

This is the second trench where cultural artifacts were found (see Fig. 14). No other evidence of a burial.

2.21m (l) x 0.79m (w) x 0.81m (deep)

GRYA11 (Fig. 15 - 16)

This was another trench where cultural material (see Fig. 16) was recovered, although there was no evidence of a burial. The excavation measured 2.33m (l) x 0.94m (w) x 0.79m (depth).

GRYA12 - 16 (Fig. 17 - 21)

These last five test trenches contained no cultural remains, and no evidence of burial pits was found. The measurements were as follows:

GRY A12: 1.95m (l) x 0.87m (w) x 0.89m (depth)

GRY A13: 1.84m (l) x 1.26m (w) x 0.78m (depth)

GRY A14: 1.48m (l) x 1.49m (w) x 0.83m (depth)

GRY A15: 1.80m (l) x 1.10m (w) x 1.00m (depth)

GRY A16: 1.90m (l) x 1.20m (w) x 1.20m (depth)

CONCLUSIONS AND RECOMMENDATIONS

It is very difficult to say whether or not any graves existed in this area before development commenced. Local community members and descendants indicated during social consultation that there were in fact around 6 graves, dating to the mid 1960's to late 1970's present here. A total of 16 test trenches, covering the area indicated by the community as the most likely where the graves were located, were excavated. In none of these any evidence of burial pits were found. Cultural material was recovered from only three of these, and these artifacts were found very high up in the trenches. The cultural material comes from just below an orangey-red layer of soil that was brought in to compact the paved road that cut through this portion of the property.

Community members were present at all times during the excavation process, and were consulted at a continuous basis. They finally concluded that no physical evidence of these burials exist, but is still confident that these grave were present at this location. It has to be concluded that it is quite possible that there were graves here in the past, but that no physical remains, in the form of burial pits, cultural material, or human skeletal remains were preserved.

In conclusion it can be said that all effort was made to try and uncover the existence of the reported graves. Even though no evidence was found, it can not be said with any certainty that there were no graves present. It is our recommendation that the community/descendants and the developer consult on the way forward. This could include deciding on putting up a plaque in the area, commemorating the deceased and moving the paved road away from this portion. With the existence of graves still possible in the area, it is also recommended that further development should be undertaken with care, and that if any remains are found the community and the archaeologists be called in to investigate.

REFERENCES

The following family/community members were consulted and were involved throughout the project:

Obert Nkosi
Samson Sibande
Solomon Mkhatswa
Christina Sibande
Swenky Mkhatswa
Aaron Mkhatswa
Thomas Mkhatswa

Celliers, J.P. 2004. Report on an archaeological survey of portion 90 of portion 11 of the farm The Rest 454 JT.

PROJECT TEAM

A.Pelser: Field Supervisor and Permit Holder
J.P. Celliers: Social consultation
Anton van Vollenhoven: Field Assistant
Jaco van der Walt: Field Supervisor

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