

HERITAGE IMPACT ASSESSMENT REPORT

ACCIDENTILLY DISCOVERED HUMAN REMAINS ON RE OF PTN 10 OF THE FARM NEWGATE 802 MS: AVOCA VALE COUNTRY LODGE. MAKHADO LOCAL MUNICIPALITY

FOR: The South African Heritage Resources Agency

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EXECUTIVE SUMMARY

Skeletal remains were accidentally discovered on 20th July 2020 during construction of an extension of the Avoca Vale Country Lodge. The lodge is located at coordinates S22°58'48.80" E29°56'4.60" on the Remainder of Portion 10 of the farm Newgate 802 MS. The entire trench had been excavated when a worker who had been levelling out the bottom of the trench discovered the remains on the 20th July 2020. Work was immediately ceased in the trench and the SAPS were informed. Two officers inspected the remains on the 20th July, but neglected to take further action and also apparently did not submit a report nor open a case of the incident. I inspected the site on 23 July 2020 and observed no other bone material other than the skull. The management of the lodge decided to abandon the trench and no further activities took place, and with my agreement the immediate area of the find place was marked and the rest of the trench was backfilled for safety precautions. The reason for this was that there was no evidence of any cultural deposit or cultural material anywhere else in the trench

Studying the 1:50000 topographical map, it is clear that the area around the Avoca Vale Country Lodge or former Punch Bowl Hotel had already been developed into an orchard by the mid 1900's when the farmhouse was turned into a hotel. Further additions to the Hotel/Lodge, planting of the garden, building a swimming pool, etcetera, over the years would have transformed the premises even further with the result that all contextual evidence of any archaeological site would have been obliterated. A survey of the premises produced no archaeological or historical cultural material.

The human remains exposed inside the trench consisted only of a skull of an adult. No other bones were noted in the loose gravel. The profile or sides of the trench contains no evidence of a cultural deposit and no cultural material was found in association with the skull. The trench excavation has obliterated any sign of a burial pit. The area around the farmhouse / hotel had been developed as an orchard; one should note that such fields are normally prepared by deep ripping of the soil with specially designed farm implements. A ripper is used instead of a traditional plough, which penetrates the soil much deeper; exceeding one meter in depth. This is most probably the reason why only the skull was located within the trench and the rest of the bones crushed and scattered over a wider area.

A permit application was initially submitted to SAHRA'S Burial Grounds and Graves Unit under Section 36 of the NHRA. After a re-assessment of the evidence, it is now clear that the application should be submitted under Section 35 of the NHRA. As far as could be established no-one has over the past 60 years or during living memory called on the hotel/lodge owner/s to claim a grave on the premises. After a re-assessment of the evidence as revised, it is now clear that the application should be submitted under Section 35 of the National Heritage Resources Act (25 of 1999).

Based on the site survey and lack of any evidence to link the human remains with any descendant group, it is recommended that a permit be issued in order that the trench in which the human remains were found is investigated to recover and rescue any human remains that may still be present and to unit those with the skull which is now in Police custody. Thereafter a detailed analysis should be undertaken to attempt to identify the physical origin of the human remains in so that the consultative process may target a descent group or persons who by tradition have an interest in such grave to facilitate the reburial and conclusion of the process.

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1. INTRODUCTION AND LOCATION

The author was appointed by Fleming Group Projects of behalf of Ekland Safaris, proprietors of the Avoca Vale Country Lodge, to apply for a permit from SAHRA to rescue skeletal remains that were accidentally discovered on 20th July 2020 during construction of an extension of the Avoca Vale Country Lodge.

The lodge is located at coordinates S22°58'48.80" E29°56'4.60" on the Remainder of Portion 10 of the farm Newgate 802 MS, approximately 13km north-north-east of the Louis Trichardt CBD along the N1 in the Makhado Local Municipality within the Vhembe District.

2. TERMS OF REFERENCE

To undertake a heritage assessment to provide a possible context to the origin of the skeletal material.

3. DESCRIPTION OF THE ACTIVITIES ON SITE

This is a construction site on which an extension of the Avoca Vale Country Lodge is in the process of being built. Human skeletal remains were uncovered in a services trench adjacent to the new building. At the time of discovering the human remains, the foundations had already been excavated and building had commenced to the first storey of the structure, covering the entire layout of the complex. The trench in which the human remains were uncovered was excavated to house the services such as water, drainage, sewerage and electric cabling for the new building and did not form part of the initial construction activities. While discussing the case, the management of the lodge decided to abandon the trench (see figure 9) and no further activities took place, and with my agreement the immediate area of the find place was marked and the rest of the trench was backfilled for safety precautions. The reason for this was that there was no evidence of any cultural deposit or cultural material anywhere else in the trench.

4. LEGAL REQUIREMENTS

4.1 The National Heritage Resources Act (25 of 1999) (NHRA)

This Act established the South African Heritage Resources Agency (SAHRA) and makes provision for the establishment of Provincial Heritage Resources Authorities (PHRA). The Act makes provision for the undertaking of heritage resources impact assessments for various categories of development as determined by Section 38. It also provides for the grading of heritage resources (Section 7) and the implementation of a three-tier level of responsibilities and functions for heritage resources to be undertaken by the State, Provincial authorities and Local authorities, depending on the grade of the Heritage resources (Section 8).

In terms of the National Heritage Resources Act (1999) the following is of relevance:

Burial grounds and graves

Subsection 36(3)

- (a) No person may, without a permit issued by SAHRA or a provincial heritage resources authority-
- (c) destroy, damage, alter, exhume, 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
- (d) bring onto or use at a burial ground or grave referred to in paragraph (a) or (b) any excavation equipment, or any equipment which assists in detection or recovery of metals.

Subsection 36(6) Subject to the provision of any law, any person who in the course of development or any other activity discovers the location of a grave, the existence of which was previously unknown, must immediately cease such activity and report the discovery to the responsible heritage resources authority which must, in co-operation with the South African Police Service and in accordance with regulations of the responsible heritage resources authority-

- (a) carry out an investigation for the purpose of obtaining information on whether or not such grave is protected in terms of this Act or is of significance to any community; and
- (b) if such grave is protected or is of significance, assist any person who or community which is a direct descendant to make arrangements for the exhumation and re-interment of the content of such grave or, in the absence of such person or community, make any such arrangement as it deems fit.

4.2 The Human Tissues Act (65 of 1983) and Ordinance on the Removal of Graves and Dead Bodies (Ordinance 7 of 1925)

This Act and Ordinance protects graves younger than 60 years. These fall under the jurisdiction of the National Department of Health and the Provincial Health Departments. Approval for the exhumation and re-burial must be obtained from the relevant Provincial MEC as well as the relevant Local Authorities.

5. METHODOLOGY

5.1 Sources of information

A site inspection/visit was conducted on 23rd July 2020. In addition, the SAHRIS database (<http://www.sahra.org.za/sahris>) was consulted and it was determined that no previous heritage surveys had been carried in the current study area. Google earth and the 1:50000 Topographical map, 2229 DD was consulted.

5.2 Limitations

The entire terrain was altered by the construction activities. Very little of the original surface in the area where the burial was uncovered was visible. It must be noted that archaeological remains are generally subterranean but none had been exposed by the trench.

5.3 Terminology

Early Stone Age:	Predominantly the Oldowan artefacts and Acheulian hand axe industry complex dating to + 1Myr yrs – 250 000 yrs. before present.
Middle Stone Age:	Various lithic industries in SA dating from ± 250 000 yrs. - 22 000 yrs. before present.
Late Stone Age:	The period from ± 22 000-yrs. to contact period with either Iron Age farmers or European colonists.
Early Iron Age:	Most of the first millennium AD
Middle Iron Age:	10 th to 13 th centuries AD
Late Iron Age:	14 th century to colonial period. <i>The entire Iron Age represents the spread of Bantu speaking peoples.</i>
Phase 1 assessments:	Scoping surveys to establish the presence of and to evaluate heritage resources in a given area
Phase 2 assessments:	In depth culture resources management studies which could include major archaeological excavations, detailed site surveys and mapping / plans of sites, including historical / architectural structures and features. Alternatively, the sampling of sites by collecting material, small test pit excavations or auger sampling could be undertaken.
Sensitive:	Often refers to graves and burial sites, as well as ideologically significant sites such as ritual / religious places. <i>Sensitive</i> may also refer to an entire landscape / area known for its significant heritage remains.

6. GENERIC BASELINE INFORMATION

6.1 The Stone Age

The Stone Age covers most of southern Africa and the earliest consist of the Oldowan and Acheul artefacts assemblages. Oldowan tools are regularly referred to as “choppers”. Oldowan artefacts are associated with *Homo habilis*, the first true humans. In South Africa definite occurrences have been found at the sites of Sterkfontein and Swartkrans. Here they are dated to between 1.7 and 2 million years old. This was followed by the Acheulian technology from about 1.4 million years ago which introduced a new level of complexity. The large tools that dominate the Acheulian artefact assemblages range in length from 100 to 200 mm or more. Collectively they are called bifaces because they are normally shaped by flaking on both faces. In plan view they tend to be pear-shape and are broad relative to their thickness. Most bifaces are pointed and are classified as handaxes, but others have a wide cutting end and are termed cleavers. The Acheulian design persisted for more than a million years and only disappeared about 250 000 years ago. Here, the Makapans Valley Site is referenced; especially the Cave of Hearths.

The change from Acheulian with their characteristic bifaces, handaxes and cleavers to Middle Stone Age (MSA), which are characterized by flake industries, occurred about 250 000 years ago and ended about 30 000 – 22 000 years ago. For the most part the MSA is associated with modern humans; *Homo sapiens*. MSA remains are found in open spaces where they are regularly exposed by erosion as well as in caves. Characteristics of the MSA are flake blanks in the 40 – 100 mm size range struck from prepared cores, the striking platforms of the flakes reveal one or more facets, indicating the preparation of the platform before flake removal (the prepared core technique), flakes show dorsal preparation – one or more ridges or arise down the length of the flake – as a result of previous removals from the core, flakes with convergent sides (laterals) and a pointed shape, and flakes with parallel laterals and a rectangular or quadrilateral shape: these can be termed pointed and flake blades respectively. Other flakes in MSA assemblages are irregular in form.

The change from Middle Stone Age to Later Stone Age (LSA) took place in most parts of southern Africa little more than about 20 000 years ago. It is marked by a series of technological innovations or new tools that, initially at least, were used to do much the same jobs as had been done before, but in a different way. Their introduction was associated with changes in the nature of hunter-gatherer material culture. The innovations associated with the Later Stone Age “package” of tools include rock art – both paintings and engravings, smaller stone tools, so small that the formal tools less than 25mm long are called microliths (sometimes found in the final MSA) and Bows and arrows. Rock art is an important feature of the LSA. The Central Limpopo Basin, including the Soutpansberg, Limpopo Valley, the Blouberg-Makgabeng area and the Pafuri area, has over 700 documented rock art sites and is one of the few regions where paintings and engravings occur, sometimes at the same site (Eastwood and Hanisch 2003).

6.2 The Iron Age

In terms of Huffman's (2007) distribution sequences of the Iron Age, the project area may contain the remains of the under-mentioned culture historical groups:

- ***Urewe Tradition***, originating in the Great Lakes area of Central Africa, was a secondary dispersal centre for eastern Bantu speakers. It represents the eastern stream of migration into South Africa.
 - Kwale Branch:
Mzonjani facies (Broederstroom) AD 450 – 750 (Early Iron Age)
 - Moloko (Sotho-Tswana) Branch (Late Iron Age)
Icon facies AD 1300 – 1500: This pottery is associated with the first Sotho Tswana people entering the country.
- ***Kalundu Tradition***, originating in the far North of Angola, was another secondary dispersal centre for eastern Bantu speakers and represents the western stream of migration into South Africa.
 - Happy Rest Sub-branch:
Happy Rest facies AD 500 – 750 (Early Iron Age)
Mutamba facies AD 1250 – 1450 (Middle Iron Age)
Khami facies AD 1430 – 1680 (Late Iron Age)
Tavatshena facies AD 1450 – 1600 (Later Iron Age)
*Letaba facies AD 1600 – 1840 (Later Iron Age)

*Letaba pottery is associated with modern day Venda people and can be found in any Venda village.

The project area falls in an area where no known heritage survey had been undertaken in the recent past. However, a number of archaeological sites have been identified by Loubser (1991), while doing research on Venda ethno-archaeology for his PhD during the mid-1980's. The nearest archaeological Venda site is called Ramalamula, a Mutzheto pattern site (see below) is located approximately 5km to the north.

Loubser integrated oral traditions, archaeology and ethnography to show that the Venda people originated locally and inhabited the Zoutpansberg a century before the Singo conquest of the current ruling lineages. The archaeology shows a local development of a Venda ceramic style (called Letaba) from the overlap between Shona and Sotho styles and independently supports linguistic evidence that the Venda language is an amalgamation of Shona and Sotho.

Loubser (1991) distinguishes five (5) settlement patterns in the Zoutpansberg area according to a chronological order. The first and presumably the oldest is the **central cattle pattern**, where settlements have one or several contiguous dung concentrations and the settlement is arranged around the dung concentration.

The second settlement pattern is the **Zimbabwe pattern**, characterized by regularly coursed-walls arranged in tight semi-circles and irregular enclosures along the upper portion of the site. Dwelling remains occur among the walls, but also extends well beyond the limits of the walls.

Loubser also distinguishes the **Dzata pattern**, which is very similar to the Zimbabwe pattern, but are characterised by short sections of walls that are semi-coursed and long sections of roughly stacked walls. The semi-coursed walls occur either in isolation or as part of roughly stacked walls.

The fourth is the **Mutzheto** pattern where settlements have stacked terraced walls (mutzheto). The walls demarcate the main residential area and are arranged in interlinking terraced enclosures along the upper portion of the settlement. Dwellings sometimes occur in a wide arc below the main walled cluster. Mutzheto sites share features with both Zimbabwe and Dzata patterns.

Lastly, from the 1830's conquered chiefs were forced to abandon their Mutzheto settlements by their victors and forced to settle on the open flats; the **Dzanani** pattern. This was also the case after the Boers defeated the Ramabulana/Singo in 1889. The subsequent re-settlement programme under British rule from 1902 forced the Western Venda to settle on the plains. Thereafter western Venda villages seldom included stone walling.

6.3 Historical period

In the mid-19th century (1848) followers of the trekker leader Hendrik Potgieter settled south of the Zoutpansberg in the area where Louis Trichardt camped in 1836, and called the new Town "de Oude dorp". It was changed to Zoutpansbergdorp and again to Schoemansdal. Schoemansdal was evacuated in 1867 because of hostilities between the settlement and the Venda under Chief Makhado. It was only in 1899 that the town of Louis Trichardt was established, about 15 km east of the old Schoemansdal. During the Anglo-Boer war the town was abandoned and only re-settled

after 1902. During this early period the route to the north went westwards around the Zoutpansberg (where Vivo is today) until the road to Musina through Wylliespoort was completed in 1908.

The farm Newgate 802 MS was first registered in 1921, whereas the adjacent farm Middelfontein 803 MS was registered in 1909. The original farm house on Newgate was converted to the New Gate Guest farm and afterwards in the 1960's called the Punch Bowl Hotel and owned by Stephanus Henrico. In 2001/2, the Punch Bowl Hotel was sold and became known as the Inn on Louis Trichardt. In 2011 it was restored and named Avoca Vale.

No successful land claim has been lodged on the farm Newgate 802 MS nor is there currently a claim against the farm.

7. AN ASSESSMENT OF THE BURIAL AND BURIAL SITE

The burial found in a trench, which content consists of a skull only, is located approximately 60m north-west of what is now known as the Avoca Vale Country Lodge which includes the original farm house and adjacent to some kind of outbuilding that can be seen on Google earth, but has since been demolished.

Studying the 1:50000 topographical map, it is clear that the area around the Avoca Vale Country Lodge or former Punch Bowl Hotel (marked "H" on the map overlay; Figure 2) had already been developed into an orchard by the mid 1980's. Further additions to the Lodge, planting of the garden, building a swimming pool, etcetera, over the years would have transformed the premises even further with the result that all contextual evidence of any archaeological site would have been obliterated. A survey of the premises produced no archaeological or historical cultural material.

This paragraph is an addition to the original report: After re-considering the above-mentioned fact that the area had been under orchard trees, one should note that such fields are normally prepared by the deep ripping of the soil with specially designed farm implements. A ripper is used instead of a traditional plough, which penetrates the soil much deeper; up to more than one meter in depth. This is most probably the reason why only the skull was located within the trench and the rest of the bones crushed and scattered over a wider area.

The immediate area where the remains were found had also been severely disturbed by the construction activities. Although disturbed, the surface area contained wide spread coal fire ash and industrial and household rubble that included glass, plastic and old batteries. According to management, no evidence of a grave was noted before construction. Evidence from Mr Sonny Henrico (aged 85), son of a previous owner, Stephanus Henrico, who was telephonically interviewed on 6th and 8th August 2020 is as follows:

- He knew the terrain to the West of the Hotel very well as it was there where the Hotel Pub was situated in those days,
- It was only the building for the Pub there and the rest behind it was bushes,
- In his view this place where the skeleton was found was over grown by these bushes,
- His Parents did not keep an ash heap or trash pile or compost heap there behind the Pub and his Father keenly removed all compost from the grounds to their other farm for manure,

- If a skeleton has now been found there it must be from an unknown and long before 1963 which gave the bushes a long time to overgrow.

The human remains exposed inside the trench consisted only of a skull of an adult. No other bones were noted in the loose gravel. The profile or sides of the trench contains no evidence of a cultural deposit and no cultural material was found in association with the skull. The trench excavation has obliterated any sign of a burial pit. ***I deduce that the remains are older than 60 years based on observations of the bone.*** There is a complete decomposition of the body tissue and there are no traces of organic material such as wood, hair or clothing. Interestingly, the upper teeth had all been lost and the bone had completely healed during the lifetime of the person. On this supposition a permit application was submitted to SAHRA'S Burial Grounds and Graves Unit under Section 36 of the NHRA.

Addition to original text: *The italicised and bolded text above includes the inference that the remains are older than 60 years – this remains true, but I now argue that it is most likely older than 100 years and wish to amend the time period accordingly. Any cultural context would have been destroyed during the preparation of the original orchard field by ripping the soil. There may once have been an archaeological site on the terrain that has completely been obscured by recent historical activities.*

The origin of the remains is not a clear-cut case; the site contains no clear evidence of an archaeological deposit to link it with any indigenous or archaeological known population of the area. From an historical perspective, this particular area was a prime spot for European settlers during the earliest part of the 20th century, where for example, malaria caused havoc amongst the settlers and many died from it. Developments on the farm over the past approximately 100 years have destroyed all cultural contexts which could have been associated with the burial.

Addition to original text: *As far as could be established no-one has over the past 60 years or during living memory called on the hotel/lodge owner/s to claim a grave on the premises. After a re-assessment of the evidence as revised above, it is now clear that the application should be submitted under Section 35 of the National Heritage Resources Act (25 of 1999).*

8. ROLE OF THE SAPS

After the burial was initially exposed two Police officers inspected the remains on the 20th July, but neglected to take further action and also apparently did not submit a report nor open a case of the incident. On Friday 25th September Ms Thingahangwi Tshivhase of SAHRA's Burial Ground and Graves Unit had a site meeting with the management of the Country Lodge and me. During this meeting Ms Tshivhase suggested that I take the remains to the local Police Station in Louis Trichardt for safekeeping. On my arrival at the Police Station it was established that a case was never filed by the above-mentioned officers. It was then decided that the police would do a site investigation lead by detective Capt. Ndammbi. We returned to the site where Capt. Ndammbi and two other uniform officers investigated the scene and removed the skull for a forensic assessment by the SAPS.

9. EVALUATION AND STATEMENT OF SIGNIFICANCE

9.1 Significance criteria in terms of Section 3(3) of the National Heritage Resources Act.

Significance		Rating
1.	The importance of the cultural heritage in the community or pattern of South Africa's history (Historic and political significance)	Low
2.	Possession of uncommon, rare or endangered aspects of South Africa's natural or cultural heritage (Scientific significance).	None
3.	Potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage (Research/scientific significance)	Low
4.	Importance in demonstrating the principal characteristics of a particular class of South Africa's natural or cultural places or objects (Scientific significance)	None
5.	Importance in exhibiting particular aesthetic characteristics valued by a community or cultural group (Aesthetic significance)	None
6.	Importance in demonstrating a high degree of creative or technical achievement at a particular period (Scientific significance)	None
7.	Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons (Social significance)	High
8.	Strong or special association with the life and work of a person, group or organization of importance in the history of South Africa (Historic significance)	None
9.	The significance of the site relating to the history of slavery in South Africa.	None

9.2 ***Section 38(3) (c) An assessment of the impact of the development on such heritage resources.***

The development has had a severe impact on the exposed human remains.

9.3 ***Section 38(3) (d) An evaluation of the impact of the development on heritage resources relative to the sustainable economic benefits to be derived from the development.***

The sustainable economic benefits will be significant and the damage must be mitigated and managed through a consultative process.

9.4 ***Section 38(3) (e) The results of consultation with the communities affected by the proposed development and other interested parties regarding the impact of the development on heritage resources.***

No specific community will be negatively impacted by the current development as it is an extension of an existing facility. The impact is on a burial for which consultation must be undertaken to mitigate a positive outcome.

9.5 Section 38(3)(f) If heritage resources will be adversely affected by the proposed development the consideration of alternatives.

No alternatives can be considered.

9.6 Section 38(3)(g) Plans for mitigation of any adverse effects during and after the completion of the proposed development.

Social consultation is recommended to trace descendant in order to mitigate a decent and respectful reburial of the exposed human remains.

10. RECOMMENDATION

Based on the site survey and lack of any evidence to link the human remains with any descendant group, it is recommended a permit be issued in order that the trench in which the human remains were found is investigated to recover and rescue any human remains that may still be present and to unit those with the skull which is now in Police custody. Thereafter a detailed analysis should be undertaken to attempt to identify the physical origin of the human remains in so that the consultative process may target a descent group or persons who by tradition have an interest in such grave to facilitate the reburial and conclusion of the process.

11. REFERENCES

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12. MAPS AND IMAGES

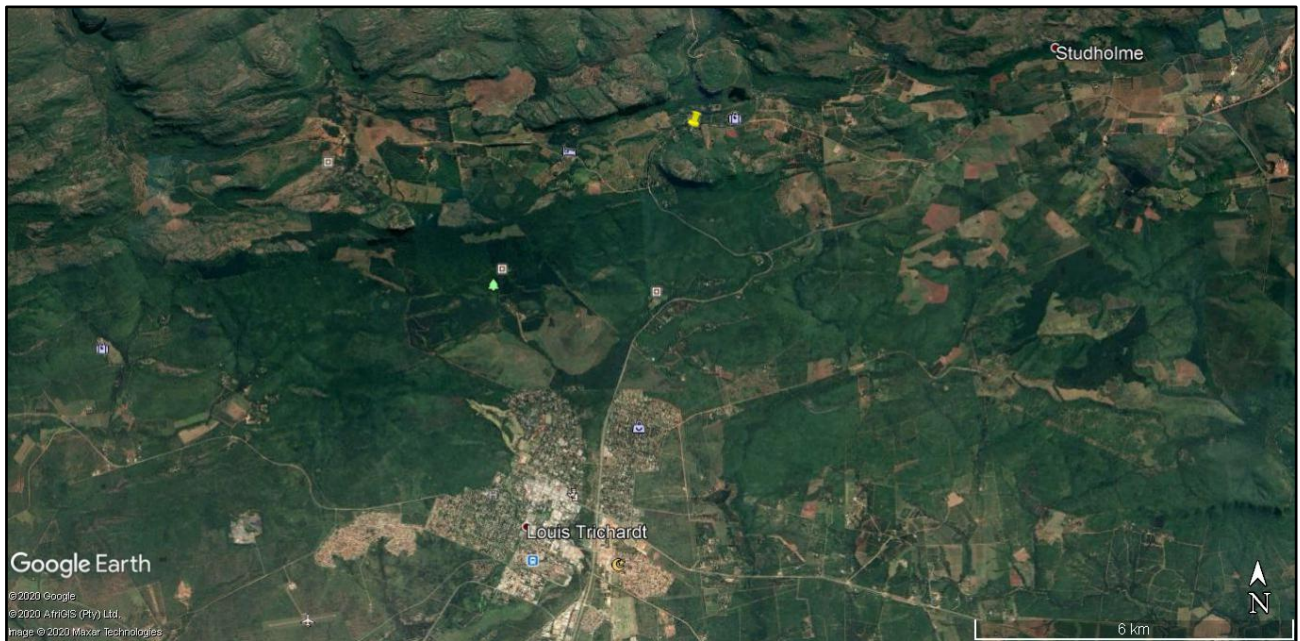


Figure 1. Google earth image showing the project area in relation to Louis Trichardt. The yellow icon indicates the site.

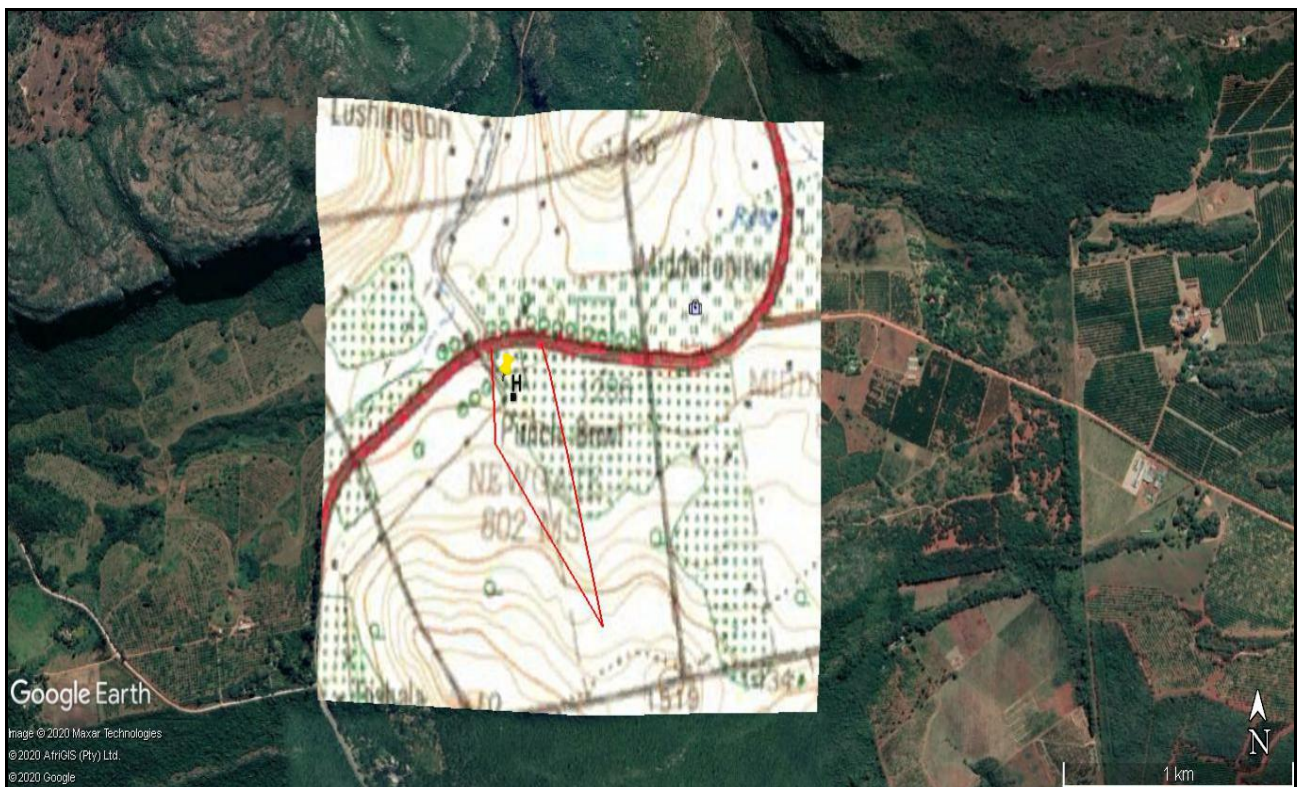


Figure 2. An overlay of the topographical map with Portion 10 of the farm Newgate 802 MS on Google earth image indicating the extent of farming orchards in the 1980's.



Figure 3. Google earth view of the Lodge site. The icon indicates the position of the burial.



Figure 4. General view of the trench. The arrow indicates the position of the human remains.



Figure 5. General view of the exposed skull.



Figure 6. View of skull from above – the scale is 1m.



Figure 7. View of the profile of the trench indicating a coal fire ash layer at the top.



Figure 8. View of rubble on surface showing an old battery fragment.



Figure 9. View of exposed rubble at eastern part of the trench.



Figure 10. View of new location of the services trench on the passage.