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MINUTES OF EVIDENCE.

DR. HARRY GARNET PHIBBEN, District Surgeon, called and examined.

THE CHAIRMAN: Can you tell us what is the position in regard to syphilis among the natives in this district?—There is very little of it here. I think that in the last year I had about 27 or 28 cases of syphilis here. I suppose that three or four of these were tertiary cases. There is very little primary syphilis about here, but we have had great difficulty in getting them to carry out the full treatment which we prescribe. As you probably know, we inject them with salvarsan, commonly known as 606, and they think that after two injections they are quite all right again, which of course they are not. They then stay away, and the result is that we lose touch with them. I mention these matters to the magistrate and the police, but we cannot do much. We have had a little trouble in regard to people that we have lost touch with, but as to others, after speaking to them, we have been able to get them to continue the treatment and we have been able to cure them. Of course, those that we lost sight of we cannot do anything with. I think that at the present time I have not got more than four cases under treatment, and of those four cases two are Europeans.
Your practice is among the natives chiefly as District Surgeon?—Yes, that is so.

And you do not have a great many private cases among the natives?—No, not among the natives. As a matter of fact, I do not go in for native cases.

How these cases which you had last year, what proportion would they be to the total number of native cases which you had?—I suppose four-fifths of syphilis and gonorrhoea among the natives I have treated.

I am taking the cases of syphilis and gonorrhoea among the natives in relation to all cases?—In relation to all cases—it is very difficult to say. The number of cases of syphilis and others are very low.

And what is the position in regard to malaria?—That is practically unknown here. Except of course that we have a number of important cases, cases which were brought down from malaria districts through natives on road gangs and so on, but I must say that I have not come across any cases of malaria which have actually occurred here.

Any anopheles?—None here.

What is the general state of the health of the natives?—It is very good. I may say that I am practically a newcomer here and when I am saying that the health here is very good, I am taking it in relation to my experience in the East, in Zanzibar, and I suppose there is probably 90 per cent more sickness among the natives at Zanzibar than there is among the natives here. They have no jiggers here. And bilharzia—I have not seen a single case of that here.

MR. LUCAS: Does not the jigger worry them here?—No, there are some kind of worms here, but not among the natives,
chiefly among the whites.

**DR. ROBERTS:** Can you tell us if you have noticed any distinct prevalence in regard to syphilis so far as the natives are concerned - does it prevail more among the natives than among the whites? Would you say that it prevails here exclusively among the particular class of natives you find here? - Well, they are practically all Zulus here. I have had syphilis in a few of the coloured races.

Are you referring to people down from Kokstad? - From Basutoland and that way. Among the coloured people you get almost more cases of syphilis in proportion than among the natives here.

And **Xhosa** the Pondos - do they wander down this way? - No, I do not think so. I have not come across any cases of Pondos here that I know of suffering from venereal diseases.

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**MR. RUPERT DAVIDS LYLE,** called and examined:

**THE CHAIRMAN:** You are the Magistrate and Native Commissioner of the Fort Shepstone District? - I am. I may say that I have not prepared anything in the nature of a statement to submit to you gentlemen. I have just prepared a few rough notes on which I should like you to question me. My notes are in relation to your questionnaire.

Can you tell us from your official experience what the living conditions of the natives in this area are? - I have spent the whole of my life among the native peoples. I have been in the Civil Service for 36 years, and I can say that generally speaking I have spent the whole of my life with and among the natives.

In which parts of the country? - In Natal and Zululand, and I was on the Reef for a short period of time. I started
in Zululand under the Imperial Government. I know the natives well, having been born in this country, and I should say that I understand them practically as well as any man.

Have you during that period seen any remarkable changes come about?—Yes. Of course, I was born out here, but I went overseas for some time, I was away for a matter of seven years, and even during that short period, when I came back to Natal, I noticed the difference. This is many years ago, but even then the natives were showing less respect for the European than was the case before. Even in the short period that I was overseas, I was only fourteen years of age when I went Home, a great change took place. I went overseas in 1884 and soon after my return I joined the Civil Service and I entered the service of the Imperial Government in Zululand. The native in those days was ever so much more respectful, more law-abiding, and more amenable to discipline and to authority position in than they were in Natal. I am speaking about the Zululand particularly. And even today you will notice the difference. Seven years ago I left Zululand, and I was transferred to Maritzburg, and I at once noticed an enormous difference.

In what way do you notice a difference?—The Natal people generally seem to have gone back, they seem to have deteriorated.

MR. LUCAS: In what way do you say that they seem to have deteriorated?—I should say in their general behaviour and general respect for the European. They seem to have lost a great deal of that respect, and I found that they were not so law-abiding. They have picked up all the bad traits of the European. That is what I felt.

Would you say that the native is a very law-abiding person?—Yes, I do not think that you will get many nations
that are as law-abiding as the natives are. It speaks for itself. Look at your police - there are but a few of them and they control vast areas. There is practically no trouble, and yet I feel that there is that noticeable alteration.

THE CHAIRMAN: Now, with regard to the condition of the Zulus, have they gone forward or backward economically?

No, I think that they have also deteriorated. The Zulu is not the same man that he was. He is not the gentleman that he was when I joined the Service.

And what is his condition as to his state of well-being? - In that respect I think that he has improved in Zululand.

Could you tell us in what ways he has improved? - Well, he has many more cattle than he used to have. He gets better wages and as a result he lives better. He can afford today to purchase food whereas it was very difficult in the olden days for him to do so, so much so, that in the Imperial Government days they were unable to pay the price of mealies at the stores, and the Government was obliged to buy mealies for them and sell it to them at cost price. Today, however, they can pay their £3 for mealies, which was unheard of in the olden days. In the olden days, in times of famine, that was the price to which the meal went up to. They could not pay it, but today they can.

What would this improvement be due to? - I should say it would be due to better wages and a better liking for work.

SENATOR VAN HIEKERK: Would it be due to better railway facilities? - Yes, naturally that would make a difference.
He certainly works much longer than he used to do. It is only if they go to the mines that they work for six or seven months in a year. In the olden days they never worked more than five months in the year.

CHAIRMAN: In regard to his farming operations, have you noticed any improvement? No, very little. You notice more of that amongst the educated natives, among the Christian natives, and at the mission stations, and here and there in the country. The raw native seldom uses fertilisers and few of them will even trouble to take the kraal manure.

Is that the case here as well? Well, here I think they are taking on and they are profiting by the advice of the Agricultural Demonstrator. I have not seen much myself, but the location inspector tells me that they are using fertilisers more and they are cultivating more in conformity with the European methods. Still, it will take a long time before we shall see any real improvements.

Are ploughs in general use in this District? Yes. You will very seldom see a woman using the hoe except for the small gardens at the start of the season. I may say here that the women are not as industrious as they used to be. If the husband did not plough the woman would probably go and complain to her father and she would probably leave the husband for a year or two, or longer.

MR. LUCAS: Do you know of cases like that happening? Yes, I know of cases like that. We have actually had domestic trouble here because of the husband saying "I cannot afford to buy a plough and oxen," and the woman complaining and saying that she cannot live on nothing. The woman will then
go back to her father and we have to send for the husband and try and settle the difficulties.

SENIOR VAN NIEKERK: Is there a tendency for the women to be more independent than they were in the past?—Undoubtedly. In the olden days she dare not sell as much as a basket of mealies without consulting the old man, but today it is the old man who has to ask her if he can sell a basket of mealies. There is no doubt about it that they are emancipated and much more independent than they used to be.

THE CHAIRMAN: The women still do a good deal of work in the fields with the exception of the ploughing?—Yes, you can say generally that all the cultivation is done by the women.

Do you find that there is a tendency for the young men to abscond, to go away to the towns?—Yes, there is that.

What do you think is the cause of that?—I think that the real cause of that is that they get a better time in town. They get better wages, they get better food, they have a better time in their leisure, and I am very much afraid that one of the great inducements is liquor. The native is not an abstemious person. You take a native wedding, and try to count the number of really sober people. You will be surprised to see how few there are. That is one of the troubles.

Do these natives who go to the towns send back any money to their parents?—Not to the same extent that they used to do, not by any means. No, they much rather come home themselves and if they have anything, bring the money with them.

That is just the point, do they bring back money with them when they come home?—Yes, but then they do not pay it to the kraal heads, as they used to do. The kraal head has lost most of his control, and if he wants any money from his son
he has to ask him for it, whereas in the olden days, if the son was working, the kraal head used to come and draw the money on behalf of his son. You do not find that now.

Why do you think that that control has been lost?—Well, that is an old and a very long story. I can tell you this, I blame the Authorities for it.

In what way do you blame the Authorities?—It has been a slow process, a very slow process. In the olden days, when we had the Imperial Government in Zululand, we were continually having it impressed upon us that it was essential to uphold the control of the kraal head. We did so. In those days we had much more power, and perhaps we did not exactly what I would call stick to the law, but today you cannot do that. Today you are hedged around by law and by legal practitioners. You cannot take any risks at all, you must comply with the law. Today our authority has been completely whittled down. We have not the same authority over the natives which we used to have in the past, and we cannot do today what we were able to do twenty years ago. I do not wish you to get the impression that we were unjust or anything like that, but we could give orders and we could see that our orders were carried out, and that is something which we cannot do today.

And you think that that has also reacted on the authority of the kraal head?—Yes, undoubtedly it has. Take the poll tax of 1906, in Natal, when we had the Rebellion. I am not going to say that the poll tax was actually the cause of the Rebellion, but it was, so to speak, the last straw which broke the camel's back. It was one of the last causes, but that imposition of a poll tax detracted from the kraal head's authority more than
anything else that I know of, because the young man, when that tax was imposed, said "I am now paying for my own hut and I am now my own master".

SENATOR VAN NIEKERK: Was that the first imposition of the poll tax?—Yes, it was. Prior to that natives paid a hut tax and that tax was paid in the name of the kraal head, and he still held his authority, but directly you taxed the young man he immediately said, "Well, now I am a major, and I am my own master." That started the ball rolling. And then we started seriously to lose control. It had been going on for a long time, but that was the real cause. Of course, you cannot keep these people back.

That is natural evolution?—Yes, that has been our experience, and education and things like that have also tended in that direction. They are more like a hot-house plant today than anything else, I reckon. It is a vast difference from what it used to be.

THE CHAIRMAN: You think that they cannot keep up with the speed of the change?—Exactly, the change is too rapid altogether. It has taken us hundreds and thousands of years to arrive at our stage of life and civilization, and the natives try today to do it in a couple of years. Of course, it is impossible.

Do you think that that is producing bad effects?—Undoubtedly it is. The Zulu assumes a state of life which is of mushroom growth. There is no history attaching to that life, and it must have bad effects.

SENATOR VAN NIEKERK: What would be the effect of the sudden growth?—Well, he may have excellent intentions at the start, but he is not strong enough for the position. He has not had the education and experience, and there is no basis, there
is no history attaching to that life.

It is very important that there should be something more.

- Yes, it is very important. We have something to live up to. We have works and books which we can study, and by that means one can mould one's character, but these people, they are apeing us and they have nothing to support them. It is just a mushroom growth, that is all.

Do you think that that will lead to a discontented life?

- To my mind that is what it must lead to.

THE CHAIRMAN: What other outward symptoms are there of their going too fast? - There are many. The native tries to live as the European. He apes the European in many ways; he tries it in his food, but he finds it too expensive, and it gets him into trouble and into debt. He-forms clubs and he has concerts. He has amusements and these amusements are not of the kind to do him any good. You get places of amusement where bad characters congregate. I do not know how you are going to cure it. I suppose it will right itself.

Do you think any good purpose would be served if a certain amount of the authority of the chief could be re-established?

- I do not know how you are going to do it now. It will be very difficult. We can try, but it will have to be very gradual.

It would be a good thing if such authority could be re-established. - Yes, if it could be done, and if you could have the same position as we had in the olden days, it would make an enormous difference. It would be a good thing to give the chiefs and the kraal heads a certain amount of authority.

Perhaps not to the same extent as it used to be in the olden days, but some of it. Do you think that any of it is
capable of being restored? - Yes, I certainly think so.

Such as what - what steps could the European Government take? - Well, first of all I think we should have to establish the authority of the kraal head, and through the kraal head you would establish the authority of the chief. Because the chief himself works through his kraal head and through his headmen. One would have to start with the kraal heads.

SENATOR VAN NIEKERK: How could you establish the authority of the kraal head? - The only thing is to enforce that law under which the unmarried man is regarded as a minor. In our courts of law today an unmarried man is under the code of native law, but he is no longer a minor when the European law comes into the case; he becomes a major at 21.

DR. ROBERTS: Your taxes would go by the board then if you made your unmarried men into minors? - No, they are still minors, but none the less they have to pay taxes. It is under native law that they are minors.

THE CHAIRMAN: Would a substitution of something else for the poll tax tend to re-establish the authority of the kraal head? - Yes, I certainly think so.

Do you think it is the poll tax which suggests the individual status to the young man? - I think so.

Does your native reserve suffer from over-stocking? - Tremendously. You will notice parts when you go to Harding. You will see parts there where there is no grass at all.

What would you say to the project of a tax on stock? - Well, the natives would not like it, and I do not think it would go down with them. As a matter of fact, I am afraid it would cause trouble. The only thing I can see as regards over-stocking is to fix a rate per kraal per head, so many
head per hut. I do not see otherwise how it can be done.

And not allow that rate to be exceeded? - That is so. The native has automatically to reduce his stock, but a tax on stock would cause a lot of trouble.

MR. LUCAS: Would not the limitation cause as much trouble? - No, I do not think so. As a matter of fact, I have already discussed this matter with the natives, and I may tell you that they give me no help whatever. They gave me no help when I suggested that to them as the only remedy, as far as I could see. They were not enthusiastic when I said that the remedy would be to limit the number of stock per hut, in fact they did not like it. A certain number of them agreed and thought that it would be feasible.

MAJOR ANDERSON: Would you have a similar limit for every kraal? - No, I would have a certain number per hut and not per kraal. I think that would be the fairest.

Per occupied hut? - You could easily define what a hut means. Say per living hut. That would exclude of course the so-called kitchen or lumber room, which is sometimes occupied. You would have to do it in that way.

DR. ROBERTS: You say that the native is no longer the gentleman he was in the past? - No, he is not.

What is your view of a native gentleman, a Dingaan or a Chaka? - No. There are many men I could mention who are well known men. Most of the Royal Family of Zululand were gentlemen. Those that I knew, like old Stego and Makumu. They were gentlemen.

MR. LUCAS: It is quality rather than names that we want, I think? - The old native was a gentleman. He was a gentleman in his thoughts, and in the ways in which he behaved
towards Europeans. He has more self-respect than he has to-day.

DR. ROBERTS: You do not think that we are apt to put a thought like that in the wrong way? You do not find that they hated and wanted to exterminate the Europeans when they came across them? - No, we did not find that.

In Bambata's times? - I do not think that really had anything to do with it. Bambata was a fanatic, and it was the tax which caused the trouble.

Do you think it is a bad thing that the authority of the kraal head has been lost? - Undoubtedly it is a bad thing. We have not got the control of the younger men that we used to have.

But is not that essential in the progress of any people? You cannot keep up the old ways for ever? - No, we cannot, but the change has been too rapid altogether.

You would not say that because we have taken a thousand years to evolve and to progress that therefore no native should have less than 1,000 years? - No.

You cannot measure the progress of a people by years and therefore the progress which they are making may be in keeping with the trend of the times? - Yes, it may be, but then again these people are a long way behind.

But they are managing? - Yes, they are managing some-how, but I cannot help thinking that it is a lot of trouble which they are letting themselves in for. They are managing in a way, but take for instance the influence of communism, look at the grip which that has upon men, and especially in the towns. Now, if those people had been properly educated communism would never have been able to have got that grip upon the
It has not had that grip on you or on me.

Now, with regard to the women, it is quite true that the women are becoming freer, but do not you think that that is due to the very splendid institutions in the country, the schools and so on, the schools where you have them by the hundreds being educated and taking their places in the country as nurses and teachers, and so on? I do not know, I do not myself advocate that the women should be kept back. But it is so, she is becoming emancipated and that, too, I feel is a sign of the times.

You would not regard it as a bad thing for a woman to be emancipated, bad in itself? I do not think so, but I do not think that the control over the women should be lost. It is not good for them that it should be lost.

The control by whom? Simply by the kraal head. The kraal head is losing his authority over them.

If you educate women as they are being educated today, and in many of these schools they take an equal place with the men, then do you think that they would submit to being under an ignorant kraal head again when they come back? I am not thinking of the educated native at all, I am only thinking of the uneducated native.

But the educated native is increasing in numbers by leaps and bounds, and will be doing so even more? Yes, undoubtedly that is so.

You think that the imposition of the poll tax was to a large extent the cause of the decadence? Yes, I think so.

You mean this poll tax? No, it was the 1906 one
which caused all the trouble, and this one is perpetuating that.

But the 1905 one to a certain extent was withdrawn?-

After two or three years it was.

Now I am coming to the recent one. If you say that it is the imposition of the poll tax which caused the decadence then the decadence must have come after that poll tax? No, of course the 1905 poll tax did go a long way; it certainly started the ball rolling as regards the loss of control by the kraal heads. Nevertheless, that seed was sown and when the present tax was inaugurated, this movement became stronger and its effect became stronger. I do not say that the trouble was caused by the imposition of the present tax, but it was perpetuated by it.

Would you say that the present tax accentuated the trouble?—Yes, I certainly think so. It kept it going.

It has not done it to the extent that you would naturally conclude because it is not ten years old yet?—That may be, but still it is since we had this tax put on that young men have not been so amenable to kraal head power and authority, and although that tax was removed, that feeling had been engendered into the young men's minds. And then we got the present personal tax, the general tax, and there you have the same thing occurring all over again. It has all tended to take away the control which the kraal heads and the chiefs had over the individuals.

You said a very interesting thing just now. You spoke about this country being governed by just a few police. Do you think that that would have been possible fifty, sixty, or seventy years ago?—Yes, I think so. Even in those days we did not
have so many police. When I was a child we used to see a police-man I suppose two or three times a year, and then once a year they had this field force coming round. They would camp in a district for three or four months, and then they would move on. That was suddenly taken away.

Do you think that fifty or sixty years ago Zululand was more peaceful than it is today?—No, it could not have been. They have improved in that respect. But they are not as honest as they were, not nearly so. In those days it was almost unheard of for cattle stealing to take place, or stealing of fowls. We never lost a fowl or anything like that. There was no such thing as robbing a garden, for instance, and there is lots of it today.

THE CHAIRMAN: Are they more peaceful now, or would you say that they are made to keep the peace more?—I should say that they are made to keep the peace. Give them a chance today and they will start fighting.

MR. MOSTERT: The native in his raw state years ago, did you look upon him as an honest and honourable man?—Yes, undoubtedly I would; he was a gentleman.

And do you think that the educating of the native has made him just the opposite?—He is educated in a way, it is coming into contact with the European and the European's reasoning which has had an effect on him. He is allowed to reason, where before he was not allowed to, and that is one of the causes which has led to the present position.

You think it is the contamination with the white man, the coming into contact with the white man which is the cause? Yes, that undoubtedly has had a lot to do with it.

There is the educational point, do you think that the education as we give it today should continue?—Yes, certainly.
you must educate him wherever it is possible to do so. It is our only hope.

Now, do you think he should be educated in his own language, or in the English language, or in Afrikaans? - Well, Sir, it is a difficult question - I am an Englishman myself.

In the English language, or in the native language? - In both - I think so. He should be educated in his own language. You surely want to let him keep his language.

THE CHAIRMAN: In educating him you should educate him through his own language or through a language which is foreign to him? - It is very difficult to do it through his own language. You have to coin thousands of words for him, and therefore you have to do it through the English language.

Do you think he really takes with any degree of ease to thinking in a European language? - I do not think it is difficult for him to think in a European language, that is to say, if he is educated sufficiently.

Well, I find it very difficult. There are very few people who can do it? - If I am dealing with natives and talking to natives, I like to think in the native language. I would rather speak in Zulu than in English when speaking to the Zulus, and I do not think that it would be difficult for the Zulu to learn to think through the other language. When I address them I address them in their own language.

Yes, that is so, but do you think that the native when he is learning English can think in English? - I have never tried to probe that, but I do not see why not, if he is properly
educated. I can speak in the native language, and I can think in it. I can understand them too.

MR. MOSTERT: How you say that the native today, especially when he comes back from the towns, is insolent?—No, I do not think I said that. I did not mean to say that. I said that he has not the same respect for the white man.

Well, is he not the same man?—No, he is not the same man.

MR. LUCAS: You did not mean to convey that he was insolent, did you?—No, I did not mean to say that at all; I only meant to say that he is not so respectful.

MR. MOSTERT: I see. Is that in your opinion due to the fact that he has been with the white man and has been contaminated?—Yes, I think we are responsible for all of that. The trouble of course is that they meet with a low class of Europeans; these young fellows in the towns get into all sorts of bad company, and unfortunately they learn very bad habits. We know that they go to their dances and their concerts and we also know that a very low class of white men attends these native music halls, and they have a very bad influence on them. It is that sort of thing which does not do any good.

DR. ROBERTS: Do they do that here as well as in Durban?—No, not here, but in Maritzburg and elsewhere they do.

MR. MOSTERT: Are there dance halls for white and black mixed?—Yes.

MAJOR ANDERSON: What sort of dance halls?—They are very low places. You find them in the big towns. Are they common?—There are quite a number of them.
What sort of recreation would you encourage among the natives, recreation that would suit them? Football, and other games. I do not see why we should not do that. They can play football and other games, and it would be very good for them. I think we should do more in that direction.

Do you think that that would have a good effect on the natives? Yes, I certainly think so. It must have a good effect. If you can employ these young people, give them something to think about, give them a little more interest for their spare time in towns, I feel sure that you will do a great deal to help to keep them contented, and you will keep them away from these bad influences to which I have referred. Major Wheelwright, in his evidence, told you that it is in the towns where your trouble lies, and I can quite agree with him.

Is anything done here in the small towns to keep them contented? No, nothing is done here, except what is done off their own initiative.

There is room for work in that direction, is there? Yes, undoubtedly there is. They have approached me here to do something for them, and they have a sort of club where they pay so much per month and I have really been trying to get hold of these people and help them, because I know what it will lead to. If we allow them to go and do it on their own it will simply result in the Treasurer getting hold of all the money and clearing off with the lot. But they are chary even to allow me to have a say in their organization. It is unfortunate, but there it is. They have been fleeced in the past by unscrupulous Europeans and they are very chary of allowing us to control any of their schemes. There is one scheme for instance which
was started by them some time ago. It was a scheme of purchasing land by the tribes. Chief Digwyo purchased land. They bought one farm and paid for it outright. The title deeds of course were issued in the ordinary way, but were not handed to them, and they wanted to know why these title deeds were retained at the headquarters of the Native Affairs Department, and why they themselves were not allowed to get hold of such title deeds. You can quite understand it. They said, "we bought the land and we paid for it, and now the Government come and keep our title deeds. Why cannot we have them ourselves?" Well, the position was that it could not be allowed because the property was vested in the Secretary for Native Affairs. Anyway, in order to satisfy them, we got the title deeds here and they were shown to the kraal heads, just to make it clear to them that the land had been duly registered to them. Well, it did not satisfy them, and they still kept on arguing that the title deeds should be handed to them. Now there was another farm on which a certain amount was still due. Only a small amount of £30 or £40 is still required, and for the simple reason that they cannot get hold of the title deeds here there is a lot of trouble being caused. That is all because they do not trust us. Even the officials are not trusted by them.

MR. LUCAS: Have they been given reason not to trust us?—They have been given a certain amount of reason, but not so much among the officials as among members of the public. There is no doubt about it that they have been fleeced sometimes. Where they paid money to different people to purchase farms, the instalments were not paid, and eventually some of these
people got hold of the farms themselves.

Would that be sufficient reason to account for any weakening of respect on the part of the natives towards the Europeans? - Yes, it would, but as regards this particular tribe which I was referring to, I am afraid that communism has been at work there, and very much so.

You mentioned some of the troubles of the natives.

What appear to be their grievances in this area so far as you know? - Their grievances in regard to land; they are always crying out for land.

Are they over-crowded in this area? - They are, but their over-crowding is caused more by over-stocking than anything else. That is the trouble everywhere. There is ample room for them as agriculturalists, but not as cattle owners.

Has any organised attempt been made to improve their agriculture in this district? - Yes, certainly.

What has been done? - We have a demonstrator here, a native, who demonstrated in a certain area for a year and then moves off to another area, where he also demonstrates. We give the chiefs or the communities who require his services the preference. That is one of the things we have done.

Has that been successful? - Yes, it has.

Can you see an improvement as a result of the work which he has done? - Yes, I can.

Have you any natives here with individual tenure, individual ownership of land? - Yes, we have.

Owning their own plot of land? - Private land, yes.

There is a lot of land bought by them.

Bought by them individually and not as part of the
tribe?—No, that is bought by them privately and individually. It is their own property.

Are there any who have lots individually or do they own them as Syndicates?—Individually.

Do you know how they are progressing; are they improving as a result?—Very little.

Has the demonstrator been to any of them?—No, I do not think so.

Would it not be wise to get into touch with these people?—It would, but we give preference to the tribes or to the chiefs who clamour for his services, because generally speaking they are very chary of following the advice given by the demonstrator. That has been the general experience.

Have you any natives in the location who have made marked progress in agriculture on the plots where they are working?—I could not answer that question, I do not know.

Are there any squatters in your district on private lands?—Yes, there are.

Are there any labour tenants?—Yes, quite a number.

What are the conditions round here?—They vary.

For instance the other day I had one who had just given 3 months' service, but the usual condition is six months' service, and during those six months they get a lower rate of pay.

What is the rate of pay?—I think it is about £1 or £2.50. And what is the pay outside of that six months?—Recruited labour is something like £2 to £2.50, or something like that. Something in that neighbourhood. I could not give you the exact figure. That also varies a lot.

When you speak of a month, is it a month or thirty days?—
The farmer works on the monthly system, on the thirty days.

Is it a calendar month? Yes, it is a calendar month, but on the cane fields they reckon it in shifts. With the farmer it is a month, but when you come to the cane fields it may take two months to work thirty shifts.

The sugar planter pays £2 for thirty shifts? Yes, that is so.

Where does your recruited labour come from? A great deal of our recruited labour comes from this district, but most of it comes from Pondoland.

Do I understand you to say that your recruited labour comes from your own district as well? Yes.

Does a great deal of it go abroad? Yes, a great deal of it goes to the cane fields - right to Zululand.

Is there any means of preventing this waste which must be going on, this bringing of natives from Pondoland to this part, and taking natives from here to somewhere else? Well, these people are used to the cane life and they are used to working on the cane estates, and it is the same with the Pondo. Lots of these estates here are run by Natal natives.

Are not there many from Pondoland? No, not on the sugar estates - not here. All the Pondo recruited labour goes up the coast. They go mostly round Verulam and Mount Edgecombe.

Do you know what wages are paid there and what wages are paid in Natal generally? I think it would be about 30/- but a good cook would get about £3 to £4.

And what would a boy in a store get? About £2.
Would that be with or without food and quarters? - That would be with food and quarters.

SENATOR VAN NIEKERK: When you spoke about natives leaving for the towns, I take it you were speaking of reserve natives? - Yes, reserve and farm natives.

Now, do not you think that the emancipation of the natives has gone too far ahead to go back now? - Certainly, you cannot stop it.

You could not go back now and give your kraal head or your native chief more power? - I do not say that; we can give them much more power.

Would you make a change and alter the position with regard to minors under the native law? - He is still a minor until he is married. That is to say, unless he is emancipated by his chief. Of course, the chief can recognise him as a kraal head. That does take place and then he becomes emancipated and is recognised as a major.

But that is not done today, is it? - Oh yes, it is. But then of course there are very few cases where an unmarried man becomes a kraal head. Still, there are cases where it does take place, but there are few of them.

But surely that is not the custom today, is it? - Yes, it is.

The chief has not the right to say to a man "so long as you are not married you are under my jurisdiction"? - Are you referring to the kraal head?

Yes? - Yes, he can say so today even.

Why did you put it that way, that the chief should have authority over all the unmarried men? - I did not say the chief, I said the kraal head should have the authority.
Has he not got that authority today?—He has, to a
certain extent. For instance, a minor cannot sue in a court of
law, unless he is duly assisted by his guardian. But he can
enter into a labour contract without his guardian. He can
make a labour contract and carry that out, but he cannot sue in
a court of law. That is the difference.

In which way can you strengthen the authority of your
kraal head?—In every way. If we take the code as it stands
today as our pattern, the code is simply the old Zulu custom
codified, and I do not see any reason why we should not return
to that. My suggestion is that they should be given the authority
which they had in the olden days, and I think it would be a
very good thing. It would lead to a better understanding.

In what way?—For instance, a man could not marry
without his guardian's consent, but he does do so today, al-
though the code says that he has to be assisted by his guardian.
In the olden days, even if he were married, and even if he were
the head of his kraal—-even if the head of a kraal were still
be alive, he would/be subject to his control; that is to say, he
would be subject to the parental control.

Say you were to give these rights to your kraal head,
in what way will it affect the native in general?—Well, it
will make him more amenable at once to authority. We should
then be able to talk through the kraal heads to these younger
men, with whom at present one can do nothing. We would not rec-
cognise these younger people as it were. All instructions would
be given to the kraal head and would go through the kraal head.

If a young man goes to town for a certain time in order
to earn money there, what power would the kraal have had for instance in respect to the collection of the money earned by that young man?—What do you mean? The young man would go to earn the money and I take it that

Would the kraal head compel him to send his money back to the kraal, or would he compel him to bring it back with him? How could he prevent the young man from spending it on himself?—It would be very difficult indeed to prevent that. In the olden days if he did not bring it back he would know all about it. His guardian would have something to say to him and would go for him, but today the guardian can do nothing. If the son or the minor in the olden days did not bring his wages back or did not send them back to his guardian, that guardian had such authority, and he could exercise such authority over him that it would not be worth that minor's while to defy him. He could disinherit him, but today he cannot do that. It is very seldom today that a native does disinherit his son. Of course, he can do it if he wants to, but it is very rare. But in the olden days he did. Today he has lost all his authority and can do nothing.

Could he fine him in the olden days, fine him so many head of cattle?—He could punish his house.

Yes, but could the headman of the kraal collect a beast for instance as a fine?—He could punish the house, he could punish the hut to which the recalcitrant son belonged. Today it is very doubtful whether he could do so.

DR. ROBERTS: Under the Administration Act?—Yes, under the Administration Act he can.
So it is really not much of a change?—Well, I do not know. To a certain extent it is a big change. You see, they have not got the authority today, and if they have authority they are not able to exercise it.

SENATOR VAN NIEKERK: When you spoke of the emancipation of the natives and when you said that they were going too quickly about it, the fact that their needs have increased out of proportion to their income should also be taken into consideration?—I think he tries to live beyond his income.

He tries to live on too high a plane?—Yes, his income cannot allow of his living on the same plane as a European. He is trying to do it and he cannot, and the result is that he suddenly finds himself in trouble and in debt.

That is part of his emancipation?—Yes, it is the outcome of his emancipation and of his education. The fact is that his education has been too rapid for him. He gets into debt and he finds himself in serious difficulty. Now, in regard to getting into debt, I really blame the storekeepers, these Arab storekeepers. It is simply wicked, and I should like to give you an instance. I had a case here the other day where the storekeeper showed in his books debts among the natives amounting to £2,000. That man went insolvent, and apparently it was a genuine insolvency. And look at the influence which that is having on the native. I can assure you it is very far-reaching. The native today knows that he can go to a store.

Does he get credit?—He pays perhaps a pound or two down. Well, the Arab must get rid of his stuff somehow, and he lets the native have it on credit.
Does the native get credit at all times?—I will not say that. Generally the Arab knows whom he is dealing with, but after a time the native finds that he owes a lot of money. He cannot pay the Arab, the Arab becomes insolvent, and the debt is wiped off. It has a tremendously evil effect upon the native community.

DR. ROBERTS: Have you any examples in your mind of storekeepers who charge exhorbitant rates of interest or does the law prevent them from doing so?—Of course, our law does not allow of that. It is very difficult though to catch these people out. They are too smart. I have heard of several cases in the past, but lately they have not been so frequent.

Who is too smart, the native or the European?—No, the European is too smart, you cannot catch him.

MR. LUCAS: Have you come across any cases of excessive costs being charged in the collection of debts from natives?—No, I cannot say that I have. Of course, there are the ordinary costs of court. I have had cases where I have had to query a bill of costs, and where I have had to reduce it, but that does not occur very frequently.

Have there been instances here where although the costs were legally calculated, they amounted to large sums for small debts?—Yes, there have been such cases; in fact, I know of cases where the costs have been greater than the debts themselves.

Can you mention any instances, in figures?—No, I do not think I could give you any figures just off hand. It was not so long ago that I had a case where a writ had been issued and a civil imprisonment order had been made. The native was arrested and in the end the costs were greater than the debt, that is to
say, the original debt. That perhaps was an unfortunate case owing to the journeys which the messenger of the court had to make. If we could only get back to the inexpensive modes which we had prior to the Act of 1912, it would be very much better. In those days, under that Code, a native case would cost the ordinary court fees of about 10/- or 12/- to get the summons out. But today it costs a great deal more, and that of course makes it very hard.

THE CHAIRMAN: What accounts for the difference?—The messenger's fees. In the olden days we had native messengers of the court. I forget what the court messenger gets today, but in the olden days they got 1½d. per mile. But the man today gets a great deal more than that.

It has to be done now by the European Messenger of the Court?—Yes.

DR. FOURIE: Is the lobolo system still in vogue here?—Yes, it is; very much so.

How do they pay lobolo here—in cattle?—Yes, cattle, but occasionally they pay in money. In the country it is nearly all cattle, but in the towns a great deal of money is paid. I was in Maritzburg for six years and there it was quite a common practice for money to be paid for lobolo. You can say that generally speaking the townspeople and those people living around the towns pay in money, though naturally originally only cattle was paid.

Those so-called detribalised natives, do you know whether they still pay lobolo?—Yes, they do. On that very question, if you do not mind my digressing, the native today looks upon his girls as a source of revenue, and especially
in the towns you will find that. I have had cases where a
girl has figured in court in four cases claiming damages, or
rather her parents have claimed damages in four cases on account
of the same girl. That is an actual experience which I have had.

DR. ROBERTS: For different children? - Different children
from different men. The practice is for a girl to become
attached to a young man, and she lived with him as his wife for
a certain time. She has a child or children by him, and then her
father comes along and says, "well, what about it my son-in-law,
how about my lobolo? You have not paid me anything for my daugh-
ter." That man may pay him £10; but he has no intention of
marrying the girl. She simply lives with him. That is the
cheapest way. Then after three or four years she finds someone
else she likes more and she leaves him, and the same process is
repeated. The father comes along again, and again wants lobolo.
So instead of getting ten head of cattle he gets hundreds,
because her father gets the children. The father of the woman
gets the cattle, and not the man who has begotten the children.

DR. ROBERTS: There is the other case where the boy
begins the children and simply snaps his fingers at the woman
and takes no notice? - Well, the father can sue, and he does so.

He can sue for seduction you mean? - Yes, he can sue for
seduction and damages. Of course, he can only sue for seduction
once and not the second time. We generally deduct a beast for
each child, that the woman may bear. And the young man pays his
a beast, and that happens in nearly every instance where the girl
becomes pregnant. The wicked part is the life which these
people are leading in the towns. Eventually she gets tired
of wandering from one man to another, and she settles down and often returns to her kraal.

THE CHAIRMAN: Is there a great deal of that in the big towns? - Yes, and in the country as well.

Is there a great deal of that in Maritzburg, for instance? - Yes, I am afraid there is a lot of that.

And in this area? - There is quite a lot of it.

Do you get cases in your court here? - Yes, we do.

MAJOR ANDERSON: Where lobolo is paid in cash, what is the amount which is paid? - £4.10.0. for a beast.

SENATOR VAN NIEKERK: The native is getting away from this lobolo system now, is he not? - Not so much in the country. But in the towns there is a certain amount of it. There is of course in the country the question of disgrace. That helps them to keep straight a lot, but in the towns they do not care two pins.

How could we remedy that? - If the Urban Areas Act were properly enforced it would help quite a lot. But it is so seldom used that it really does not count. I do not know why that should be so. We have occasionally enforced it, but it is a matter in the hands of the police. We cannot move administratively, and the police have their hands full, in fact so full that they cannot do any more.

Is there slowly growing up around your township a native population? - Yes, you will find it in every village. On the outskirts of the towns and the villages you find these communities springing up, and today they are paying rent where they should not.
MR. H.C.A. GARRETT.

Whom do they pay rent to?—To the Arabs, the natives, and the Europeans.

MR. HARRY CHARLES AGNEW GARRETT, called and examined:

THE CHAIRMAN: You are Town Clerk of Port Shepstone, are you?—I am.

Have you got a native location here?—No.

How do your natives live and work in the town?—The majority of them live with their employers. A good many go out of the town to the district area.

How do those who live with their employers live? Do they have their families with them?—No, I do not think so.

Are they mostly single natives?—I do not know, they work in the kitchens and in the houses.

Are there any native families living inside the town?—Not to my knowledge. I have not had any brought to my notice.

Do they live beyond the boundary of the town?—Yes.

Are there native locations bordering on your township?—No, there are none here.

Are there any farms?—Yes, there are farms.

Do these natives live on the farms, or do they go to the locations?—These farms are beyond our boundaries. They have been cut up and sold and I think that they are rather closely settled, and the natives have rooms there.

Who are the owners of these farms?—Mostly Indians.

And the natives live on these grounds?—Yes.

Do they pay rent to the Indians?—Yes.
Do they build their own huts? - No, I think the Indians fix up the buildings and just charge rentals.

Have you any knowledge of the rentals charged? - No.

Now, in regard to the town, can you give us any idea of the native wages? Let us first of all take the boys working in the shops? - I do not know what they get in the shops.

And the boys in domestic service, what do they get? - I think they range from about 30/- upwards.

Up to what? - Some of them go to £3 and £3.10.0. A good cook I should think would get up to £3.10.0. Of course, there again it would all depend upon the family which he works for.

Now, what is the average; can you give us any information on that? - I could not tell you what the average is. I personally pay 30/- per month.

Are the bulk of the natives paid at that rate? - I think that is a fair rate.

It is only in exceptional cases where they go higher? - 30/- would be about the average for a moderately trained servant.

MR. LUCAS: The amount which you mentioned, is that with food and quarters? - Yes.

What sort of food do they get? - Personally I give them the same as what comes on my table. I think most of the people do that for their kitchen girls.

MAJOR ANDERSON: Is that for girls? - Girls or boys.

Girls do work in the kitchens here? - They do, but it is mostly boys. The locations being so far away the natives do not care about their girls coming to the towns.

DR. ROBERTS: Is it dangerous for the girls? - It is too far for them, and naturally their parents do not like them to
loaf about unless you can give them accommodation in your house. Unless you can do that, they will not come.

THE CHAIRMAN: Is there any need here for an urban location?—No, I do not think so, I think they are fairly well catered for by their employers as things are today.

In other words, the natives do not bring their families into the town?—That is so. There are practically no native families here that I know of.

Their homes are near enough for the males to go out?—Yes. We have a gang of about forty, and I think all of them go out during the week-ends to the location to visit their families.

These natives whom you refer to, are they in the employ of the Borough?—Yes.

What wages do you pay them?—We start them at £2 per month, up to £3.

£3 per calendar month is it?—Yes, £3 per month.

And does that include food and quarters?—Yes, it does.

What sort of work are they engaged on?—Generally they are engaged on road repair work, and then there is a good deal of quarrying going on outside, and then there is the general work of the town. They have to go round to keep things clean, and they have to do the repairing of the roads. Then there are the sanitary boys— but they get rather more.

How much do they get?—They start at £3 per month and they go up to £3.10.0.

Are they natives those sanitary boys?—They are Indians and natives as well. We used to have Indians but now we have natives too.
DR. ROBERTS: Are the natives quite willing to do that?—Certain classes of natives, but the Zulus will not do it. Those natives who are in the sanitary service I think come from Pondoland. There is a certain class, they are called the Baqa boys, and they offer freely for that sort of job. Of course, we have two Indians working on that. The one is a pump boy who gets £5 per month.

THE CHAIRMAN: Do you find it possible to get Zulus for the night work?—No, they will not do it. It is against their caste, and they will not touch it.

MAJOR ANDERSON: How many natives have you got living on these Indian lands?—I do not know.

Are there many or few?—I really do not know. I think the bulk of our natives are working for the railways. At the last census they said there were 700. I have never been able to find out where they are. In the census of about seven or eight years ago they had them down as 700, but in my opinion we have not got anything like it. I have been trying to find out, but I do not know where they are.

Was there any railway construction then?—They have a lot of boys on the Railways.

Where do they live?—The Railways have quarters for them.

Do they have quarters for as many as that?—They have a big compound, and they keep on shifting them up and down the line in moveable huts.

The COMMISSION ADJOURNED AT 11.35 a.m., AND SUBSEQUENTLY PROCEEDED TO HARDING TO RESUME ON WEDNESDAY, OCTOBER 10th, at 10 a.m.