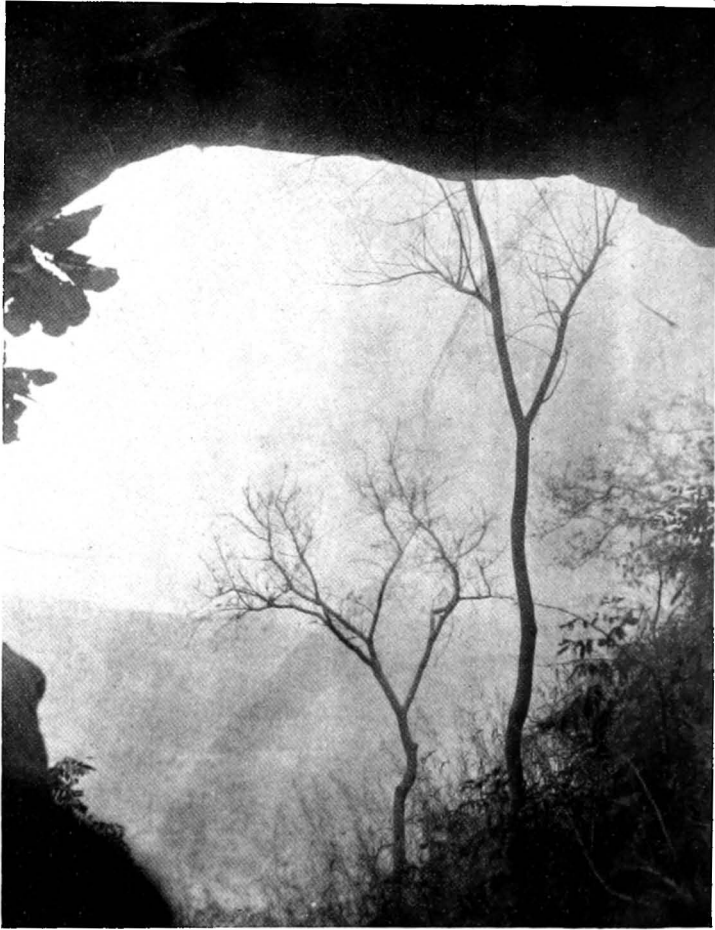


ASHANTI LAW AND  
CONSTITUTION



‘ We came forth from the ground very long ago . . . ’

*Photograph taken from the mouth of a cave in the Banda mountains*

# ASHANTI LAW AND CONSTITUTION

BY

**CAPT. R. S. RATTRAY, M.B.E., B.Sc. (Oxon.)**

Gold Coast Political Service; of Gray's Inn  
Barrister-at-Law; Palmes d'Officier  
d'Académie (France)

OXFORD  
AT THE CLARENDON PRESS

1929

OXFORD UNIVERSITY PRESS  
AMEN HOUSE, E.C. 4  
LONDON EDINBURGH GLASGOW  
LEIPZIG NEW YORK TORONTO  
MELBOURNE CAPE TOWN BOMBAY  
CALCUTTA MADRAS SHANGHAI  
HUMPHREY MILFORD  
PUBLISHER TO THE  
UNIVERSITY

Printed in Great Britain

## PREFACE

THIS volume contains the final investigations of the Anthropological Department on the Ashanti.<sup>1</sup> It is the last of a trilogy which includes in the series the volumes entitled *Ashanti* and *Religion and Art in Ashanti*.

Some six years ago, when a branch of Anthropological research was first inaugurated in the Gold Coast Colony, I expected to give precedence to the subjects which now form the contents of this, my final report. A knowledge of Akan-Ashanti Law is of paramount importance to the local Administration, engaged as it is in framing 'Native Jurisdiction Ordinances', in schemes for the working of 'Native Tribunals', and in plans for 'Indirect Rule'. I did, in fact, set out to blaze this trail, which some of my readers may have followed thus far, by making the studies mentioned above my first and immediate objective. I had intended to follow up these legal investigations by inquiries into religious and social problems, and I hoped finally to examine Ashanti Arts and Crafts. It will be observed, however, that the sequence of the programme as originally projected has been almost reversed. The reasons which influenced me to change my original plans may be set down briefly as follow.

I soon found myself, in pursuance of my earlier intentions, constantly confronted with words in the Ashanti language, which, although primarily associated with religion, were nevertheless continuously found in connexion with Legal and Constitutional procedure. With regard to the exact significance of these terms, moreover, neither previous writings nor local authorities could throw very much light. In consequence I was constantly being held up in my inquiries and compelled to endeavour to determine, if possible, the exact meaning of words, phrases, or rites, apparently of religious import, but obviously in some way associated with Legal and Constitutional formulae. At the outset I came to suspect, what later on I was to discover to be an indisputable fact, namely, that Ashanti Law and Ashanti Religion were intimately associated. It became advisable, therefore, to try to understand and explain the latter first, in order that the former could be described with a better prospect of making a useful contribution to this difficult subject. Hence those excursions in pre-

<sup>1</sup> With the exception of a collection of Folk-tales which is now in course of preparation.

vious volumes into matters which at first sight may seem to have had little bearing upon this, the ultimate goal of these researches.

The Supreme God (*Nyame*); the lesser deities (*abosom*); fetiches (*suman*); ancestral spirits (*Samanfo*); fairies and forest monsters (*mmoatia, sasabonsam*); the patrilineal exogamous divisions of the *Ntoro*; religious rites and beliefs; the significance of certain apparently material objects, such as Stools; birth, puberty, marriage, death, and a future life; the religion that still lingers in Arts and Crafts; the rhythm and ritual of the drums;—all these and many other aspects of Ashanti religion have an intimate bearing on the contents of this volume, which, without a knowledge of these subjects could hardly have been written.

To state, as I have not any hesitation in doing, that the Law and Constitution of these people were evolved, and finally based, upon their indigenous beliefs, is to suggest something that goes deeper than the exposition of an interesting academic theory. It is to state a fact of considerable significance in the field of practical West African politics to-day. Upon the correct application of this knowledge must, I believe, depend our satisfactory tutelage of this people, and ultimately their own success in self-government. It is necessary here for me to make a brief digression before I elaborate this point.

There are, at the present time, two schools of thought as to the line on which the progress of the West African should be directed.

The older school would relegate all that curious spiritual past which it has been my endeavour to set forth, if not to the African's own kitchen middens (*suminaso*), at least to the shelves and glass cases which have become accepted as the mausolea of dead or dying cultures, where, if I may draw another analogy which my Ashanti friends will understand, the souls of the peoples whom our civilization has robbed of these heritages now seek a lonely and unhonoured refuge. This school, working by what seems to me a standard of purely material and economic prosperity, argues that, because the African's beliefs appear to have served him but indifferently well in the past, as stepping-stones to real progress, his culture has been tried and found wanting.

For these beliefs, this school would therefore substitute European civilization and thought. There is much of course to be said for such logic and methods, which are frank and clear cut; they would prefer a *tabula rasa* on which to start afresh; they are free from sentimentalism, and are purely materialistic. This school offers to the African, a

ready-made, the experience and fruits which our race has gathered through centuries of labour, bloodshed, and suffering. It is England's best that it offers. Its exponents in fact, perhaps unconsciously, desire that the West African should commit a kind of racial suicide, not the less deadly in effect because it will be merely spiritual.

The direction of modern thought, both at home and in West Africa, within the past few years, has been veering round happily to an attitude of mind which is the direct antithesis to what I have just described. This school of thought is a whole-hearted adherent of the slogan, 'the retention of all that is best in the African's own past culture'. The main difficulty of course lies in the fact that we and the educated African alike know so little of what that past really was.

Some rather vague thinking and vaguer talking have resulted. The African himself can assist us—at present—only indirectly.

Those few who possess the requisite knowledge, which we would give almost anything to obtain, are illiterate, and in consequence generally inarticulate for practical purposes, except when approached by the European who has spent a lifetime among them and has been able to gain their complete confidence. The literate African, who is the highly educated product of one of our Universities, has had to pay a certain penalty for the acquisition of his Western learning, for he has of necessity been cut off in great measure from his own country, customs, and beliefs. Of these it is true he may have some slight knowledge, but, with rare exceptions, it is only a fraction of what is possessed by the untutored ancients, who are the real custodians of his country's traditions and learning. Again, he is apt to regard with suspicion the well-intentioned efforts of European enthusiasts, often ill informed, for his race. He sees in their endeavours either a ruse to 'keep him in his place', or, at best, so vague a scheme, which seems hardly worth substituting for the Western studies and beliefs, where he feels at least that he and the European are on familiar ground.

He is, moreover, already beginning to find it difficult to reconstruct his own past, and is therefore sceptical of the ability of the European to do so. He wonders also, perhaps vaguely, 'To what end?'. I hardly know a more difficult or delicate question than that to answer. It always savours of patronage to describe the best of the so-called 'denationalized' Africans as 'highly intelligent' and 'cultured'; nevertheless that is high praise, and it might well be asked, For what more need he seek? Yet he seems to lack that indefinable something which often ennobles his wholly illiterate countryman, and raises him

considerably above the common herd. I do not know exactly how to describe what it is that the one often possesses and the other seem to miss. It appears to me like some hand reaching out of the past and linking him with it. It gives the illiterate man confidence in himself at times when a man feels quite alone, which he is apt to do in the presence of strangers of an alien race or when in a foreign land. The cultured man has dropped that friendly contact, and, I believe, feels often lost in consequence, and is never quite at home anywhere whether in the society of Europeans or of his own countrymen. The educated African possesses an 'Inferiority complex', a study of his own past must surely help to dispel it.

I now return again to my main theme, with an apology for what may seem an unnecessary digression. The followers of the new school of opinion are generally whole-hearted advocates of what has come to be known as 'Indirect Rule'.<sup>1</sup>

They see in it a remedy for many of those ills of 'denationalization' which they dread; they have focused their attention on that part of West Africa where this form of Administration has proved successful (at least up to a point), but have often failed, I think, to realize the one salient factor that, in my opinion, has there assured its success.

In Northern Nigeria, those who framed the Administration on the existing foundation were also fostering legal institutions which were based on the existing religious beliefs. In that country, however, the religious foundation of the legal and constitutional system remains unassailed and unassailable, because 'it is against the Government policy to permit Christian propaganda within areas which are predominantly Muslim'.<sup>2</sup> The respect which we show in Nigeria to the tenets of Islam could hardly be expected to be accorded in Ashanti to a religion which, up to a few years ago, had been branded as one of the lowest forms of worship—'fetichism'. In the latter country, indeed, there is some indication that its inhabitants may embrace Christianity—at any rate in a superficial and outward form—in years which may not be very remote. In introducing Indirect Rule into this country, we would therefore appear to be encouraging on the one hand an institution which draws its inspiration and vitality from the indigenous religious beliefs, while on the other we are systematicall

<sup>1</sup> 'The methods of rule which shall give the widest possible scope to Chiefs and people to manage their own affairs under the guidance of the controlling Power' (Sir F. Lugard, *The Dual Mandate in British Tropical Africa*).

<sup>2</sup> C. K. Meek, *The Northern Tribes of Nigeria*, vol. ii, p. 247.



destroying the very foundation upon which the structure that we are striving to perpetuate stands. Its shell and outward form might remain, but it would seem too much to expect that its vital energy could survive such a process.

A living Universe—the acknowledgement of a Supreme God—sanctity and reverence for dead ancestors—religion which is inseparable from law—these were the foundations on which the old order was based.

Are there not, then, any other alternatives except scrapping the African's past *en bloc* and the frank acceptance of European civilization in its widest sense, or making well-meaning efforts 'to preserve the best of the old culture', but without the courage, or perhaps the knowledge, to realize the fact that to the African 'religion' was coextensive with every action and thought; that it is not possible to pick and choose from his culture and say, 'I will retain this and this', if at the same time we destroy that which gave the whole its dynamic force; or realizing this, is the administrator to say to the Missionary Bodies, 'We are compelled to restrict your activities in the best interests of tribal authority; we find that the development of this people along their national lines is wholly incompatible with the tenets which you preach'? In other words, are we to decree that the African is not to be Christianized because thereby he becomes denationalized?

The first of these suggestions must be dismissed except by those who are prepared to sacrifice most of the inherent characteristics of the African race.

The second suggestion is in many ways even more dangerous, for it is based on half-knowledge; it would preserve the outward form, without inquiring whence it derived the power which must lie behind every human effort if it is to be a success. It would retain a delicate machine and expect the mechanism to function when the original motive power had been removed and an entirely new driving force substituted, one not wholly suited to the old type of machine. It would be better, in my opinion, to advance on modern Western lines than to retain this parody of the old system.

We come now to the third suggestion. I had better confess at once that it is undesirable and impracticable. Ashanti might in time have produced its prophet, who could have elevated the 'it may be inspired elements' in the religion of this people into a cult which would have called forth the admiration, or at least commanded the respect, of men of other creeds, and thus made possible a policy similar to that

adopted in Nigeria, where the activities of Christian Missions are restricted. It has not done so, however, and in the words of the 1921 annual report for Ashanti, 'in certain parts of Ashanti something in the nature of a "mass movement" towards Christianity has set in'.<sup>1</sup>

It might therefore appear that we have reached a point at which, to be frank, Christianity seems the stumbling-block in the way to progress. I am convinced, however, that in this very factor lies the means by which our ideal may be attained, and that it is from Christianity and Christian Missions Colonial Administrations and Africans who love their own country will yet come to draw that inward power which alone will justify the retention of 'the best in the Africans' culture and beliefs'. The suggestion I now advocate has been made before, but I think has not been given anything like the publicity which its importance demands.

It is not easy perhaps for those at home to grasp the idea that the Christianity of England and our fathers is not suitable for Africa. Yet many of those who would deny this are constantly reiterating the necessity for remodelling Western ideas of education to suit the African's particular genius.

Mr. Charles Harper,<sup>2</sup> a former Chief Commissioner of Ashanti, and the man at whose instigation the Anthropological Research Branch was first inaugurated in Ashanti, in his Report for 1921 expressed an opinion which deserves to be widely known.

'It may be' (he wrote, in speaking of the 'mass movement' to Christianity to which I have just referred)—'It may be, and Missions are alive to this fact, that such a movement has attendant dangers. Possibly set native habits of morality and the valuable and *it may be the inspired elements in native religion*<sup>3</sup> will be cast aside in an access of momentary enthusiasm without anything lasting or substantial to take their place.

*'There will probably be found much in native custom and habits of thought which can be carried over into a Christian community,*<sup>4</sup> and while, therefore, this great impulse towards Christianity is stirring among the Ashanti, there is the need of the constant guidance and supervision of European Missionaries *versed in and sympathetic towards native customs and beliefs.*'

The most notable contribution to this question, which I believe to

<sup>1</sup> *Report on Ashanti for 1921*, paragraph 61, p. 15.

<sup>2</sup> Now Governor of St. Helena.

<sup>3</sup> The italics are mine throughout.

<sup>4</sup> The African himself must, I think, guide us as to what should be retained. R. S. R.

be vital in Africa to-day, is, so far as I am aware, to be found in a book written by a Christian Missionary.<sup>1</sup> His chapter on 'Christianity in Africa' is, in my humble opinion, a classic, and his argument is in favour of all I would like to advocate, did I possess the eloquence or the theological erudition which would fit me to do so.

'Our ideal', writes Mr. Edwin W. Smith, 'is not a Christian world made of a uniform pattern throughout, but one that preserves within its unity all the diversities that the Almighty has given to the individual peoples. In the essential things let there be agreement, but in the forms which embody them let there be variety.'

Again: 'What can be done, then, to naturalize Christianity in Africa? . . . It is necessary to urge that our religion be presented to the Africans, not in antagonism to, but as a fulfilment of, their aspirations. . . . It implies not a paganization of Christianity for the purpose of making it easier to Africans, but the Christianization of everything that is valuable in the African's past experience and registered in his customs.'

With a few more such advocates, I feel that the campaign, which has hardly been begun, will yet be won. It is on these lines that the Anthropologist will, I believe, find the most interesting and fruitful field for his researches—the interpretation of 'the idiom of the soul' of the people among whom he labours—for it is to him that the Administrator, the Educationalist, and now the Missionary, will look for information. His responsibility is therefore great, and it is with a full consciousness of it, and of my own shortcomings, that I now present this, my final report.

In one sense only is it final; in another, I regard the information contained in it, and in previous reports,<sup>2</sup> as only the framework upon which I trust that others will now begin to build. It is almost a platitude, in work of this nature, to state that once the existence of a particular custom or belief has been established and details concerning it have been secured, it is then a more simple matter to obtain further particulars about it. It is the breaking open of fresh ground and the building up of a sound foundation which present the initial difficulty, and upon which the success of further investigation so largely depends.

I hope, therefore, that my methods may be proved to have been justified, and I now fulfil the promise I once made,<sup>3</sup> and call upon my

<sup>1</sup> *The Golden Stool*, by the Rev. Edwin W. Smith.

<sup>2</sup> *Ashanti*, published in 1923; *Religion and Art in Ashanti*, published in 1927.

<sup>3</sup> See *Ashanti*, preface, p. 7.

brother officers, and more especially Africans themselves, to take up the threads where I have dropped them and continue investigations in that particular branch of inquiry in which they find themselves to be most interested. In this manner alone will the labour and expense of this experiment be justified and the work carried to its logical conclusion.

With regard to the contents of this volume, very briefly, the plan adopted throughout, is as follows. I have tried to trace the growth of 'the undivided household' and its head from its original simple beginning until we arrive at the present-day territorial (as opposed to kindred) groupings under a Head-Chief, of which, I believe, the simple family group under the house-father was the early prototype.

The whole of the present volume, in fact, has a more or less direct bearing on the conception of the kingly office in West Africa. It will, I trust, make it more clear to us wherein lay the real source of the power of a Chief in olden times to command service, obedience, and respect. Not the least pertinent of the questions which it suggests is one upon which I have already laid some stress—the inevitable reaction which is likely to take place when an Ashanti becomes a convert of one of the local Missionary bodies, which has not been at pains to impress upon its convert that the adoption of Christianity need not lessen the respect due to tribal authority.

About two-thirds of the book deal with the Constitution and History of many of the most important Ashanti Territorial Divisions, and the concluding portion with Akan-Ashanti Law and Procedure, a subject concerning which our previous information is particularly scanty.

I would draw especial attention to the chapter on Land Tenure, which contains, I believe, some new and important data.

*Acknowledgements* : It may seem an impertinence to thank the local Administration under which I have had the honour to work, but I am under a very special debt to its officials, although they may not know it. The success of work of this specially difficult scientific nature lies—at least, that is my experience—on its freedom as far as possible from the fetters and trammels of Departmental interference. To the successive Chief Commissioners under whom my work has been carried out, who allowed me to carry on in my own way—a policy to which I attribute any success that the Department has achieved—I accord my sincere thanks. The Local Government and the Colonial Office have also been very generous in the matter of 'leaves', to enable me to write up the material collected in the field—a part of the

work which it is almost impossible to do in the somewhat arduous conditions under which of necessity this task must often be conducted. I am again much indebted to my University, which in a sense is the father of this branch of scientific research, and in which I received my early training. Dr. Marett very kindly lent me all his valuable notes on 'Primitive Law' before I commenced to write the present volume. Mr. Dudley Buxton has read all the proofs and helped me in many other ways. The Clarendon Press has again come forward with offers of such financial assistance as may be found necessary for the publication of this volume, and I thank the Delegates once again on behalf of the Gold Coast Government. I feel that the constant reiteration of my thanks to my brother-in-law, Sir Henry New, must have become monotonous to his ears, but as he has read this book through several times in proof, thus giving me the benefit of his valuable literary criticism, I am compelled again to thank him publicly for all his invaluable assistance.

I have left to the last the most important acknowledgement of all.

It is to the Chiefs and people of Ashanti who have admitted me to their homes, their friendships, and confidences. As Dr. Danquah<sup>1</sup> rightly says, if I have been fortunate and 'accurate' in my presentation of their life it is because I have been 'well informed'. They have been my collaborators in this and in the previous volumes, and the debt which I owe them I cannot express at all adequately.

Finally, I should like to make it quite clear, if I have not done so before, that when I have spoken of 'religion', which occupies such a wide setting in this and my previous volumes, I do not imply by that term the teaching or practice of right conduct or of righteousness from ethical motives—primitive ethics are very different from Christian ethics.

I think and maintain, however, that 'religion', in the sense in which it has now been portrayed, brought about somewhat similar results, and originally (before our civilization began to break down *pure* native customs) guaranteed standards very similar to these set by the higher form of Christian Ethical teachings.

This is the part played by 'primitive religion' in Ashanti in the past; and surely in some way, which, even yet, I do not fully understand, it has served—and may serve—a noble and a useful purpose.

R. S. R.

<sup>1</sup> See *West Africa*, 12 March 1927, No. 528, vol. xi.

## CONTENTS

PREFACE . . . . .	v
I. The Family or ' Domestic Establishment ' . . . . .	1
II. The Family. Father and Children . . . . .	8
III. The Family. Uncle, Nephews, and Nieces . . . . .	18
IV. The Family. The Wife . . . . .	22
V. The Family. Slaves . . . . .	33
VI. The Family. Pawns . . . . .	47
VII. The Family Residence . . . . .	56
VIII. The Clan . . . . .	62
IX. The Ashanti Constitution at the period immediately preceding the battle of Feyiase . . . . .	72
X. The Ashanti Constitution at the Feyiase and post-Feyiase period . . . . .	75
XI. The Constitution. The <i>Personnel</i> of a typical Ashanti Territorial Division . . . . .	81
XII. The Constitution. <i>Birempon</i> and <i>Adamfo</i> . . . . .	93
XIII. The Constitution. The restrictions imposed upon the internal and external autonomy of the various Territorial Divisions by the acknowledgement of the Divisional Chief at Kumasi as <i>Asante Hene</i> (King of Ashanti) . . . . .	99
XIV. The Constitution. Sources of Revenue and System of Finance . . . . .	107
XV. The Constitution. War and the Army . . . . .	120
XVI. The History and Constitution of certain Territorial Divisions (Introductory) . . . . .	127
XVII. History and Constitution of Asumegya . . . . .	131
XVIII. History and Constitution of Bekwai . . . . .	148
XIX. History and Constitution of Juaben . . . . .	169
XX. History and Constitution of Kokofu . . . . .	198

XXI. History and Constitution of Kumawu . . . . .	217
XXII. History and Constitution of Mampon . . . . .	235
XXIII. History and Constitution of Nsuta . . . . .	256
XXIV. Komfo Anotche . . . . .	270
XXV. Law and Procedure (Introductory) . . . . .	285
XXVI. Law and Procedure. Sins or Tribal Taboos ( <i>Oman Akyiwadie</i> ). Murder and Suicide . . . . .	294
XXVII. Law and Procedure. Sins or Tribal Taboos ( <i>Oman Akyiwadie</i> ). Certain 'Sexual Offences' . . . . .	304
XXVIII. Law and Procedure. Sins or Tribal Taboos ( <i>Oman Akyiwadie</i> ). Certain Forms of Abuse: Assault; Stealing; The Invocation of a Curse upon the Chief; Treason and Cowardice . . . . .	309
XXIX. Law and Procedure. Witchcraft. The Violation of any other Tribal Taboo. Non-compliance with any Law or Command, the Observance of which was enjoined by the 'Oath' . . . . .	313
XXX. Law and Procedure. Household Cases ( <i>Efiesem</i> ). Theft . . . . .	317
XXXI. Law and Procedure. Household Cases ( <i>Efiesem</i> ). Slander, Abuse, Tale-bearing, Assault . . . . .	326
XXXII. Law and Procedure. Household Cases ( <i>Efiesem</i> ). The Law of Property. Testamentary Disposition . . . . .	330
XXXIII. Law and Procedure. Land Tenure and Alienation . . . . .	340
XXXIV. Law and Procedure. Household Cases ( <i>Efiesem</i> ). Pawning, Loans, Suretyships, Recovery of Debt . . . . .	367
XXXV. Law and Procedure. The Sanctions in Ashanti Law . . . . .	372
XXXVI. Law and Procedure. Procedure in the Chief's Court and that in <i>Efiesem</i> (Household Cases) . . . . .	379
XXXVII. Law and Procedure. Ordeals . . . . .	392
XXXVIII. Conclusions. Some Basic Principles of the Ashanti Constitution . . . . .	398

## LIST OF PLATES

‘We came forth from the ground very long ago’ . . . . .	Frontispiece
1-2. Leather bag ( <i>fotoo</i> ) . . . . .	facing p. 53
4. <i>Bukyia</i> (cooking hearth) . . . . .	56
5. <i>Atwene dan</i> (drum room) . . . . .	56
6. Corner of the <i>gyasewa</i> . . . . .	57
7. <i>Pato</i> , containing the State umbrellas . . . . .	57
8. Corner of the <i>abenase</i> courtyard . . . . .	60
9. <i>Pato</i> , containing guns, chairs, belts . . . . .	60
10. Mural decorations . . . . .	61
11. . . . .	61
12. . . . .	64
13. The town of Kumawu . . . . .	65
16. <i>Fonions</i> from drums, round which are set human crania . . . . .	132
17. <i>Odan mum</i> (a hut without doors or windows) . . . . .	132
18-19. Kobina Kakari of Asumegya . . . . .	140
20. The Queen Mother of Asantemanso and custodian of the sacred grove . . . . .	141
21. . . . . Asumegya . . . . .	141
23. Kofi Boaten II, <i>Juaben Hene</i> . . . . .	176
24. Akosua Akyama, <i>Juaben Ohemā</i> . . . . .	176
25. <i>Oyoko Hene</i> of Juaben . . . . .	177
26. A Juaben <i>odehye</i> (Princess) . . . . .	177
27. An Elder of Juaben . . . . .	192
28. <i>Santan Hene</i> , Juaben . . . . .	192
29. <i>Juaben Hene</i> and <i>Ohemā</i> with Stool . . . . .	193
30. <i>Juaben Hene</i> and <i>Ohemā</i> with <i>agyapadie</i> (Stool heirlooms) . . . . .	193
32. <i>Kokofu Hene</i> , Kofi Adu . . . . .	204
33. <i>Asokwa Hene</i> , Kokofu . . . . .	204
34. An <i>Okyeame</i> of Kokofu . . . . .	208
35. <i>Ko'niire Hene</i> , Kokofu . . . . .	208
36. <i>Kyidom Hene</i> , . . . . .	209
37. A Kokofu <i>Fotuosani</i> (Treasurer) . . . . .	209
38. <i>Akyeame Hene</i> , Kokofu . . . . .	214
39. <i>Gyadua</i> (tree), showing stumps of former tree that had been cut down by the enemies' forces . . . . .	214
41. <i>Abammo</i> pot . . . . .	218
42. Central head on lid of <i>abammo</i> pot . . . . .	218
43. Kwame Afram taking the oath before the Elders on his enstoolment . . . . .	224
44. Kwame Afram, <i>Kumawu Hene</i> . . . . .	225
45. Ya Amponsa, mother of Kwame Afram and Queen Mother of Kumawu . . . . .	225
46. Ajua Sewa, daughter of ex-King Prempeh and Queen Mother of Kumawu . . . . .	230
47. Kodia, an ex- <i>Ko'niire Hene</i> of Kumawu . . . . .	230
48. Ya Duna, granddaughter of Ya Amponsa . . . . .	231
49. <i>Asante Kotoko</i> . . . . .	232
51. Granite rock with grooves on surface . . . . .	236
52. Osai Bonsu, <i>Mampon Hene</i> . . . . .	244
53. Afua Sapon, Queen Mother of Mampon . . . . .	244
54. Kofi Akyigyina, <i>Mampon Akwamu Hene</i> . . . . .	245
55. Kwame Sapon, <i>Mampon Ohene 'ba</i> . . . . .	245



56. A daughter of the late Chief of Mampon, Owusu Sekyere . . . . .	. facing p. 246
57. Yao Berko of Mampon, son of King Kakari of Ashanti . . . . .	" 246
58-9. <i>Atrade Hene</i> , Mampon . . . . .	" 247
60-1. A Mampon Princess . . . . .	250
62. A Babiru Princess of Mampon . . . . .	" 251
63. A Mampon <i>Okyeame</i> . . . . .	" 251
64. 'The shrines of the gods were set each upon its Stool' . . . . .	" 252
65. Shrines of <i>abosom</i> assembled to celebrate the enstoolment of a new Chief . . . . .	" 252
66. Priest and shrine attending ceremony at enstoolment of a new Chief . . . . .	" 253
69. Kwame Gyima, <i>Nsuta Hene</i> . . . . .	" 264
70. <i>Nsuta Hene</i> , with leopard cub . . . . .	" 264
71. Akosua Nni Kra, Queen Mother of Nsuta . . . . .	" 265
72. <i>Gyakyee Hene</i> , Nsuta . . . . .	" 265
73. <i>Sana Hene</i> , " . . . . .	" 266
74. <i>Gyase Hene</i> , " . . . . .	" 266
75. <i>Asokwa Hene</i> , " . . . . .	" 266
76. Chief of Stool-carriers, Nsuta . . . . .	} between pp. 266-7
77. An elephant-tail switcher at the Nsuta court . . . . .	
78. Queen Mother of the Adebi Stool, Nsuta . . . . .	
79. <i>Domakwa Hene</i> , Nsuta . . . . .	
80. <i>Atipim Hene</i> , " . . . . .	} . facing p. 268
81. <i>Ko'niire Hene</i> , " . . . . .	
82. <i>Kyidom Hene</i> , " . . . . .	" 268
84. <i>Brofo Hene</i> , " . . . . .	" 269
85. <i>Agona Hene</i> . . . . .	" 269
86. 'Anothe tied a knot in an elephant's tusk' . . . . .	" 278
87. Aborā of Agona . . . . .	" 278
88. 'The ground was strewn with a number of small perforated pots' . . . . .	" 279
89. The drums at the ceremony . . . . .	" 282
90. <i>Apimase Ohemā</i> , Agona . . . . .	} between pp. 284-5
91. The Priestess Akua of Agona . . . . .	
92. Agyapa's <i>Barim</i> . . . . .	
93. <i>Ankobeā Hene</i> , Agona . . . . .	
94. Kwame Anokye of Agona . . . . .	
95. <i>Ko'niire Hene</i> , Agona . . . . .	
96. <i>Begyina'ba</i> , Agona . . . . .	
97. <i>Ohemā</i> , Agona . . . . .	
99. <i>Gyase Hene</i> , Kumasi . . . . .	. facing p. 286
100. <i>Kyidom Hene</i> " . . . . .	" 286
101. <i>Akwamu Hene</i> , Kumasi . . . . .	" 287
102. <i>Akyeame Hene</i> , Kumasi . . . . .	" 287
103. <i>Ankobeā Hene</i> , Nkoranza . . . . .	" 288
104. Kwaine Bafo, <i>Nhoranza Hene</i> . . . . .	" 288
105. Ame Yao, <i>Okyeame Hene</i> , Nkoranza . . . . .	" 289
106. <i>Benkum Hene</i> , Nkoranza . . . . .	" 289
107. Yao Kramo, <i>Tekiman Hene</i> . . . . .	" 292
108. <i>Ohemā</i> , Tekiman . . . . .	" 292
109. <i>Twafo Hene</i> , Tekiman . . . . .	" 293
110. An <i>Okyeame</i> of Tekiman . . . . .	" 293
112. Brong mother and daughter . . . . .	" 300
111. A girl of Tekiman . . . . .	" 300
113. <i>Gyase Hene</i> , Tekiman . . . . .	" 301

LIST OF PLATES

xix

114. <i>Ankobe</i> <i>Hene</i> , Tekiman . . . . .	. facing p. 301
115. <i>Adonten</i> <i>Hene</i> , " . . . . .	} between pp. 304-5
116. Yao Donko, a goldsmith of Tekiman . . . . .	
117. <i>Akyeame</i> <i>Hene</i> , Tekiman . . . . .	
118. <i>Pamu</i> <i>Hene</i> . . . . .	
119. Queen Mother of Pamu . . . . .	
120. <i>A fotuosani</i> (treasurer), Wam . . . . .	} between pp. 320-1
121. <i>Barim</i> <i>Hene</i> , Wam . . . . .	
122. <i>Akontan</i> <i>Hene</i> , Wam . . . . .	
123. <i>Okyeame</i> , Wam . . . . .	
124. Head of Stool-carriers, Wam . . . . .	
125. A Pamu hunter . . . . .	} between pp. 336-7
126. Aduana Queen Mother . . . . .	
127. Queen Mother of Wamfie . . . . .	
128. Head of the Heralds, Wam . . . . .	
129. An <i>Obraso</i> (Executioner) . . . . .	
130. Priestess of Boabeduru . . . . .	} between pp. 352-3
131. Chief of Mantukwa, Wam . . . . .	
132. <i>Banda</i> <i>Hene</i> . . . . .	
133. <i>Dompo</i> <i>Hene</i> . . . . .	
134. <i>Okyeame</i> of Kolongo, Banda . . . . .	
135. Kofi Kwema, a priest, Banda . . . . .	} between pp. 352-3
136. <i>Kolongo</i> <i>Hene</i> , Banda . . . . .	
137. <i>Okyeame</i> , Banda . . . . .	
138. Entrance to a cave in the Banda Mountains . . . . .	
139. An <i>adae</i> ceremony at Banda. Note the Stools resting on the skin of an elephant . . . . .	
140. As above. The priest on the right is that seen in Fig. 135 . . . . .	} between pp. 352-3
141. Chief Totoe . . . . .	
142. The 'place of pots' near 'the thicket of the ghosts' . . . . .	

## LIST OF DIAGRAMS AND TABLES

3. Plan of an Omanhene's Palace . . . . .	<i>page</i> 56
14. Diagrammatic plan of a Territorial Division . . . . .	" 97
15. Diagrammatic plan of Ashanti as a Kingdom . . . . .	" 100
22. Genealogy of the Chiefs of Asumegya . . . . .	<i>facing p.</i> 146
22 a. Genealogy of Chiefs and Queen Mothers of the Bekwai Division . . . . .	" 168
31. Genealogy of the Chiefs and Queen Mothers of Juaben . . . . .	" 196
40. Genealogy of Chiefs and Queen Mothers of Kokofu . . . . .	" 216
50. Genealogy of the Chiefs and Queen Mothers of Kumawu . . . . .	" 234
67. Genealogy of Chiefs and Queen Mothers of the Beretuo Clan, from the Botase and Babiru branches . . . . .	" 254
68. Genealogy of Chiefs and Queen Mothers of the Tana Clan, from the Wiredu branch . . . . .	" 254
83. Genealogy of Chiefs and Queen Mothers of Nsuta . . . . .	" 268
98. Genealogy of Komfo Anokye, showing his ascendants and descendants and his relationship to King Osai Tutu and to the present Chief of Agona . . . . .	" 284

## INDEX

When the reference 'Territorial Divisions' followed by a number occurs under any word, turn to the heading 'Territorial Divisions', where the divisions are listed by name. Then look out the names themselves in the index, and so find the required number.

- Abadiakyiri*, heir-apparent, 84, 85, 113, 115, 138, 160; territorial divisions 2, 190, 215, 233.
- Abakomagwaso*, Elder, v. *Mpanyimfo*, 144.
- Abayifo*, v. Witches.
- Abosom* (sing. *obosom*), lesser deities, vi, 10, 13, 16, 29 n. 1, 195, 216, 332, 395, 396; drinking the gods, 41, 42, 135 n. 4; in oaths, 370, 381-3, 386; sacred days, *foda*, 109 n. 2, 379 n. 2; accompany army, 124; libations, 55; consultation of, 232, 297; stealing from, 311.
- Abotikwa*, Stool escort, v. *Fekuo*, 154, 156.
- Abrafo*, executioners, v. *Fekuo*.
- Abrono*, streets, q. v.
- Abusua*, totemic clan, v. Clan, property, 2, 8, 10, 11, 338, 339, 394; rights and duties of members, 15, 19, 20-2, 24, 25, 30, 37, 40, 44, 48-55; taboos, 64, 66, 304.
- Abusua Hene*, Clan Chief, v. Personnel.
- Adabra*, eunuchs, v. *Fekuo*.
- Adae* ceremonies, v. Religion.
- Adaka Kesie*, the Chest, v. Revenue.
- Adamfo*, Patron, 'Chief's friend', v. Personnel.
- Adehye*, v. *Odehye*.
- Adehye* (*hunu*) *awadie*, v. Marriage.
- Adinkira* cloth, 103, 164, 382.
- Adonten Hene*, leader of main body, v. Personnel.
- Adoption, 39, 40, 42, 71.
- Adultery, v. Crimes.
- Adumfo*, v. *Fekuo*, 153, 154.
- Afayie*, gift from bridegroom to bride's mother, 25 n. 1.
- Afona*, sword, 73, 75, 84, 186, 220, 252 n. 1, 254; *mponponsuo* and other ceremonial swords, 86, 102, 103, 140, 165.
- Afonasofo*, sword-bearers, v. *Fekuo*.
- Afona awadie*, v. Marriage.
- Age-class, 21.
- Agwareyefo*, *adwarefo*, bathroom attendants, v. *Fekuo*.
- Agya*, house-father, 3-7, 11-13, 20, 21, 28, 32, 37, 45, 48, 58, 63, 77-9, 81, 85, 105, 109, 401-4.
- Agyapadie*, inherited ancestral property, v. Stool s. v. regalia, 20, 63, 111, 332, 334, 403.
- Ahanian 'Bo*, the proud stone, 216.
- Ahen' awadie*, Chief's marriage, v. Marriage.
- Ahenkwa*, Chief's young *nkoa*, v. Household of chief.
- Ahentuo*, claims, v. Taxes.
- Ahoboa*, beast that is oneself, v. Totem.
- Ahoprafo*, elephant-tail switchers, v. *Fekuo*.
- Akan, v. xii, 8, 39, 41, 45, 127, 334, 340, 361, 366, 379, 398.
- Akoa*, v. Slaves.
- Ahokwafo*, floor-polishers, v. *Fekuo*.
- Ahonnua siha*, gold-dust for blackened Stools, composition, 139, 160.
- Akonmuasofo*, Stool-carriers, v. *Fekuo*.
- Akrakwa'fo*, soul-washers, v. *Fekuo*.
- Akwamu Hene*, v. Personnel.
- Akyeame*, v. *Okyeame*.
- Akyemfo*, shield-bearers, v. *Fekuo*.
- Akyere*, v. Slaves.
- Akyeremadefo*, drummers, v. *Fekuo*.
- Akyiniyekyimfo*, umbrella-carriers, v. *Fekuo*.
- Albinos, 276-8.
- Alienation, of land, 15, 76, 346, 355-8, 363; of family property, 18, 338; of private property, 338, 339.
- Amanrafo yobea*, introducing foreign fashion, 35 n. 2.
- Amanhene*, Paramount Chiefs, v. *Omanhene*.
- Amanto*, group of *aman* or tribes, v. Territorial Divisions s. v. names.
- Anansesem*, spider stories, 13.
- Ancestral spirits, v. '*Samanfo*'.
- Animals, v. Totem; out of ground with man, 131, 217; turned into people, 132; Bohemo the leopard, 144, 343.
- Anhobea Hene*, next to Chief, v. Personnel.
- Anotche, priest, v. Komfo Anotche.
- Anthropology: Department in Ashanti, v. xi, 88; anthropologists, 45, 66, 106, 373; information, 61, 126-30.

- Answer-names, 46.  
*Apea'uo*, war-tax, v. Revenue.  
*Apim Adaka*, current account chest, v. Revenue.  
 Appeals, v. Criminal Law.  
 Arab, 46, 122.  
 Arbitration, v. Procedure.  
 Army, v. Military Organization.  
 Arts and Crafts, v. vi, 92, 118 n. 2.  
*Asafo*, bands of men under captains, 121; *asafohene*, 82.  
*Asante Hene*, King of Ashanti, in relation to other Amanhene and subjects, 2, 34, 63, 76, 78, 79, 87, 89, 95, 99-107, 120, territorial divisions 4 and 7, 303, 341, 358; deposition and restoration, 105, 106; revenue, 107, 111, 118, territorial divisions 6 and 7; place in judicial system, 104, 123, territorial divisions 4 and 7, 375; sanctity, 307, 309.  
*Asase Ya*, Earth Goddess, 342, 343, 374.  
*Ase*, father-in-law, 22, 23.  
*Aseda*, fees, defined, 24; in marriage, 20, 24, 25, 27, 28, 30, 38, 40, 41, 51, 52; in legal transactions and courts of law, 15 n. 1, 38 n. 1, 40, 53, 54, 70, 102, 105, 111, 114-16, 125, territorial divisions 4 and 7, 301, 308, 355, 383, 388, 389, 395; *mataho*, 114, 391.  
*Asene*, heralds, v. *Fekuo*.  
*Ashanti*, passim, v. subject-headings.  
 Ashanti, Report on, x.  
 Ashanti, origin of, 64, 65.  
 Ashanti War, v. Prempeh.  
*Asipim* chair, 83, 144.  
*Asoamfo*, hammock-carriers, v. *Fekuo*.  
*Asokwafo*, horn-blowers, v. *Fekuo*.  
*Asonyeso*, sacred grove, v. 'Santemanso'.  
 Assaults, v. Crimes.  
*Asumegya*, territorial division: (1) Stool History, 131-6; (2) Personnel, 136, 137; (3) Horn and drum calls, 137; (4) Oaths and judicial procedure, 137-40; (5) Military Organization, 138; (6) Revenue, 140; (7) Relation to *Asante Hene*, 139-41; (8) Death, enstoolment, destooling of Chief and Queen Mother, 141-7.  
*Atiadié*, that which buys the head, v. Procedure (Composition).  
 Atonement, v. Sacrifice.  
*Atopers*, punishment, q. v.  
*Atumtufuo*, gun-bearers, v. *Fekuo*.  
*Atwebenefie*, sororate, v. Crimes and *Ahen' awadie*.  
 Austin, John, 1.  
 Authority: Central or sovereign, 1, 2, 19, 34, 38, 62, 63, 72-6, 78, 80, 85, 99-107, 118, 125, territorial divisions 4-8, 290-2, 294-316, 335, 336; of chiefs, 19, 36, 38, 39, 54, 55, 59 n. 3, 60, 70, 72, 76-83, 85-96, 105, 106, territorial divisions 4-8, 297, 349-55, 369, 375-8, 405-9; paternal and avuncular, 3-5, 7, 17, 20, 21, 32, 40, 62, 63, 69, 81; of uncle, 18-22, 31, 40, 54 n. 1; of husband and father, 33, 39, 40, 48, 49, 51; of master over slaves, 36, 37.  
*Awowa*, mortgage and pledge, v. Debts, Pawns, Slaves.  
*Awowa awadie*, v. Marriage.  
*Awukha*, debt caused by death, v. Debts, 50.  
*Awunyadie*, legal inheritance, v. Inheritance.  
*Ayete awadie*, v. Marriage.  
*Ayiasika*, taxes, q. v.  
*Ayibuadie*, death duties, v. Taxes.  
*Ayituo*, levy for Chief's funeral expenses, v. Taxes.  
*Ayiyo*, real funeral custom, v. Funeral Custom.
- B
- Ban*, King's power to summon vassals, 104, 141.  
*Banishment*, v. Punishments.  
*Baratwe*, sexual offence, v. Crimes.  
*Barimfo*, mausoleum attendants, v. *Fekuo*.  
*Baladie*, trading, q. v.  
*Begyina 'ba*, 35 n. 2.  
 Bekwai, territorial division: (1) Stool History, 148-52; (2) Personnel, 152-7; (3) Horn and drum calls, 157-9; (4) Oaths and judicial procedure, 159-61; (5) Military Organization, 158; (6) Revenue, 161, 162; (7) Relation to *Asante Hene*, 162, 163; (8) Death, enstoolment, destooling of Chief and Queen Mother, 163-8.  
*Benhum Hene*, captain of left wing, v. Personnel.  
*Birempon*, v. Personnel.  
 Birth, v. Status.  
 Blasphemy, v. Crimes.  
 Blood, v. Clan, Totem, *abusua*; 3, 4, 8, 10, 14, 15, 18, 19, 21, 23, 26, 48, 62, 66, 69, 70; royal blood, 41 n. 1, 85, 90, 113, 115, 122, v. *Odehye*.  
*Boa*, ordeal, v. Procedure (Divination).  
*Bodom*, bead, v. Clan names.

*Bo Mmokwa*, kind of loan, 371.  
*Bonsua Bono*, punishment, 12.  
*Bose*, song, 104, 144, 394.  
*Bosman*, 342.  
*Bowdich*, 56, 107, 314, 319.  
*Brong*, 64, 65, 109 n. 2, 122.  
*Buxton*, L. H. Dudley, xiii, 68.

## C

Capital, v. Money.  
 Captives: trial of enemy general, 124, 125; captive women, 124, 146; distinction between, 126; Chief in log', 135, 151.  
 Chiefs, v. *Omanhene*, Personnel, *Fekuo*.  
 Children, 3, 7, 8-32, 34, 39, 40, 51, 123, 137, 160, 188, 337.  
 Christianity, v. Religion.  
 Civil Law, v. Status, Rights and Duties, Land Tenure, Property, &c.; 1, 2, 286, 330-71, 388-91; quarrels, 6, 15, 287, 326; contract, v. *Aseda*: marriage, 26, 29, 31; slave's power of, 38; in paying debts, 49-51, 53, 54; torts, 15, 24, 26, 31, 39, 44, 308-10.  
 Clans, v. *Abusua*, Kindred, Blood; 62-71, 2, 7, 11, 12, 18, 19, 22, 23, 25, 31, 32, 37, 40, 44, 54, 333; development, 72-75, 80, 333 n. 1; Clan Chief, v. Personnel; mentioned by name, 64, 66, 67, 70, 71 n. 2, 76, 77, 89, 131, 132, 148, 150, 169, 198, territorial divisions 2, 235, 236, 239, 240, 256-8.  
 Claridge, 108 n. 1, 135 n. 5, 136 n. 1 & 3, 149 n. 4, 150 n. 2, 342 n. 2, 240, 241.  
 Clay, red at ent stoolment, 164; white at ent stoolment, 165; white on acquitted man, 383.  
 Collective Responsibility, v. Procedure.  
 Communism, in family, 4, 18; in land, 346.  
 Compensation, composition, v. Procedure.  
 Composition, v. Procedure.  
 Concubinage, 31, 134.  
 Consent, nature of obedience to law, 1, 62, 88.  
 Constitution, v. Territorial Divisions; 72-126, 398-409.  
 Contract, v. Civil Law, *Aseda*.  
 Conveyance, v. Alienation.  
 Convicts, disabilities, 53 n. 1.  
 Councillors, v. *Mpanyimfo*.  
 Court of Chief, v. Personnel and *Fekuo*.

Court of Law, v. Civil and Criminal Law.

Cowardice, v. Crimes.

Cowries, *sidie*, 36, 109 n. 2, 110; as records in keeping accounts, 117, 118; in trading, 161.

Crimes against State, religion, and morality (sins or tribal taboos): adultery and sexual offences, 125, 139, 146, 294, 298, 304-8, 318; assaults, 6, 13, 16, 294, 310, 311; *atwebenefie*, 27 n. 2, 305, 306; blasphemy, 139, 146, 163, 294, 297, 302 n. 4, 311, 312, 375; cowardice, 126, 150, 294, 312; disobedience, 295, 315, 316; *maiestas*, 295; murder, 36, 38, 139, 289, 290, 294-8; perjury, 385-7; personal abuse, 16, 82, 294, 309, 310; suicide, 51, 124, 299-301; theft, 291, 294, 311; treason, 125, 294, 312; violation of taboo, 163, 288, 291, 294, 295, 314-16, 379, 380, 388; witchcraft, 294, 313, 314, 392.

— against persons and property: adultery and sexual offences, 24, 25, 30, 38, 52, 126, 306, 307, 317-23; assaults, 6, 310, 329; murder, 36, 289, 290, 296; slander and personal abuse, 6, 9, 29, 309, 326, 327; tale-bearing, 327, 328; theft, 9, 12, 291, 311, 317-25.

Criminal Law, v. Procedure, Punishments; Chief's courts, 88-90, 81, 105, 105 n. 1, 111, 114-16, territorial divisions 4, 300, 303, 379-88; public wrongs, 294-316; private wrongs, 317-29; quarrels, 6, 75, 93, 101, 379-84; appeals, 63, 93, 94, 104, 105, 105 n. 1, territorial divisions 4 and 7.

Cursing the King, v. Crimes (Blasphemy).

Custom, v. Religion and Funeral Custom; custom and law, 29, 45, 62, 72, 82, 86, 87, 105, 116, 307, 315, 363, 409.

## D

Damages, v. Procedure (Composition).

Danquah, Dr., xiii.

Days, v. Oaths, Taboos: origin of Chief and people, 131, 132; of obligation, 137, 314; periods, 145, 145 n. 1, 164, 166; male days, 379.

Death, v. Territorial Divisions 8, Funeral Custom: vi, 8, 15, 19, 28-30, 37, 50, 54, 70, 83, 84, 104, 116, 123, 126.

Death Duties, v. Taxes.  
 Debt; collective responsibility, 21, 31, 37, 48, 49, 112, 113, 339, 369, 370; mortgage or pledge, 47-55, 355-8, 367, 368; wife's, 24, 25 n. 3, 26, 31, 49, 52; loans and recovery, 368-71.  
 Denkyira, state, 72, 73, 99, 120, territorial divisions 1.  
 Descent: matrilineal, 25, 63, 68, 69, 77, 80, 81; patrilineal, 68, 91, 92; affected by profession, q. v.  
 Destooling, 38, 66, 67 n. 4, 82, 83, 85, 111, 113 n. 2, territorial divisions 8, 304 n. 3, 320, 332 n. 1, 377.  
 Disputes, v. Civil Law, Criminal Law, (Quarrels).  
 Divination, v. Procedure.  
 Divine Right of Kings, 5.  
 Divorce, 9, 10, 11, 14, 20, 22, 27, 31.  
 Dommum, prisoners of war, 34, 36, 126.  
*Dompiefo*, those who push the army, v. Military Organization.  
 Douet, Capt. C. L. M., 56 n. 1.  
 Drummers, v. *Fekuo*.  
 Drums, 57, 114, 124, 125, territorial divisions 3, 360.  
 Drunkenness, 302, 303.  
 Dual Organization, 66-8.  
*Dufa*, medicine, 132.  
 Duties, v. Rights and Duties.  
*Dwumadie*, v. Professions.

## E

Education, 9-17.  
*Efiesem*, household cases, v. Civil Law, Crimes against Persons and Property.  
 Elders, v. *Mpanyimfo*.  
 Ellis, Sir A. B., 8, 314, 342 n. 2.  
 Endogamy, 66, 71 n. 2.  
 Enstoolment, 82, 84-6, 88, 112, territorial divisions 8.  
*Epo*, treason, v. Crimes, 125.  
 Equity, 14, 31, 45.  
 Etiquette, 13, 94, 95, 114.  
 Evidence, v. Procedure.  
 Ewe, 134.  
 Exchequer, v. Revenue, Taxes.  
 Exogamy, 3, 14, 22, 63, 64, 68-70.

## F

Fairies, *mmoatia*, vi.  
 Family, v. Property, 1-61, 62, 63, 69, 72-5, 80, 108.  
 Fanti, 64, 65 n. 1, 114 n. 3, 134, 149, 150, 172, 202, 239.  
 Father, 8-17, 19, 20, 40, 51, 92.  
 Father-in-law, v. *Ase*.

Fees, v. *Ase*.  
*Fekuo*, companies or departments of Chief's household, 91, 92, 41, 42, 56-8, 102-4, 109-11, 113-15, 121, 122, 124, territorial divisions 2 and 8, 311, 321, 375, 376, 378, 382, 393; *asene*, 58, 91, 102, 110, 122, 381-3; *Sana Hene*, 59, 60, 91, 108, 111 n. 1, 112, 117.  
 Fetishes, v. *Suman*.  
 Feudalism, v. Social Organization.  
 Feyiase, battle of, 72-5, 77, 120.  
*Fiefo*, house-folk, 2, 401.  
*Fie-wura*, head of a house, 2, 3, 332, 333, 401.  
 Finance, v. Revenue and Finance.  
 Fines, v. Punishment.  
 Fire, from earth with ancestors of clan, 131, 217.  
 First-fruits, *afrihyiadie*, 140.  
*Foda*, sacred days, v. *Abosom*.  
 Forbidden names, v. Taboo.  
*Fof'obo*, levy on enstoolment, 112, 113.  
*Fotuo*, purse, 53, 111 n. 1, 113, 336.  
*Fotuosafu*, treasurers, v. *Fekuo*.  
 Freedom, v. Social Organization (Feudalism), 6, 26, 33, 110, 112.  
 Fulani, 46, 122.  
 Funeral Custom, 38, 40, 42-4, 70, 83, 84, territorial divisions 8; *sora*, 145, 166, 167, 252.

## G

Genealogy, 128, 129, v. List of diagrams.  
 Ghost, v. *Saman*, *Sasa*.  
 Gifts, 15, 24, 25 n. 1, 141, 321 n. 1, 339; as 'payment' for services, 114-16; symbolic, 145.  
 Gods, v. *Abosom*, *Nyame*.  
 Gold, 73, 107, 53, 109-14, 156, 336.  
 Gold Coast, 35, 64, 65, 81.  
 Government, 62, 63, 69, 72-80, 96-106, 112, 118, territorial divisions 2; Native Administration, 364-6, 408, 409.  
 Grandchildren, grandfather, v. *Nana*.  
 Gun-bearers, *atumtusuo*, v. *Fekuo*.  
*Gyadua* trees, 12, 19, 144, 304 n. 3.  
*Gyamie* beads, 30.  
*Gyase*, v. *Fekuo*.  
*Gyase Hene*, v. Personnel.

## H

Harper, Charles, x.  
 Hartland, E. S., 33 n. 2, 285 n. 1.  
 Heir apparent, v. *Abadiakyiri*.  
 Heirlooms, v. *Agyapadie*.  
 Heralds, *asene*, v. *Fekuo*.

Homicide, murder, v. Crimes.  
 Horn and drum calls, v. Territorial Divisions 3.  
 Hospitality, 113, 114.  
 Household of Chief, v. *Fekuo*; *ahenkwa*, 58, 83, 132, 139, 145, 154-7, 166, 211, 230, 232, 245, 315, 376, 382.  
 Houses, 56-61.  
 Hunting, 9, 72, 125, 344-7.  
*Hyiawu*, v. *Fekuo*.

## I

*Ila-speaking Peoples of N.W. Rhodesia*, 64 n. 1.  
 Illegitimacy, 25.  
 Impeachment of King, 105; v. Destooling.  
 Incest, v. *Mogyadie*.  
 Indecency, v. Crimes.  
 Indirect Rule, v. viii-xii, 78-80, 96-106, 118, 119, territorial divisions 2, 290.  
 Inheritance, v. *Agyapadie*, Will, Levirate, Property; *agya*, 4; of *ntoro*, 8, 67; of blood, 67; of guilt, 42, 43; legal, 30, 70, 109, 333, 337, 346; associated with funeral obsequies, 44; slaves, 38, 41-3.  
 Interest, *nsiho*, 50, 54, 357, 367.  
 Intervention, v. Territorial Divisions 7.

## J

Juaben, Territorial Division: (1) Stool History, 169-78, 150-2; (2) Personnel, 178-82; (3) Horn and drum calls, 182, 183; (4) Oaths and judicial procedure, 183-5; (5) Military Organization, 182; (6) Revenue, 185-7; (7) Relation to *Asante Hene*, 187; (8) Death, entoolment, destooling of Chief and Queen Mother, 187-97.  
 Judicial Procedure, v. Procedure.  
*Ius gentium*, 26; *iur naturae*, 26; *iur vitae necisque*, 16, 18, 19.  
 Justice, v. Civil Law, Criminal Law.

## K

Kindred, v. *Abusua*, Clan, *Ntoro*; 2, 4, 6, 28, 31, 37, 44, 67-9, 71; kindred group and territorial organization, 69, 72, 73, 76-8, 80, 333 n. 1; of Chiefs and Queen Mothers, 77, 84, 86, 89, 90.  
 King, v. *Asante Hene*.  
 Kingsley, Miss M. H., 25 n. 3, 38, 108, 290, 291, 317, 330, 335.

Kokofu, Territorial Division: (1) Stool History, 198-204; (2) Personnel, 204-8; (3) Horn and drum calls, 208; (4) Oaths and judicial procedure, 209, 210; (5) Military Organization, 207; (6) Revenue, 210, 211; (7) Relation to *Asante Hene*, 211, 212; (8) Death, entoolment, destoolment of Chief and Queen Mother, 212-16.  
 Komfo Anotche, priest, 270-84, 73, 134 n., 163 n. 2, 314 n. 2.  
*Ko'nire Hene*, v. Personnel.  
*Kra*, soul, 10, 13, 30, 336; for soul-washers v. *Fekuo*.  
*Kromakroma*, pillfering in family circle, v. Crimes against Person and Property.  
 Kumasi, v. *Asante Hene*, Constitution, Entoolment.  
 Kumawu, Territorial Division: (1) Stool History, 217-22; (2) Personnel, 223, 224; (3) Horn and drum calls, 225, 226; (4) Oaths and judicial procedure, 226-8; (5) Military Organization, 225; (6) Revenue, 228-31; (7) Relation to *Asante Hene*, 231, 232; (8) Death, entoolment, destoolment of Chief and Queen Mother, 232-4.  
*Kuna awadie*, v. Marriage.  
*Kwadwumfo*, minstrels, v. *Fekuo*.  
*Kyem*, shield, 73, 75; for shield-bearers v. *Fekuo*.  
*Kyidom Hene*, leader of rear-guard, v. Personnel.  
*Kyiri*, v. Taboos.

## L

Land Tenure, xii, 10, 15, 41, 54, 60, 62, 76, 96, 104, 107, 112, 293, 340-55, 361-6, 409.  
 Legal Fiction, 39, 45, 70, 109, 307, 358.  
 Leg. Co. Debates, 129.  
 Levirate, *kuna awadie*, 27, 28.  
 Liability, v. Procedure s. v. collective responsibility; of husband, 25, 26, 49, 52; of slaves and owners, 39, 49, 44, 53; inherited, 42, 43; limited, 49, 51, 339; increases with authority, 51.  
 Linguist, v. *Okyeame*.  
 Loans, 368-71.  
 Lugard, Sir F. D., viii, 118, 119.  
 M  
 Madness, 302, 303.  
 Maine, Sir H. J. S., 1 n. 2, 76, 345 n. 1.



- Maintenance, of wife and children, 26, 31; of widow, 28.
- Maestas*, v. Crimes against State, Religion, and Morality.
- Mampon, Territorial Division: (1) Stool History, 235-41; (2) Personnel, 241-7; (3) Horn and drum calls, 247; (4) Oaths and judicial procedure, 247, 248; (5) Military Organization, 246; (6) Revenue, 248, 249; (7) Relation to *Asante Hene*, 249; (8) Death, entoolment, destooling of Chief and Queen Mother, 249-55.
- Mansu Nkwanta*, mining district, 151.
- Manumission, 44, 54.
- Marett, Dr. R. R., xiii.
- Markets, 36, 37, 110, 111.
- Marriage, v. *Aseda*; vi, 7, 9, 10, 19-23, 336, 337; forms of marriage, 23-31, 39, 40; matrilineal, 49 n. 2; of slaves and pawns, 38-41, 51, 52; of *ahenkwa*, 156, 157; and dual organization, 67, 68; restrictions, 29, 69.
- Mataho*, perquisite of official added to *aseda*, q. v.
- Maxwell, Sir J. C., 106 n. 1.
- M'Carthy, Sir Charles, 133, 134, 172.
- Meek, C. K., viii n. 2.
- Migrations, 64, 65, 71 n. 2, 72, 131.
- Military Organization, 120-6, 75, 77, 89, 90, 95, 104, territorial divisions 5; *dompiefo*, 122.
- Mining, *asihadie*, 112, 151, territorial divisions 6; royalties, 116; rights, 355 n. 2.
- Missions, v. Religion.
- Mmerantie*, 'young men', 151, 152.
- Mmoatia*, fairies, vi, 374.
- Mogyadie*, incest, 304-8.
- Moieties, 67, 68.
- Money, v. Revenue, Taxes, *Aseda*, Cowries; capital, 9, 116, 117; circulation, 116; measures of, 30, 117, territorial divisions 4 and 6, 296, 302, 312, 315, 320, 358, 389.
- Mortgage, v. Debts, Pawns.
- Mpanyimfo*, Elders, v. Personnel; 72, 77; as councillors, 60, 82, 93, 101, 297, 356, 357; executive and judicial duties, 38, 77-9, 88-91, 93, 95, 106, 107, 111, 114, 116, 295, 300, 379; at death, entoolment, destooling, 21, 85-7, territorial divisions 8; revenue, 111, 112, 118, 133, 135, 140 n. 1.
- Mpena awadie*, v. Marriage.
- Mponponsuo*, ceremonial sword, v. *Afona*.
- Muhoma*, tactful method of collecting death duties, 108, 109.
- Musuo*, evil fortune, 28, 55, 290, v. Crimes against Person and Property.
- Mutilation, v. Punishments.
- N
- Nana*, grandchildren, grandfather, 3, 7, 12, 13, 21, 23, 29, 30, 85, 115, 137, 153, 160, 188.
- New, Sir Henry, xiii.
- Nifa Hene*, captain of right wing, v. Personnel.
- Nigeria, viii.
- Nkontwuma*, v. Procedure s.v. divination.
- Nkwankwa Hene*, unconfirmed *Omanhene*, v. *Omanhene* 2.
- Nsa, nsawa*, funeral contributions, 109, 342 n. 2.
- Nsafohene*, war captains, v. Territorial Divisions 2; 79, 80, 102, 104, 113, 135, 140, 149, 150, 161, 162, 167, 199, 375, 376.
- Nsuta, Territorial Division: (1) Stool History, 256-64; (2) Personnel, 264-7; (3) Horn and drum calls, 269; (4) Oaths and judicial procedure, 267-9; (5) Military Organization, 266, 267; (6) Revenue, 269; (7) Relation to *Asante Hene*, 269; (8) Death, entoolment, destooling of Chief and Queen Mother, 269.
- Ntam*, v. Oaths.
- Ntifo*, v. *Fekuo*, 154, 155.
- Nkoro, nton*, 8, 10, 11, 14, 22, 31, 32, 67, 103, 305, 306, 315 n. 1, 374, 392; names and subdivisions, 68, territorial divisions 2, 103, 131, 142, 263, 314, 376, 393.
- Nwafie*, yearly tribute in snails, 140.
- Nyame*, vi, 13, 34, 141, 148, 156, 374.
- O
- Oaths, v. Territorial Divisions 4; judicial, v. Procedure; of allegiance, 76, 84, 86, 87, 89, 93, 102-4; in war, 123, 125 n. 2; origin of, 128; of Chief to subjects, 86, v. Entoolment; as method of bringing a case before the central authority, 315, 316, 327, 379, 380, 388, 389.
- Obayifo*, witch, q. v.
- Obosom*, v. *Abosom*.
- Odan mum*, dumb house, 133.
- Odawuru*, gongs, 132, 190, 319 n. 3.
- Odekye*, member of royal blood of reigning Stool, 48, 49, 65 n. 3, 122.

- 134, 153, 155, 160, 163, 243, 244, 257, 261, 264, 375, 376.
- Odekwo*, headman, 113.
- Odom*, v. Procedure (Divination).
- Odonko*, v. Slaves.
- Odonko awadie*, v. Marriage.
- Odum tree*, 144.
- Odwira* ceremony, v. Religion.
- Official corruption, 140.
- Officials, v. Personnel, *Fekuo*.
- Ogyam*, prisoners of war, 126.
- Ohene*, v. Chiefs.
- Ohene ohomfo*, priest-king, 88.
- Okyeame*, spokesman of Chief, 59, 65, 77, 81, 82, 91, 95, 102, 140, 143, 150, 161, 162, territorial divisions 8; judicial functions, 105 n. 1, 114, 115, 125, territorial divisions 4, 295, 296, 300, 380-4, 386, 388, 389, 392-7.
- Oman Akyiwadie*, hated by the tribe, v. Criminal Law.
- Omanhene*, Paramount Chief, 81-8; (1) selection, enstoolment, destooling, death, 21, 85-7, 126, territorial divisions 8; (2) relation to *Asante Hene*, 87, 102-4, 106, territorial divisions 7; (3) Court and executive functions, 81-98, v. Personnel; (4) Revenue, q. v.; (5) commander in war, v. Military Organization; (6) judge, v. Criminal Law; (7) in National Tribunal, 105, 105 n. 1, 165 n. 1; (8) household, q. v.; (9) palace, 56-60; (10) sanctity, 81, 88, 307, 309, 405.
- Oman 'tuo*, national levy, poll-tax, v. Taxes.
- Opanyini*, Elders, v. *Mpanyimfo*.
- Ordeals, v. Procedure, 9, 10.
- Outlawry, v. Punishments, s. v. banishment.
- P
- Pae abusua*, expulsion from clan, 19, 71.
- Pannie*, ordeal, v. Procedure (Divination).
- Panyarring*, 370; v. Procedure (Self-redress).
- Papafofo*, fan-bearers, v. *Fekuo*.
- Pasoa*, company of villages, 148.
- Patya potestas*, 16, 18, 19, 44.
- Pauperism, 18.
- Pawn: of persons, 8, 11, 15 n. 1, 16, 18-22, 27, 31, 35, 40, 45, 47-55; of Chief, town, villages, subjects, 112; of chattels, 368, 369; of land, 355-8.
- Perjury, v. Crimes.
- Personal abuse, v. Crimes; privileged, 142, 146.
- Personnel: territorial divisions 2-8 illustrate the references given below; (1) *Abusua Hene*, 77, 81, 89, 90, 115, 332, 333; (2) *Adamfo*, 94-8, 101, 102, 120; (3) *Adonten Hene*, 77, 90, 94, 113, 122; (4) *Akwamu Hene*, 88, 89, 57, 59, 77, 90 n. 1, 94, 113, 115, 380; (5) *Ankoba Hene*, 58, 59, 77, 90, 109, 115, 122; (6) *Birempon*, 93-102, 106, 107, 112, 113, 118, 375, 376; (7) *Gyase Hene*, 57, 59, 77, 90, 91, 105 n. 1, 109, 109 n. 2, 113, 115; (8) *Ko'ntire Hene*, 11, 57, 59, 77, 85, 88-90, 94, 95, 113, 115, 380; (9) *Kyidom Hene*, 77, 90, 113, 115; (10) *Nifa* and *Benkum Hene*, 77, 90, 94, 115, 122, 125; (11) *Omanhene*, q. v.; (12) Queen Mother, q. v.; (13) *Twafo Hene*, 77, 90, 115, 121, 122.
- Phratries, 131.
- Pinanko*, v. *Fekuo*.
- Potestas*, of husband, 27, 39; over slave-wife's children, 33; of head of family, 45.
- Prayers, v. Religion.
- Precedence of officials, 89-91, 95, 144; in oaths, 159, 166.
- Premphe, 105, 106, 134-6, 151, 152, 177, 178, 204, 222, 240, 241, 263, 264.
- Primogeniture, 3, 4, 85.
- Private justice controlled by public authority, v. Procedure.
- Procedure: (1) Self-redress, 285, 370; (2) Retaliation and collective responsibility, 19, 43, 44, 286, 289, 301, 302, 324 n. 1, 370, 374; (3) Regulated combat, 75, 125 n. 2, 132; (4) Compensation or composition, 16, 25, 30, 38-40, 42, 52, 104, 111, 116, 126, 296, 302, 312, 318, 320-2, 327, 374, 383; (5) Private justice controlled by public authority, 36, 288, 323 n. 5, 325, 328, 369, 370, 379-87, v. Criminal Law s. v. Chief's courts; (6) Arbitration, 4, 5, 125, 389, 390; (7) Fees, v. *Aseda*; (8) Evidence, 293, 381-7; (9) Divination, 296, 297, 313; 325, 392-7; (10) Oaths and drinking gods, 5, 6, 20, 30, 38-42, 93, 94, 104, 111 n. 3, territorial divisions 4, 301, 308, 318, 327, 370, 381-3, 386, 387, 389.
- Professions, 9, 10, 116, 321; affecting descent, 92, v. *Fekuo* under territorial divisions 2.

- Property, v. Land Tenure, Mortgage, Inheritance, Death Duties, Slaves; Stool, 116, 143, 146; v. Revenue, 330-2, 347-58, 361; Family, tribe, clan, 4, 10, 18, 20, 62, 70, 108, 332-4, 346; Private, 4, 6, 8, 15, 18, 31, 33 n. 3, 38, 40-2, 50-2, 116, 331, 332 n. 1, 334-9.
- Prostitution, 31.
- Puberty, vi, 16, 343.
- Public Opinion, v. Sanction.
- Public Works Department, 114, 153 n. 2.
- Public Wrongs, v. Criminal Law.
- Punishments: *atopere*, 163 n. 2, 296, 303, 375; Banishment, 19, 44, 70, 71, 116, 139, 288, 306, 374; Capital, 6, 16, 19, 36, 42, 43, 93, 104, 111, 125, 126, 133, 138-40, 146, 150, 160, 163, 299-316, 318, 335, 375, 376; Corporal, 16, 156, 161, 377; of Chiefs and Queen Mothers, v. Destooling; Enslavement, 19, 48, 71, 374, 378; Family, 9, 12, 16, 40; Fines, 16, 30, 38, 40, 111, 113 n. 2, 139 n. 2, 149 n. 3, 159, 301, 302, 304 n. 3, 378; Imprisonment, 377, 378; Mutilation, 38, 374, 376, 377; by Native Administration, 113 n. 2; of Rebellion, 149 n. 3.
- Q
- Quarrels, disputes, v. Civil Law, Criminal Law.
- Queen Mothers, v. Territorial Divisions, 2, 8, s. v.; 16, 24, 66, 72, 77, 79, 82, 85, 86, 88, 91 n. 1, 93, 96, 100, 113, 115, 356; of 'Santemanso and Ashanti, 137; of Kumasi, 151.
- R
- Ramseyer, Rev. F. H., 241; and Kühne, 262.
- Real Property, v. Land Tenure.
- Rebellion, 133, 149 n. 3, 150, 151.
- Regency, 150.
- Regulated Combat, v. Procedure.
- Reincarnation, 32.
- Reindorf, Rev. C., 64, 120, 121, 154 n. 2.
- Religion, v. *Abosom*, 'Samanfo, Oaths, Sacrifice, Sanctions, 'Santemanso; Relation to law, v, vi, viii, ix, 1, 2, 32, 399, 400; Rites, 5, 58, 83-7, 280-4; *Adae*, 81, 360, 399, 405; *Odwira*, 109 n. 2, 125, 140; Prayers, 5, 14, 28, 88; Christianity and Missions, viii-xliii, 83, 291, 399, 408; and Land Tenure, 342, 343.
- Religion and Art in Ashanti*, passim, v. subject-headings.
- Retaliation, v. Procedure.
- Revenue and Finance, v. Taxes; Territorial Divisions 6; of Head-Stool of Territorial Division, 107-12; Collection, 112, 113; Expenditure, 114-18; Financial Organization, 118, 119; from Litigation, 292, 388, 389.
- Rights and Duties, v. Territorial Divisions 2, 4-8, to illustrate the references given below; Father and children, 8-17, 19, 28-30, 33, 39, 51; Husband and wife, 22-32, 33, 39, 49-51; of Mother, 8, 52; in Clan and family, 8, 19, 44, 50, 51, 62-71, 301, 337, 338; Slave-owner and slaves, 33 n. 3, 36, 38-40, 44, 52; of Slave and free man compared, 42-4; of Head of village, 34; of Chief and subjects, 55, 63, 77, 78, 81-119, 140; of Officers and soldiers, 120-6, 149; King and subjects, 102-6; Queen Mother of 'Santemanso, 137; of Extra-territoriality, 62, 153 n. 2; of Landholder, 107, 340, 341; of *sekwu*, 154-7; Uncle, nephews, nieces, 18-21; Origin of another not to be disclosed, 40, 82; Rights increase with duties, 51.
- Roads, 114.
- S
- Sacrifice, 38, 40, 42, 43, 58, 144-6, 162, 166, 343; territorial divisions 8; Atonement, 139 n. 2, 296, 298, 308.
- Safohene*, v. *Nsafohene*.
- Sale, of persons, 8, 11, 16, 18, 19, 21, 22, 24, 36, 37, 39, 40, 53, 54, 71; of property and land, 54, 149 n. 3, 358.
- Saman*, ghost: Service of, 21, 137; Marriage or intercourse with, 29, 30; Mother's, 36; Fear of, 28, 339; 8, 15, 16, 41, 59, 60, 299, 343 n. 1.
- '*Samanfo*, ancestral spirits; give religious sanction to law, 5, 25, 30, 32, 34, 45, 53-5, 70 n. 2, 81, 83, 84, 87, 88, 193, 194, 197, 289, 304, 306-11, 374, 399, 400, 405; afford sanctuary, 42; worship and invocation, 5, 13, 55, 59, 70, 122, 346; taboo, 342; as owners of land, 346, 349, 351, 358; *samandow*, land of spirits, 299.
- Samanpow*, burial-ground, 44, 70, 370.
- Samansie*, will, q. v.

- Sana Hene*, treasurer of Chief, v. *Fekuo*.
- Sanctions, v. Oaths, *Abosom* s. v. drinking, Punishments; Religious, 5, 31, 54 n. 1, 70 n. 2, 86, 87, 287, 289, 295, 296, 304, 339, 374, 375, 384, 385; Human, 12, 18, 28, 31, 113 n. 2, 105, 287, 293, 318, 319, 321, 324, 325, 372, 373, 375-8.
- Sanctuary, 42.
- 'Santemanso; sacred grove, 131 n. 1, 137, 144; sacrifice and annual offering, 132, 134, 137, 139; Queen Mother of, 137.
- Sarbah, 8, 15, 17, 25, 31 n. 1, 52, 64, 330, 335, 337, 338, 370.
- Sasa*, ghost, 295, 296, 299, 370.
- Sasabonsam*, forest monsters, vi, 370.
- Scouts, *ahwansrafo*, v. Military Organization.
- Security, 47; of land tenure, 349, 350; for loans, 368, 369.
- Self-redress, v. Procedure.
- Sepow*, knife, 375.
- Sexual Offences, v. Crimes.
- Sins, v. Crimes, Criminal Law, 287.
- Slander, v. Crimes against Person.
- Slaves, v. Household, *Fekuo*; 33-46, 3, 7, 16, 20, 52-4, 57, 71, 79, 80, 120, 121.
- Slave-trading, 36, 37, 109-11.
- Smith, Rev. E. W., xi.
- Soaye*, oath of allegiance, 102 n. 1, v. Oaths.
- Social Organization, v. Clan, Family, &c.; Feudal, 33, 62-9, 72-80, 94-106, 118, territorial divisions 2, 341, 361-6; Streets, q. v.; Development, 343-50, 401-9.
- Social Relations, v. Rights and Duties, Civil Law, Status.
- Sodofo*, cooks, v. *Fekuo*.
- Sora*, v. Funeral Custom.
- Sororate, *ayete*, 27, 28, 146, 147.
- Soul, v. *Kra*.
- Spokesman, v. *Ohyeame*.
- Sportsmanship, 125 n. 2.
- Status: father, 8-17; uncle, 18-21; wife, 27, 31, 32, 39, 40, 48, 50, 114, 163; husband, 31, 32; father-in-law, 23; slaves and pawns, 33-55, 71; aliens, 80; of Chiefs, officials, subjects, 76-106, 120; by birth, 35, 39, 40, 70; alteration, modification, loss, 18, 19, 32, 37, 39-41, 44, 45, 53, 54, 66, 83, 116.
- Stewart, Sir Donald, 136, 152.
- Stool, v. Chiefs; blackened, 84, 86, 122, 330, v. *Wirempeto*; Golden, 75; sanctity, 81, 84-6, 330, 382; regalia, 63, 123, 133, 166, 331; 'family', 21, 332.
- Stool History, v. Territorial Divisions 1, 128-30.
- Strangers, 80, 114, 115, 140, 153 n. 2, 314 n. 1, 346, 352.
- Strategy, 121-5.
- Streets, *abrono*, 61, 61 n. 2, 64, 65.
- Succession, v. Enstoolment; to *agya*, 3, 4, 20, 21, 45, 401; to Stool, 84, 85, 401; to official duties or professions, 70, 84, 92, 118, 156, 157, 163, 334.
- Suicide, v. Crimes; to wipe out dishonour, 155, 299.
- '*Suman*', fetishes, vi, viii, 59, 60, 83, 124, 125, 152, 298, 302, 314, 332, 374, 388, 389, 395, 399.
- Sunsum*, 9, 12, 145.

## T

- Taboos, v. Crimes against State; 6, 14, 59 n. 3, 302 n. 3, 373; against disclosing another's origin, 40, 65, 82; for Chief, 58, 81, 82, 111 n. 1; forbidden names, 84, 86, 87, 103, v. Oaths; in war, 123; connected with totem, 66-8; against palm-leaf bundles, 133 n. 2; against work on oath and other sacred days, 138, 343; against attendants of Chief's corpse, 153 n. 1; in connexion with blackened Stools, 145; at *Adae*, 146; violation a national affair, 163, v. Crimes against State; against use of left hand, 164; against human blood, 342.
- Tactics, 121-4.
- Tattooing or Cicatrization, 35 n. 2.
- Taxes, 9, 62, 118, 119, 409, territorial divisions 6; death duties, 28, 96, 107-9; special levies or poll-taxes, 112; apportionment, collection, use, 112-18; tolls, 110, 111.
- Territorial Divisions: names, *Asumegya*, *Bekwai*, *Juaben*, *Kokofu*, *Kumawu*, *Mampon*, *Nsuta*, with their numbered subdivisions; origin, development, organization, 63, 69, 71-3, 75, 77-98.
- Testamentary Disposition, v. Wills.
- Theft, v. Crimes.
- Time, divisions of, 109 n. 2.
- Times* newspaper, 127.
- Togoland, 134.
- Torts, v. Civil Law.
- Totem, *ntoro*, 8, 10, 67, 68; clans, 63-8, 81; *ahoboa*, 66 n. 1.
- Trading, v. Territorial Divisions 2, 6; 9, 36, 42, 49, 51, 70, 109-11.

- Traditions, traditional history, 6, 61, 65, 67, 71 n. 2, 73, 75, 78, v. Stool History.
- Fyamma*, v. Sale.
- Treason, v. Crimes against State.
- Treasure trove, v. Revenue, 49, 51.
- Treasury, v. Revenue, *Fekuo*, *Sana Hene*.
- Tribe, *oman*, 72-5, 343-50, 35, 61, 63, 71 n. 2, 80, 143.
- Twafo Hene*, leader of advance-guard, v. Personnel.
- Tweneboa*, totem animal, 66.
- Twi, 8, 120.
- U
- Umbrellas, 60, 65; umbrella-carriers, *akyiniyekyimfo*, v. *Fekuo*.
- Uncle, 3, 18-21.
- V
- Venue, 93, territorial divisions 4.
- Villages, 344, 354, territorial divisions 2.
- Vroom, Mr., 135 n. 2, 152.
- W
- Wam, 131.
- War, v. Military Organization, Rebellion, Stool History, Ashanti War; Denkyira war, 131, 132, 148; per-  
mission of *Asanie Hene* required, 141, 163; Revenue from, 140, 161, territorial divisions 6.
- Wealth, 33, 40, 41, 42, 108, 116, v. Revenue.
- Widow, 28-30, 147.
- Wife, 22-32, 48, 60, 123; of Chief, 59, 60, 114, 116, 124, 331, 376.
- Will, *samansie*, 4, 15, 21, 334, 335, 338, 346.
- Wiwempefo*, in charge of blackened stools, 86, 141, 142, 143, 145 n. 1, 157, 164, territorial divisions 8.
- Witchcraft, v. Crimes against State.
- Witches, *abayifo*, 16, 374, 376.
- Witnesses, v. Procedure s. v. Evidence, 15, 24, 38, 41, 53, 102, 103 n. 1, 111, 135, 301, 323, 355.
- Wolseley, Sir Garnet, 150.
- Work, 9, 15, 17, 25, 31, 33, 42, 44, 92, 110, 114, 116, 118; forbidden on certain days, 138, 314.
- Wosuo*, ordeal, v. Procedure s. v. divination.
- Y
- Yenwo nni*, 8, 10, 11.
- Z
- Zimmern, Professor, 409 n. 1.
- Zulu, 123 n. 2.

killed at funeral customs (with the permission of the Chief). *Obene nko a, na owo sekan* ('It is only the Chief who has the knife').

Slavery in West Africa has been aptly described by Mary Kingsley as 'a state of servitude guarded by rights'. There were so many apparent serious disabilities attaching to the status of a slave, that the numerous and sometimes striking rights he enjoyed may easily be overlooked. There is a saying, *Akoa nkwa ne ne wura* (A slave's life is his master's), but a slave, whatever his offence, might not be killed by his master without the full consent of the central authority, who, as we have noted, would employ his own servants to carry out the sentence. To kill a slave in Ashanti without such permission was 'murder', and the offence was liable to be punished as such. Even the powerful *Mpanyimfo* (Elders) in Kumasi had no power to kill their slaves.<sup>1</sup> The mutilation of a slave without similar authority was forbidden. A slave might marry; own property; himself own a slave; swear an 'oath'; be a competent witness; and ultimately might become heir to his master. Each of these points will now be examined in detail.

*Marriage*: A male slave (i. e. an *odonko* or *akoa pa*) might enter into a contract of marriage. The union might be with:

- (a) A female slave owned by his own master.
- (b) A female slave owned by another master.
- (c) A free woman (but possibly only in case of an Ashanti slave, *akoa pa*).

In case (a) the master, in case (b) the master of the slave-girl, and in case (c) the father of the woman, would receive the *aseda*, which would enable the slave to claim adultery damages from any person, free man or slave, who 'took his wife'. Not only so, but the Ashanti law further decreed that the 'adulterer', if the master, should pay double the customary 'satisfaction',<sup>2</sup> and the adulterer, if a Chief, was liable to be destooled. In the case of a slave's master committing adultery with the wife of his own slave, the following additional ceremony sometimes took place. The master was ordered by the Chief to find a sheep and place it across his shoulders. He then knelt down in front of his slave, who was seated, brought the sheep over his head, and

<sup>1</sup> Permission having been obtained to sacrifice a slave at a funeral custom, a fee had to be paid to the Chief 'to buy the knife', this amount being the equivalent of £1 3s. 6d. and two bottles of gin; the latter was for the executioners.

<sup>2</sup> On the analogy that a Chief's subjects are his *nkoa*, a Chief who commits adultery with the wife of such is at the present day called upon to pay double adultery damages.

# Genealogy of Chiefs and Queen Mothers of the Bekwai Division

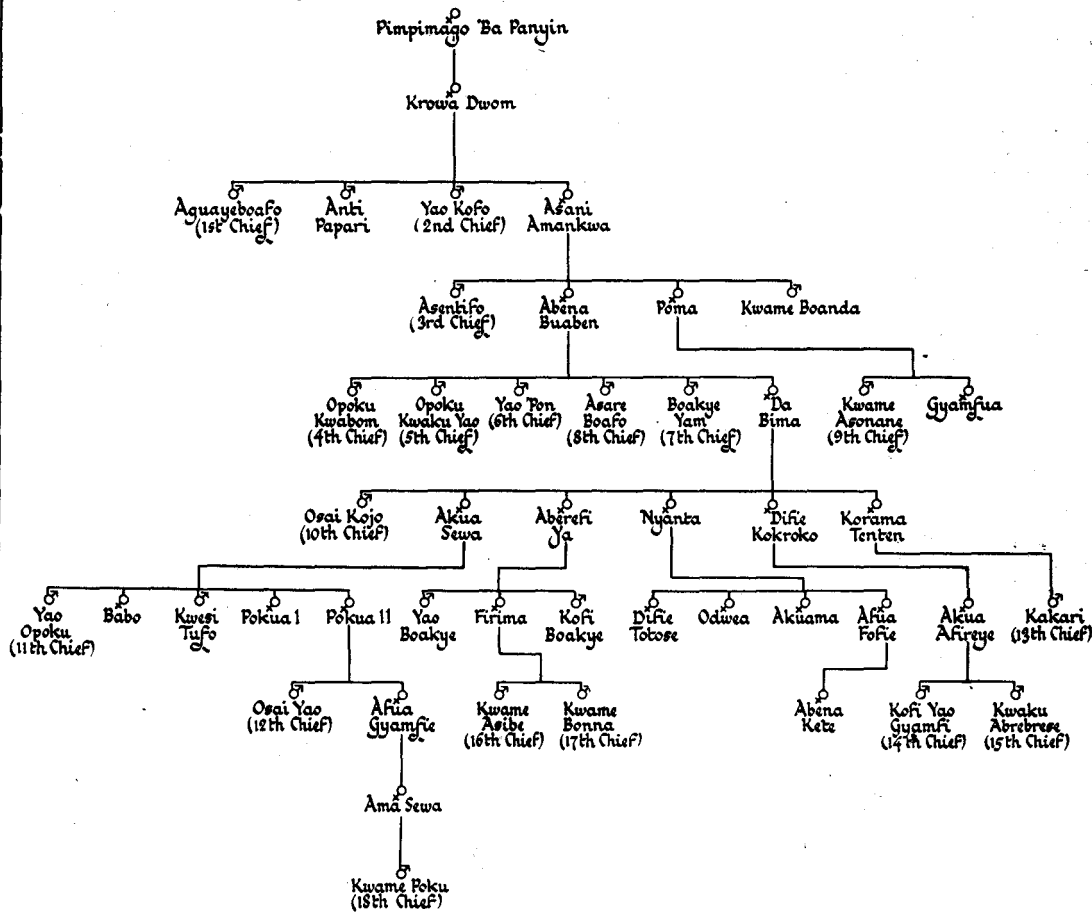
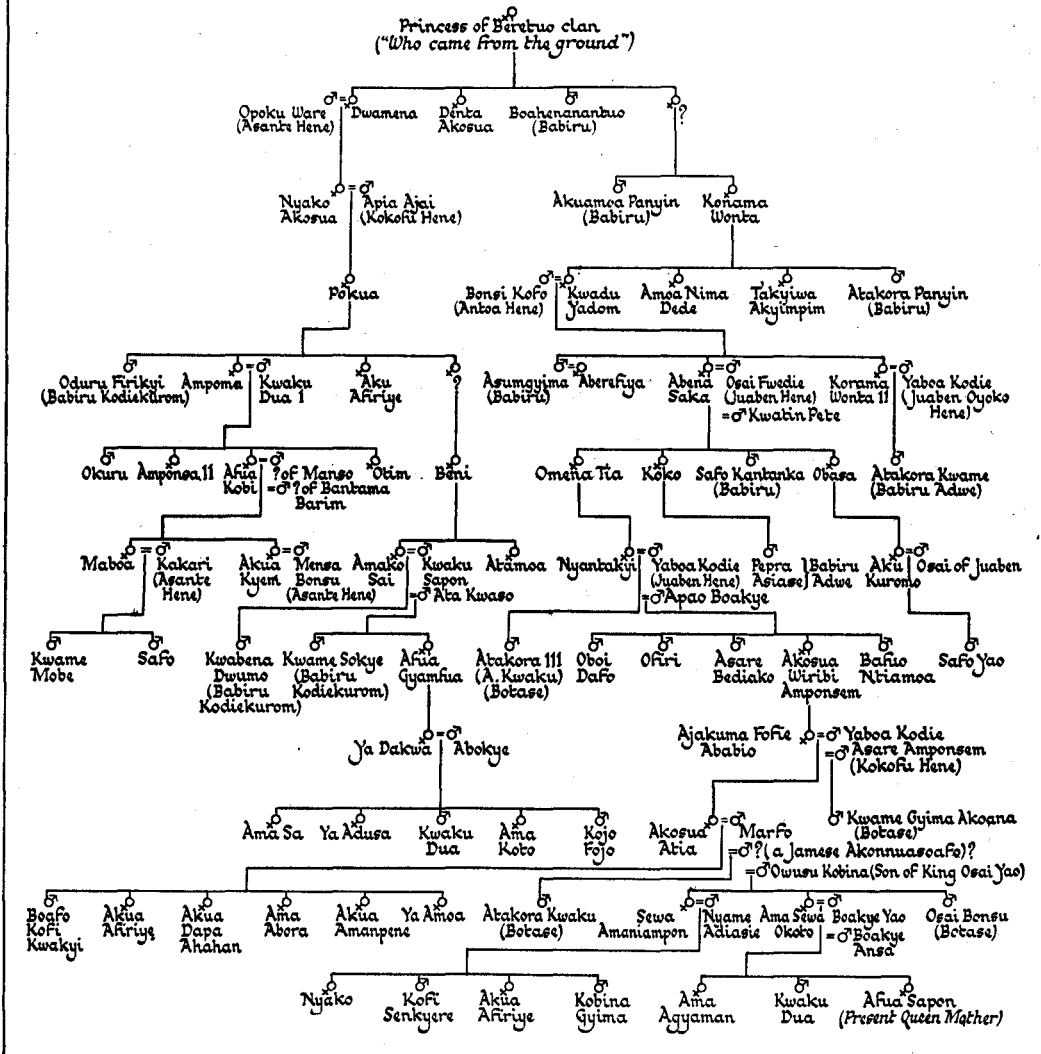


FIG. 22 a

# Genealogy of Chiefs and Queen Mothers of the Beretuo Clan, from the Botase and Babiru branches \*

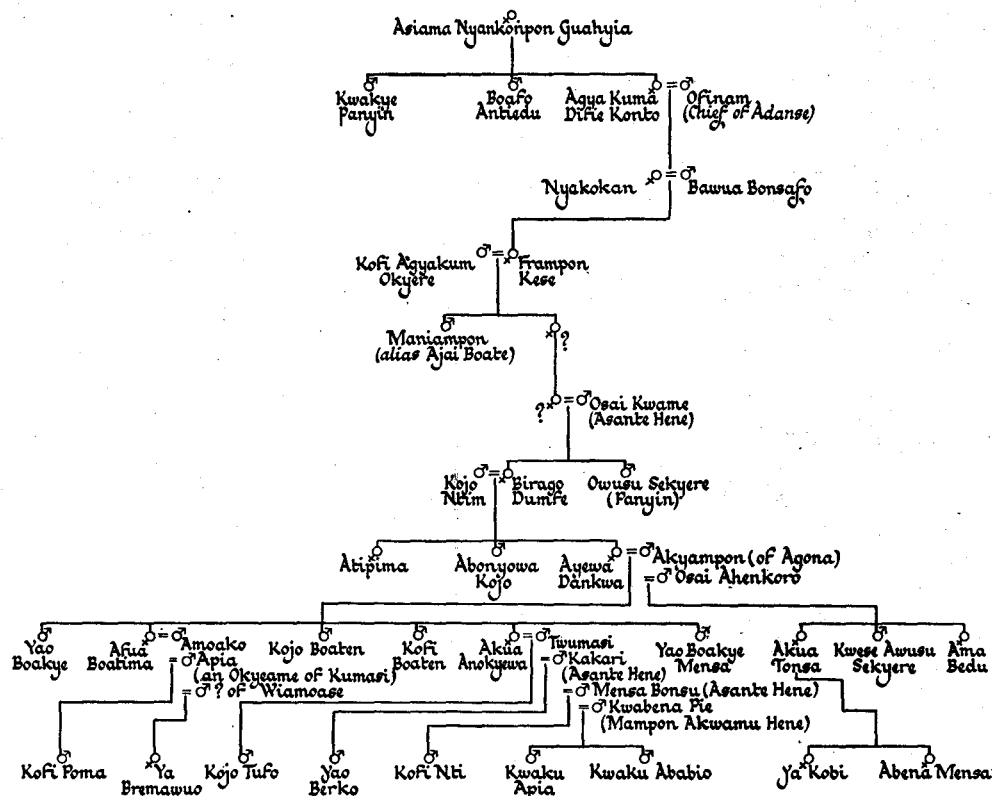


\* Several weeks were spent in the compilation of this genealogical table, and every endeavour made to render it accurate. Owing however to the circumstances already explained it is possible that it contains errors of both commission and omission.

FIG. 67



# Genealogy of Chiefs and Queen Mothers of the Tana Clan from the Wiredu branch \*



\* Several weeks were spent in the compilation of this genealogical table, and every endeavour made to render it accurate. Owing however to the circumstances already explained it is possible that it contains errors of both commission and omission. R.S.R.

FIG. 68

# Genealogy of Komfo Anokye showing his ascendants and descendants and his relationship to King Osai Tutu and to the present Chief of Agona

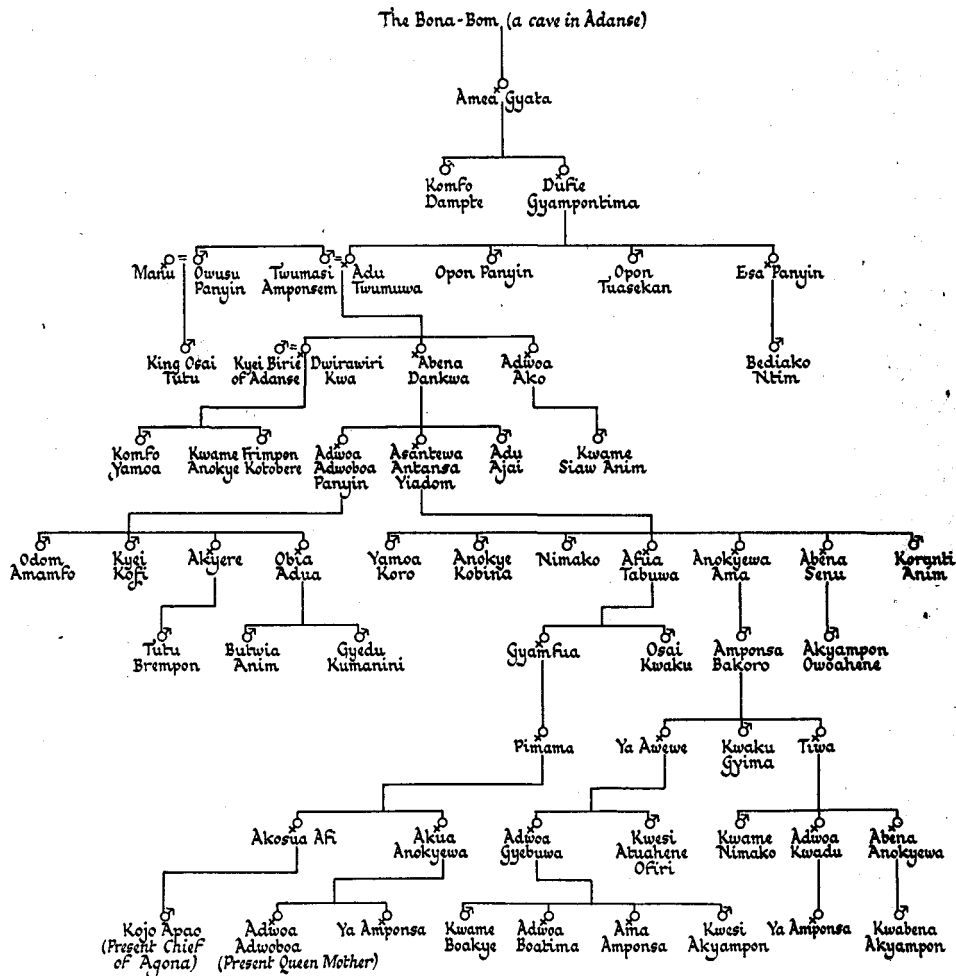


FIG. 98

*nsa a, wo bobo afe* ('When murder is in your head, and you have become drunk with wine, you strike to wound').

With regard to madness, Ashanti tradition records that once upon a time this affliction was regarded as a sufficient excuse, for the madman who killed any one was fastened to a tree and left to die, unless his relatives chose to bring him food. It is possible, of course, that the disinclination to execute the homicide who was seen to be mad might have arisen owing to a superstitious horror of killing a person so afflicted. The following story, however, would seem to point to his exemption from capital punishment having been due to a recognition of the absence of *mens rea*. 'Before the reign of Osai Yao, madness was regarded as an excuse for murder. King Osai Yao made a test to find the justice or otherwise of this exemption from the consequences of an act. He caused a drunkard and a madman to be placed in a house which was then set on fire. The madman soon began to scream, "They are burning me", and ran outside; the drunkard lay still and was burned to death.'

It has already been noted in many of the Constitutional Histories, that Head-Chiefs, even those who had authority 'to wield the knife'—i. e. to execute those of their subjects who were guilty of capital sins—were forbidden to carry out the sentence of death upon a murderer, although permitted to pass sentence of death upon him. This was because the highest central authority, the *Asante Hene*, had instituted a particularly terrible punishment for the offence. The *Atopere* dance of death has been fully described in my last volume. No doubt this gruesome form of execution was thought to deter others; many of my informants stated that murder was a much rarer offence in former times than at the present day.

see seems likely to take place here. In England under feudalism, land was at first held on conditions of service very similar to these obtaining in Ashanti before 1896. As I have already pointed out,<sup>1</sup> by far the most onerous of these conditions was the obligation to fight when called upon by the overlord and to obey his summons 'by day or by night', as the Ashanti oath of fealty ran.

The establishment of Government control in West Africa automatically rendered this aspect of feudal service a dead letter. In England, as we all know, a similar obligation gradually gave way to the payment of scutage. The great Barons (who occupied a position, in relation to the lords of the manors and the peasantry, in many ways almost analogous to that of *Amanbene* (Paramount Chiefs) *vis-à-vis* lesser Chiefs and the small-holders) were confronted with the very danger that now seems to me to threaten West African Chiefs. The Barons realized that they had lost or were losing control over tenants and land alike, and hastened to seize the unallocated communal lands, which then became their own private estates. It is hardly possible for any one with an intimate knowledge of conditions and tendencies, on the Gold Coast to-day, not to see the probability of very similar processes setting in here. There is the danger that Stool lands, i. e. the lands of the tribes,<sup>2</sup> will cease to be held in trust for the tribes by the paramount Stools and gradually become the freehold property of individuals. As a natural corollary of this will follow the inevitable impoverishment and final collapse of the Stools', i. e. the Chiefs' power, the very essence and most visible outward sign of whose authority was their control of all land in their capacity as trustees. It is perhaps here necessary for me to state that I postulate as the ideal for these people, a race, the bulk of whose population is settled on the land; the maintenance of the revenues necessary for the advancement of their country and countrymen secured by agricultural pursuits, not as paid labourers, but by each man working his own holding; and, finally, the possession of all land safeguarded by trusts as constituted in the Tribal Stools.

It is this ideal that I fear will be likely to be seriously menaced in the not remote future. We have seen how, owing to the peace which a stable government has brought, the most onerous service which the landholder was called upon to perform was almost literally wiped out in a day. Nor was it thought fit to substitute anything in its place.

<sup>1</sup> See *Ashanti*, Chapter XXI.

<sup>2</sup> Now the Territorial Divisions under *Amanhene*.

account alone that I would advocate extreme tolerance of such rites, and even the fostering of the spirit which they manifest. The time-immemorial respect shown to the 'House-father', developing at a later date into the traditional respect for those in authority over the larger group, had its roots in reverence for and remembrance of the dead. The firm belief that the departed continue to take a lively interest in the affairs of their descendants bound the people together and enabled them to attain to a considerable standard of culture. Propitiation of Ancestors has been and still is an essential part of the whole social system, and the foundation of unity, respect, and obedience to those in authority in the family group, which is really the basis of all civilization.

I propose now to turn to the question of government as understood by the Ashanti in the past, and to try to arrive at some conclusions which may be of value in the sphere of practical local politics to-day. It has been realized, and has been noticeable for some years past, that the power and authority of the greater Chiefs over Sub-Chiefs and people have tended to dwindle, and consequently that the loyalty and obedience of their subjects in many instances have weakened somewhat seriously. This state of affairs has resulted in numerous cases of friction and in many 'destoolments' of Chiefs. Every Political Officer is to-day familiar with the dictum 'the power and authority of the Paramount Chief must be upheld', and most local legislative measures have had this end in view.

I think we may accept as an axiom, that before any body of law-makers sets out to define and to regulate the exercise of certain powers and jurisdictions by Native Authorities, it is essential that it should grasp quite clearly the basic elements in the old Constitution upon which it is endeavouring to frame its more modern laws. These new measures may not, and indeed cannot in many instances, *conform to the letter of the old Native laws if free play is to be granted to modern advancement and progress*. The ultimate cheerful acceptance and smooth working of any new law will, however, possibly depend on the careful preservation of some essential or basic principle, which, although often obscured by a mass of non-essential principles, is realized by the people to have been one of the foundations of their ancient and venerable Constitution.

It is the basic principle, or principles, in the Ashanti Constitution: (now using the term in the more restricted sense with which we are familiar) which I now will endeavour to describe.