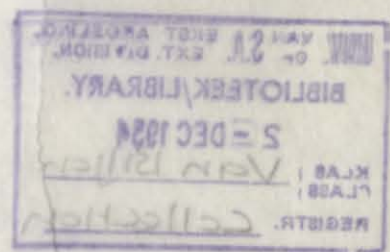


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MAJOR HARRIES, Magistrate and Native
 Commissioner

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Commissioner, Magistrate and Native Major HAHN

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NATIVE ECONOMIC COMMISSION

LADYSMITH OCTOBER 14th 1930, 9.30 a.m.

THIRTYFOURTH PUBLIC SITTING

PRESENT:

Dr. J. E. Holloway (Chairman)	
Major R.W. Anderson	Dr. A.W. Roberts
Mr. F.A.W. Lucas, K.C.	Senator P.W. le Roux van Niekerk
Mr. A.M. Mostert	Dr. H.C.M. Fourie

Mr. C. Faye (Secretary)

MINUTES OF EVIDENCE

MAJOR CLIFFORD LOUIS REEVES HARRIES Called and examined:

CHAIRMAN: We shall be pleased to hear what you have to tell us?— I have not prepared any written statement for this reason, that I was under the impression that after having dealt with the Northern Transvaal, you would like to hear something of the conditions of Natal and here. I have not had time to familiarise myself sufficiently with conditions of Natal to give expert evidence in regard to the state of affairs here. I know something about the Natives, I have spent all my life among them and I am prepared to answer any questions which the Commission cares to put to me. Naturally, I have certain views which I shall be pleased to state.

When we took evidence at P'P'Rust, the scheme which was being worked out then of indenturing Native lads to farmers was brought to our notice and we were told that you had been working in connection with that before you left there. Will you give us your views on the feasibility of that scheme?— In the course of my experience in P'P'Rust and the Northern Transvaal generally, I have found a great deal of misunderstanding existing between the Natives on one side and the farmers on the other.

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Most of the complaints were due to the fact that there was no contract between the Native tenants, i.e. the Native employees on the farm, and the white employers. Now, my scheme was started in this way. The Chiefs, at their quarterly meetings, made representations about unsatisfactory and impossible conditions on farms, bearing in mind, of course that, at certain times in the year in the Northern Transvaal, the farmers employed anything up to 600, men women and children, in the gathering of monkeynuts and mealies, and they were not satisfied in so far as these casual labourers were concerned. I went to the farmers' meetings and represented to them the views of the Natives. I said to the farmers "There is a misunderstanding between yourselves and the Natives, cannot you come together and appoint a committee to attend my next quarterly meeting of chiefs and there see what the Native has in his mind, so far as employment on farms is concerned." They did so, and the main feature of the deliberations was with regard to the control of these piccanins as a means of teaching them proper methods of farming and as a means of combating the spread of this Amalaita movement which is now agitating the Natives, not merely in the cities, but also in their own homes and locations.

The parents of these piccanins and the Chiefs, are keen to prevent the youngsters from going to the towns and joining this Amalaita movement. But that was the origin of the movement. The Native on the one side said "We understand that the farmers want to work with us", and the farmer on the other hand said "We see that the Natives are keen on something being done", so I advise the Natives to appoint an Native advisory committee, electing two members from each location to meet a Commission of the Farmers Union

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and have a round table conference. This was brought about and they wanted me to preside, but I said "No", as I considered it was better that at their meeting they should have a talk by themselves. I pointed out that if I presided, the Natives would want to refer to me and say to me "What do you suggest". I told them "I want you to have an understanding of what is in their minds". They agreed to start a bureau essentially for the purpose of indenturing piccanins to farmers, the farmers being then supplied with a source of piccanin labour and the piccanin being taught farming and being given the opportunity of eventually obtaining the certificate through the bureau of his efficiency. I think you saw the constitution which was drawn up and I believe that the Natives were very much impressed with the main idea. They said "Here is a thing which we have never heard of before. We are going to start an organization which is going to be helpful not only to the Native but to the farmer as well, but it will not be run entirely by either the Native or the white man. We shall have two men on the board with the same power as the European members, who will represent the interests of both sides. Here is an innovation which appeals to us." If no mistake occurs, I think that when the scheme is finally known, it will be a great success. It would have been in operation now, had it not been for some delay in granting a recruiters licence to the bureau. I had a letter from the Secretary of the bureau in which he said they would have been well away had it not been for that delay. He said that they have had any amount of applications, but they could not function until they had received a proper licence.

I say that if they do not make any mistake and

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the Natives are allowed to get confidence in this bureau it will grow and become quite a large organization.

MR. MOSTERT: What is the term of indenture, it is three years is it not?- Yes.

The young boy would have deferred pay which would go to his parents. That is to say the boy would get a certain amount and the balance would go to his parents? Of course, that depends on the parents. If the parents desire that all the money should be paid to the boy, that would be done. The parents may decide whether the boy shall get all the wages or whether some of it should be deferred and be paid to the parents or the guardians.

This wage will be a progressive wage?- Yes, the idea is to start on 7/6d a month for the first year, 10/- a month for the second year, and 15/- a month for the third year.

That would be with food and quarters?- Yes.

MAJOR ANDERSON: Do you think that conditions here or elsewhere in Natal would be suitable for a similar arrangement?- I have not tried to make up my mind. I really have not had time to look into things properly. I know that conditions here are very different from what they are in the Northern Transvaal. I believe that the majority of the Natives here are landless and those who have land here have it privately. You have no reserves here, as in other parts of Natal. I am now referring to the position in this particular district. There are no scheduled areas here but there are farms bought by the Natives years ago and I see no reason why a bureau should not be formed here which would control farm labour in the same sense as the object of the bureau in P'P'Rust is. The object of the bureau there is to assist the Natives equally with the farmers and I do not see why there should

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not be some system of apprenticeship here in the same way as they have it in the Transvaal. The Native would be properly taught in the hope of his using his knowledge and experience when he gets back to his own holding and when he cultivates his own land.

MR. LUCAS: What is the guarantee that they will be taught?- You cannot do it at the start. If the whole scheme worked well, they will have appointed under the board controlling the bureau one or two welfare officers who will go round inspecting the work that is being done by all these apprentices and they will also see whether the farmer is carrying out his side of the contract in teaching these young Natives.

DR. ROBERS: Will they be European officers?- Yes, I suppose so ---- not necessarily, of course. But there are two Natives on the board. If they saw fit to send a Native round and a European, they could do so. They would have the welfare officers going round to see the conditions were carried out.

SENATOR VAN NIEKERK: You spoke about Amalaitas. Is that a serious thing?- Yes, it is.

Do you find that there is a tendency for less parental and less control by the Chiefs among the Natives?- I even go further than that; I say that there is not a tendency, there is an actual fact. Those Amalaitas now have their organizations throughout the Northern Transvaal, they have them in Pashlela's location and they have them in Zebedeila location, they have them everywhere with the exception of the Bavenda. They have not got as far as that. Tribal organization still holds the Bantu because they are the most primitive Natives we have in the Union, but in the locations about P'P'Rust, the Amalaita movement

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has upset the social and ethical conditions of the Natives. That is the very reason why these old men today are so keen on supporting a movement which otherwise they would have regarded with suspicion. The Native is undoubtedly very suspicious. But now they say "Here is perhaps a chance of getting back our parental control and restraining our children from going to Johannesburg and acquiring all these bad habits and all this evil knowledge."

What is the cause of the loss of this parental control, can you tell us that? - There are many causes. But first of all I should say the contact with white civilization and the idea which the piccanin has in his mind that he must go to Johannesburg to work. Johannesburg is his Mecca. He is on the farm and he runs away to Johannesburg and he simply leaves the cattle in the fields. He is not a man if he has not been to Johannesburg. He is restless, he wants to get away. In the same sense as the adult Natives gradually wants to get away from tribal organization, which is becoming irksome to him. Tradition and sentiment are gradually waning and he wants to get away from it. Piccanins go to Johannesburg and after a while they come back with the idea definitely fixed in their minds - and they tell you so - we are not going to be controlled by anyone.

Do you think that the idea is that they are not men until they have seen Johannesburg? - Very largely that has something to do with it.

Lack of civilization in the kraals, lack of amenities of life have nothing to do with it, have they? - I say this, the social organization of the Native is changing. The piccanins get together and they say to each other "I have been to Johannesburg and this is what

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I have seen and that is how I have lived and done". And then all of them are inspired with the ambition and the desire to see what their contemporaries have seen. Well, the youngster cannot get permission from his baas or from his father but he has made up his mind that he is going to Johannesburg so he runs away and goes there and ~~ix~~ he takes care to remain away as long as he can.

Some never come back?- That is so.

DR. ROBERTS: What do you think is beneath this Amalaita movement; is it simply the desire to get away from control, or is there something else behind it. Every now and then in Europe you get these sudden upheavals of young men?- The Amalaita movement started in large industrial centres and I think the origin of the movement is the lack of recreation of some sort. In those towns on a Sunday, or a Saturday evening, they banded themselves together in what they called clubs. You find the same conditions right up the East Coast - in a different form that is so, but there too, they have their young men's clubs. They are purely Native organizations and they are not quite so pernicious as the Amalaita movement. This movement instils into their minds that they must do something notorious to justify themselves, to justify their membership of the club, and that has encouraged them to go and do a lot of nasty lawless things. They boast about it. But the extraordinary thing is the secrecy that is maintained, the fear they have of even divulging the names of the members of the club. That is how it started and that is how it has grown and grown until today it is undoubtedly a very formidable movement.

MR. MOSTERT: Is he only eligible into that club after he has committed some crime or outrage?- Oh no,

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was purely a police matter and in the circumstances no steps should be taken. I suggested that under the Native Administration Act the Governor General might by proclamation, at least so far as the schedule areas were concerned, bring in some regulation preventing the Amalaitas from meeting and molesting people. But they refused to act. They simply said that it was synonymous with crime and therefore a police matter and they could not interfere. But then they said at the same time "If you have any idea about this matter, you might submit some regulation". I took no notice of that, of course. Then they sent me some reminders, but I did not do anything. Why should I draw up regulations to prevent these things if the Department of Native Affairs says "No, it is a police matter". And that is now the matter seems to stand at present.

In your opinion, is it on the increase? - Yes, it is very much on the increase, and that is why the Native Chiefs are becoming alarmed.

Is it affecting the locations? - Very much, it is undermining the power of the Chiefs. Patriarchal government is shattered, parental power is broken down by those who run the Amalaitas. They have distinctive badges, all these people. You see a native wearing shorts, very wide trousers - he lets in a "V" shape and all sorts of other insignia, and then they have badges on their arms and trousers as well.

MR. LUCAS: How long has this movement been in existence? - A long time, but only since the War have I noticed that it has taken root in the locations.

Before that it only existed in the towns? - Yes, at one time it was purely a social movement among the young

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boys in the towns. They had nothing else to do and they banded together and they danced and played the mouthorgans. and just played about, but now it has developed into a very nasty and pernicious organization.

Will you tell us now how it could be countered? My idea is that in the towns it can be countered by giving the natives there some healthy form of recreation. Give the Native something to do when he is at a loose end on a Sunday - attract him away from this organization, give him something else to think about. Most of these boys just go there for the purpose of killing time and if you give them something else to do they will not go there. But in the location it is another matter, and there I suggest very much more drastic action. In the scheduled areas I suggest that the Governor General should exercise his authority and should introduce regulations prohibiting the meeting of Amalaitas and prohibiting anyone from wearing any badges or insignia of the Amalaiba movement. I should have people who do that whipped. That is what all the Chiefs say; the only thing is to whip this youngster if he is seen to wear this badge or if they are seen together in numbers or if they are noticed going through the ritual.

Have they a ritual? - Yes, I think the C.I.D. of Johannesburg have a memorandum setting forth the full ritual of the Amalaiba movement and what they do. They investigated the matter and they managed to get hold of it. I have not seen it. I have tried very hard to find out what the ritual is, but they are very secretive and I have not been able to get hold of it although I believe now that the C.I.D. have it.

Do you know anything about the Ninevites? -

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Yes, that is purely a movement in the prisons among the Natives, among the prisoners.

DR. ROBERTS: And the night star men? - I know nothing about them. The Ninevites started in Kimberley and the movement spread throughout the prisons.

MR. LUCAS: And is it not operative outside the prisons? - I have not heard of it.

It may be that people have confused the two? - Yes, it may be.

What does the word "Amalaita" itself mean? - It is not the Sasuta word.

DR. ROBERTS: Then do you think it could be dealt with if it were dealt with strenuously in the way the Government of India dealt with thuggism, and as they dealt with garroting in Scotland, - severe whipping, even if they did not go the length of murder, and there were death sentences too? - Yes, you have to deal with it very drastically.

Could it be stamped out in the same way here? - It could be stamped out easily in Native reserves because there you have a settled population and you have the Chiefs to help you.

MR. LUCAS: Does not your difficulty still remain in the reserves that the young Native has not got enough to keep him occupied in what leisure he gets? - Yes, there is a lot in that, but a young Native now generally goes out to work.

So it should not be a serious problem in the location at all? - That is so.

The problem of the leisure hours refers more to the towns? - That is so.

SENATOR VAN NIEKERK: If you were to give more

power to the Chiefs would that assist. Do you think that the Chiefs have sufficient power today, under the Act?— I think so. If the Chief could exercise the power that he has today, then I feel sure it would be sufficient, but the trouble is that many of them cannot exercise it. As a matter of fact, many dare not, because the Native is emancipating himself from the Chief's power and that is one of the reasons of their detribalization. The Native is chafing under the autocratic control of the Chief, and most of these Chiefs you find in the Transvaal and Natal are very conservative. They say our forefathers did so and so and we must do the same; we cannot make any allowance for changed conditions or the development of the Native mind so far as modern ideas are concerned.

CHAIRMAN: Now the trouble is that the Chiefs who, to a considerable extent, have been used to rule over the tribes have never been educated for the task. In India the Chiefs have been educated for their task of ruling their subjects. Do you think the same method would be successful here?— I think it is very essential that the Chiefs should be men of education today. The unsophisticated chief does not fit, for this reason, that he has some of his followers educated and some not, but if the Chief is educated and he comes back to his tribe and he applies his knowledge and introduces drastic reforms into his system of tribal administration, then at once he will have the backs of his old unsophisticated Natives up and you will have trouble. Take Zebedeila's location, which is a very large location, one of the largest in the Northern Transvaal. There I found that there was a decided split between the two parties, the more or less enlightened Native on the one side, and the old unsophisticated Native on the other side. The Chief himself

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was an uneducated man and he was surrounded by the old Indunas, men who still wore their loin cloth. The Christian element was the enlightened element and they said "We cannot possibly be controlled by this old man". They objected to their not having any say in the administration of the tribe and they regarded these as being perfectly hopeless. I must say that I found things very hopeless indeed. I said "Let us scrap the old form of administration where you have your ghotla, comprised of the old Indunas and the unenlightened men, and let us have a tribal committee on which we shall have the Indunas as well as the enlightened men." They said "Yes, but that will be a very big change". I said "The change will not be very big if you listen to me." "My suggestion is this - you have at present 11 members of the ghotla, who are hereditary members, they will remain, but let there be an equal number of intelligent men to take their place on the ghotla." They agreed to that and we started that system in 1924. These people were advisory members. They held their meetings regularly and from the moment I brought the two sections together and they dealt with tribal matters, the tide of progress set in, they got out of debt, they had money in the bank and in the end there was no friction at all.

SENATOR VAN NIEKERK: That was practically an unauthorised council system? - Yes, that is what it amounted to.

CHAIRMAN: Do you think that if a Chief is educated, he will be better able to lead both sections than when he is uneducated? - If he is a wise man and if he will make allowance for the other section who still cling to the old time customs.

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It is the case, I think, that the large bulk of the Native still attach a good deal of importance to the Chief?— Yes, for sentimental reasons. They say "He is the blood of our forefathers", and you find that there is a great deal of animism, soul worship, behind it. He possesses the soul of the tribe, and that is the main influence which a Chief wields today, more so than the autocratic influence of the past. It is animistic.

DR. ROBERTS: And even the intelligent Native will accept that?— Yes, that is so.

You think that will account for the reason why intelligent Natives will still give a great deal of worship to the Chiefs?— I think so.

SENATOR VAN NIEKEEK: Is it a custom in the Northern Transvaal too that one does not know who will be the successor of the Chief until after his death?— No, only in one tribe, only the Bevenda. Of all the Bantu tribes throughout the Union, throughout Africa, only the Bevenda hold that fact secret.

They say that the Zulu does it too? We were informed that that is the difficulty in Zululand, that you do not know who is going to be the next Chief?— But they have their royal wife among the Zulus.

MAJOR ANDERSON: They do not always make it known until the very last?— That may be.

SENATOR VAN NIEKEEK: What I want to get at is this. Do you think the time is ripe now that we should compel the Chiefs to nominate their successors so that those successors may become properly educated; make the tribe responsible for his education?— Yes, provided it is done openly. Take the case of Robert Moepl. He was a Christian. He was educated at Lovedale or at Kilnerton and a very nice young man he was. He married according to

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Christian rites. Then his tribe said "You are marrying according to Christian rites and there will be complications with a large portion of your tribe who are not Christians". He said "I have adopted the Christian faith and I shall stick to it". He married this woman as he had intended to do. Influence was brought to bear on him and he found that unless he gave way to the wishes of the majority of his tribe he would lose all his control, so he consented to marry the daughter of Sequati. Tribal cattle were collected and in due course the Indunas were sent for and the marriage took place according to Native custom and there was a big feast. He married the sister of the present Chief Sequati. He died and then complications arose whether the son by the Christian wife or by the other wife was to be the heir. I do not know what the upshot was, but I had a letter from one of the men there who said "They are still in a fire". And that is the difficulty which one is faced with.

Do you think that that will be the difficulty if the Chief should lay down beforehand who is to be his heir? - I think it would be a good thing that the Chief should announce it, provided it is done openly and the tribe are consulted, but to go and say "I nominate my son so and so and I have him registered with the Native Affairs Department" - if that is done without the tribe being consulted or being informed - it will lead to all sorts of complications and I would not favour that.

MR. LUCAS Is it necessary to require nomination, provided you lay it down that no one will be accepted at Chief unless he is educated. That will throw the onus on them of educating even a number? - Yes, it will have that effect.

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Would not that be better than nominating just one and requiring this one to be educated?- The result would be the same.

The result would be a larger number of educated and progressive Chiefs?- I suppose so.

CHAIRMAN : Your point is that there should be some public function and recognition of the heir apparent?- Yes, that is my point.

Will that fit in with the Bantu custom?- I do not think it is opposed to it. You have the custom of the 'tribal candle', the woman from whom the life of the tribe would spring. She is married with tribal cattle. There can be no question as to whom the heir is, except in the case where a Chief has contracted a Christian marriage before, but if he adheres to native custom, then there can be no question. The son of the tribal candle is the person. It is her first son, whether he is the son of the Chief or not. Her first son is the Chief. Sekukuni is not the son of his father. His father died 15 years before he was born. No one knows who the present father of Sekukuni is. The mother was bought with the cattle of the tribe before Sekukuni died - that is Mora Mucha. She had already been bespoken as the royal wife of Sekukuni's father. She had been given in marriage to Sekukuni. The tribe allowed that marriage and when Sekukuni died, she had to be the wife of the Induna. Sekukuni's father was killed in some battle 15 years before she was brought over as a 'tribal candle' and, as a matter of fact, the father of the present Sekukuni is really the full brother of Sekukuni's father. But Mora Mucha is the mother of the present Sekukuni.

Now you think that animism is still strong even amongst the more advanced Natives?- Yes.

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That makes the position of the Chief an extremely strong one does it not?- Yes, it does.

Provided the Chief will live up to the obligations of his forefathers, he is the strongest man to be put in charge?- Yes.

Therefore, for administrative purposes, you regard him as the strategic leader?- Yes.

He must be educated in order to be able to exercise his authority?- Yes. When you come to deal even with educated Natives, their mind is still permeated with tribal superstition. They cannot get away from it. They have been born in superstition and it is always with them. Now, it is an extraordinary thing, but an old woman in her dotage, the grandmother of the one of the Indunas of the Zebedeila tribe is the influence at the back of the Chief's authority. I tried to tackle her, but she was beyond me, she was mad. She is the influence and her influence comes from nothing but superstition, which fills the Native mind. She is the influence of the tribe and they say "It does not matter what we do, we must pacify this old thing because she has tremendous power". Even the Chief himself is afraid of her and things will not right themselves among the Zebedeila tribe until this old woman dies. So long as she lives, so long will superstition be there and so long will she prevent them from going ahead.

SENATOR VAN NIEKERK: Has their superstition got anything to do with their agricultural backwardness?- To a great extent yes, superstition involving the control of agricultural plots, the doctoring of lands, lands that lie fallow. That is one of the great economic factors in Native reserves, in fact I should say it is one of the greatest. There is plenty of land in your Native reserves,

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- there would be plenty if there were not so much land lying idle under the lehurite custom. You know what it is. The Chief has control of the land, The kraal head goes up to the Chief and says "I must have land for kraal". The Chief dishes the land out to him and that man holds that land in perpetuity; he and his successors hold it and the Chief cannot take it away from them. When that land is worked out, he will take up other land again, but he still retains his hold over that other land which consequently remains there lying idle. I have had experience of it and I have found land lying like that for twenty years and they will not allow anyone else to come in and cultivate it. I have said to the Chiefs "Now is your time to exercise your power - that land has been lying idle there and has not been cultivated for 20 years and I want you to do something with it, give it to someone else." But you cannot do anything, they have simply said "No, our forefathers would not do that and my tribe will not back me up if I do it." And I can talk to them till I am black and blue in the face, but they will not shift. And that, incidentally, is one of the reasons why they are always crying out for more land. There is so much land lying idle, land with which they are doing nothing, that they require other land to get on with.

MR. LUCAS: Major Hunt succeeded in a case like that? - I didn't know that. I know I did my best but I could not succeed.

MR. MOSTERT: Is it not possible for us to allocate these lands and do away with this pernicious system? - Yes, I feel that one should do something and I have always done my best with the Chiefs, but from that angle

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I have had no success. One cannot get over their prejudices.

There is the land and there is the demarkation of it. Now could we not say "That is your arable land and your grazing is set aside"?- Yes, I think possibly one might do that, provided you have the natives with you, provided you can convince them that it is the right thing to do. But that is the difficulty again. Any innovation of that sort is looked upon by them with absolute suspicion and distrust.

That will have to be broken down?- Yes, it cannot go on like this.

And then the overstocking?- That is a great difficulty with which we have to contend.

SENATOR VAN NIEBERK: Is lobolo at the back of it?- To some extent, but not entirely. That is also allied to a form of animism. It is the worship of the cattle, it is a tremendous ethical influence of the cattle. The only reason why you have not got more detribalized Natives and a bigger influx into the towns, is the desire to possess cattle. Were it not for that, you would have many more Natives coming into the towns. It is the desire to possess cattle which is in the blood, just the same as we want to possess farms, so they want to possess cattle. They want to see their cattle lands filled and then they will be satisfied.

MR. MOSTERT: That is so, the Native is a ranches?- Yes, he is undoubtedly.

But what are we going to do as far as overstocking is concerned. An area will only carry a certain amount and no more. You are not benefiting the native by allowing him to have more on the particular reserve than

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that reserve will carry?- I think the time has arrived to take definite steps not to have more cattle on the place than that place will carry. The Natives here have spoken to me frequently and they say "How are you going to have that carried out"? We say "You shall not have more cattle on your land than perhaps ten. Say we lay that down as a definite rule." The next day you come there and find that he has 50 head of cattle there. The Native says to you "What right have you got to stop me". They are my cattle and you dare take them away." There must be some measure which will limit the number of cattle and to ensure that no more cattle shall be kept on a Native reserve than that particular reserve is able to carry.

And we have to show them that we do it for their benefit and not for ours?- Yes.

We have to show him that he is only making himself poor by having more cattle he does not sell off many and he does not kill many?- It is very difficult to get him to realise the position. May I give an instance. In 1926, we were face to face with a very bad year, especially so far as grazing was concerned. The location adjoining P'P'Rust was carrying something like 7,000 head of cattle while it was capable only of holding something like 2,000 head. It was a very serious position, and we anticipated severe losses. I went out to the location with a stock inspector and I saw the cattle. The cattle were not very bad then, but we realised at once that very soon there would be no grazing at all for them. So we got the Natives together and we said to them "Your cattle are fairly good today and they are sound enough now to be sold to the compounds.

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Bring us your cattle and we will truck them and sell them for you in the open market - not through the middleman, if you are afraid he will do you down, but we shall sell them in another way. We will put the money into the bank for you and as soon as the drought is over and you want to buy again, you can do so. We will charge you nothing for all this except the railway fare." They listened to us and said "Allright we will consider it". They considered the matter and then they decided they would not sell any. Then the drought came and they lost 3,000 head of cattle in that year. Out of their 7,000 head of stock they lost 3,000.

SENATOR VAN NIEKERK: We have been told that superstition has something to do with it, ~~which~~^{XXXX} why individual Natives do not go in for intensive cultivation; the Native is afraid that if he becomes too well off his life might be in danger; but that does not seem to apply to cattle; he can have any amount of cattle without being afraid?- No, that is so. Do I understand you to mean that the Native will not improve his methods because superstition is at the back of it?

MR. MOSTERT: If he makes too much progress in his own location, he is afraid that someone will smell him out?- Yes, there is something in that, particularly among the Bevenda.

CHAIRMAN: The spirit of the kraal is against any man going above the level of his fellows?- That is so. The moment a man becomes marked in that respect, with the Bevenda, he will have in his mind "I am running the risk of being a victim of the animistic rites - he says "Mokoku wamabele", where he is supposed to be possessed with the soul of agriculture, and he is sacrificed

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as a means of benefiting the whole of the tribe so that his soul of agriculture might be spread over the lands so that they may all get a good harvest, just as the individual has been getting it. That is animistic. That word is the swelling grain. He is beheaded. The doctors then take certain parts of his anatomy. You know that the Bevendas have their grain pits underground. His head is transferred from one grain pit to another, so that his soul of agriculture may be shed on the grain, and the grain pit will never be empty. The other parts of his body are cast and spread by the winds and his soul of agriculture, his soul of husbandry, will also shed its influence.

MAJOR ANDERSON: Apart from this experience of losing their cattle, did they realise their mistake?— They realised that they had made a mistake, that is so, but they still said that cattle were the soul of their existence; they must have cattle.

Even if it dies?— So long as it walks on four legs ^{it} ~~that~~ can be handed out as lobolo.

MR. LUCAS: Would you mind explaining what you meant when you said that it affects lobolo to some extent?— Well, a man has received cattle for his daughters. He is very reluctant about parting with this cattle in case he should become involved in some action against him through delinquencies on the part of his daughter, or daughters. They may leave their husbands, they may be barren, and he may have to return the cattle. In the same way with the Shangaans who have almost ceased to use cattle as lobolo. They have never really been very keen on handing over cattle as lobolo, because, before coin came into vogue, they used picks. In the olden days, the vogue was so many

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picks for a wife and not cattle. When the money came in, the Shangaans fixed £30 or £40 for a wife. They did not use that, they kept it because they were afraid that if a woman was barren or if she died without a child, or if she deserted her husband, the money would have to be handed back and they might not have it. And the same applies to cattle.

DR. FOURIE: And then, of course, he has to have lobolo for his sons too?— Yes, that is so.

MR. LUCAS: What other factors besides the religious and the lobolo factors affect the overstocking?— I think those which I have mentioned are the main ones.

Does the question of cattle being the Natives' bank enter into it?— Oh yes, it does. He reckons that cattle are his fortune and his position in the kraal is affected by the size of his cattle herd.

That is ostentation?— Yes.

SENATOR VAN NIEKERK: If we were to decrease the number of lobolo cattle, do you think that that would help us?— If it could be done.

You have not got the same code in the Transvaal as they have here in Natal?— No, fortunately not. I am rather pleased you mentioned that because I wanted to refer to it. I was very keen at one time on the codification of Native laws in the Transvaal and I could not understand why the Native Affairs Department were not anxious to go into it and codify it, but since I have been here, I have come to the conclusion that the codification of Native laws is a bad thing.

CHAIRMAN: Why do you say that?— For this reason. I do not know too much about it. But take your code in Natal. It was promulgated in 1891.

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Apparently a commission was sent out to investigate and see what should be put into the code. They seem to have conducted their investigations very thoroughly. It must have been towards the ends of the eightys when the investigations were made. They said "These are the laws which the Natives applied to themselves, and these are the laws which must be codified." The result is that you have laid down a hard and fast rule and the Native has not been able to emancipate himself. In the days when the commission went out to get the information which led to the codification of Native law in Natal, they found that the kraal head, the patriarch, was the man responsible for all the acts of the members of his kraal. They said we must still continue to be responsible for the acts. Therefore, if a member of the kraal seduces a girl of another kraal, the kraal head is responsible. The result is that patriarchal power has broken and shattered. It may have been alright in the olden days, but it is not so today. Today this lad goes to another kraal and seduces a girl and clears off to Johannesburg, knowing full well that the kraal head is responsible and has to pay the piper for the damage which he has done, while he is in Johannesburg perfectly contented with life. There you have a hard and fast rule by which you are keeping the Native back.

MR. LUCAS: Can you mention any other instances where you are keeping the Native back?— Yes, you cannot bring an action against the inmates of a kraal except through the kraal head. The kraal head is given power on paper which he cannot exercise because the natives have broken away from his control.

CHAIRMAN: A fixed system has been created

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without any machinery to control it?-- That is so. Native law is passed down from generation to generation. It did not originate from a law giver like Solomon. Native law is a matter of precedent and all these laws which are applied are gradually changed by conditions coming in. A wise Chief will say "The conditions which my grandfather had to deal with have changed, and are different from those which prevail today. Here under our contact with civilization, we have other conditions", and in his court he establishes another precedent. But where you have the codified law you cannot establish any precedents.

We have cut away any chance of growth?--Yes.

MR.LUCAS: Under the Native Administration Act, is it possible to amend the Code?--Yes, it is possible

In all areas?-- No , not in all areas....

Just in the Reserves?--In the Scheduled areas.

So far as these areas outside the Scheduled Areas are concerned, nothing can be done except by Act of Parliament?-- Yes, that is the position.

MR.MOSTERT: What would apply to one area, would also apply to the other areas?--It could apply there.

MR.LUCAS: We have been told that the Code is responsible in Natal for a change from lobolo as a sign of good-will to one of purchase or barter?-- I think it is very likely. They say the law says that you must pay and you have jolly well got to pay

Even in Christian marriages?--Yes, even in Christian marriages. In every Christian marriage I have noticed an endorsement that the requisite number of cattle have been paid, or that so many cattle and the "gnutu" beast have been paid, leaving so many to be paid.

Is not lobolo responsible more for changing the ownership of cattle rather than increasing the number of cattle-- is not it responsible more for transferring cattle ~~to~~ from one area to another?-- Yes, there is quite a lot of that, of course. But my point is this- that a man will hang on to his lobolo cattle; he would not dispose of his lobolo cattle except by passing it on to acquire a wife for his son; the general practice is to hang on to it as long as possible. Then, if he passes it on as lobolo for his son, he knows that he always has a claim according to native custom. It is rather an extraordinary thing, but it is the original cattle which is hung on to; the original man has a claim to his original cattle.

Will you please explain that?-- It does not/matter whether the cattle has been passed on-- the original owner who has paid that particular cattle as lobolo will have a claim to that particular cattle in the event of any circumstances arising entitling him to claim a return of his lobolo, and it is for that reason that the person to whom the lobolo is paid will hang on to it as long as he can and, if at all possible, will not pass it on.

What happens if the cattle die?-- Then he would have to replace them, i.e. the man to whom they have been paid in lobolo would have to replace them.

It need not be the identical cattle that would have to be returned?--^Ies, as far as possible the identical cattle with their increase. I remember one instance where the original cattle had passed through the hands of as many as seven people. Lobolo was paid to one particular individual in the first instance; something happened and the cattle had to be returned; the person who had received it had passed it on to someone else, and the second person had passed it again to someone else, and so on until it had passed through

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the hands of seven people. The first man had nothing to do with the people in between and he simply went to the last man, to the man who actually had the cattle; he said "you got those cattle from so and so, and so and so got them from so and so, and so on" He traced his own cattle back-- he traced them by their colour and their marks.

That would represent an important factor in overstocking-- the cattle must be maintained?-- I want to make it clear; I do not think that lobolo is the main factor responsible for overstocking; it is the sentiment based on animism: you must have cattle. Cattle was the very pivot on which their social and ethical life existed; it is absolutely in the mind of the natives that they must have cattle.

SENATOR VAN NIEKERK: Behind that or under it is the feeling that he must have cattle, or must acquire cattle for lobolo?--Do you mean that originally lobolo was responsible for this tremendous influence which cattle have on the minds of the natives?--It is quite possible.

MAJOR ANDERSON: If lobolo were abolished, would it still be as difficult to deal with overstocking?--I think so: I would not advocate the abolition of lobolo, but I do not think it would materially affect the position in regard to overstocking.

SENATOR VAN NIEKERK: It must in time?-- I do not think so. Take the Shangaans: they are just as keen on possessing cattle as any other tribe you may mention, but they do not as a rule lobolo with cattle; it is money so far as they are concerned.

Do not you find among the Shangaans that they are more apt to sell their cattle than the others?-- Yes, they do, but there is still the desire to have as many cattle as they possibly can.

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CHAIRMAN: You agree that the overstocking evil is too serious to wait for such a slow thing as the abolition of lobolo to cure it?-- Yes; you want something much more direct and it is going to be a very difficult thing to tackle because of the sentiment which surrounds the whole position. This week I have to go to Bergville. The natives there are so jealous of their position that they will not even allow the Government to brand their cattle with the East Coast fever brand and they are and they are almost in open revolt that their cattle, the cattle which they possess should be branded with a brand which is not theirs. That, of course, is pure sentiment.

MR. LUCAS: We have been told that lobolo in cattle is not of long standing in Natal; do you know whether that is so in the Northern Transvaal; is it an ancient institution there with cattle?-- It is as old as any law that you can think of. I say that originally cattle was the means of lobolo. From all my experience in Central Africa I find that cattle was the means of acquiring a wife. The reason why they had picks among the Shangasans was not that they said "no we shall not have cattle", but the tsetse fly was very bad on the East Coast. They had not cattle then. They had to substitute something, the same as after the rhinderpest they had stones and a man had to redeem those stones. The picks came into vogue owing to the ravages of the tsetse fly.

Is the Bogadi system in any way different from the lobolo custom?-- No it is the same custom.

CHAIRMAN: Bearing in mind what you have told us about the animistic bonds which hold the Native back, how can one, by Government action, do anything to bring about

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that advancement in agriculture which is so essential to the welfare of the Natives?- I should say that it could be done by having more trained demonstrators.

You mean trained demonstrators of their own race?- Yes, by means of demonstrators who understand the Native and the language of the Natives with whom they are dealing, not exactly the kind that we have today. Fortunately, that when they allowed me to have a demonstrator in P'P'Rust I was able to select my own man and just at that moment a Native wrote to me from Basutoland. He had obtained an appointment under the Basutoland Government and he said to me in his letter "I hear you are instituting a system of agricultural demonstrators and I want a job". He told me what his qualifications were, I got that man and he was an absolute success. He was one of their own men from that area in P'P'Rust who had been away for some time, and when he came back there and told them what to do, they said "He is one of our own people and what he is telling us must be the truth". His efforts have been very successful. But in Sekukuniland they sent a Transkei Native, a man who did not know their ways there and they would have nothing to do with him. They told him "Your conditions in your country are different, do not come and bring us ideas and enforce them upon us, which we do not want". So much so that Major Hunt said that the man was useless. The Supervisor came to me and asked me to try that man and I said alright, but it was no use. I am opposed to these men from other parts coming to us. That man was a failure with me as well. I say that if we have demonstrators, we must have tactful, patient men who will show the Natives by ocular demonstration

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by demonstration plots, the advantages of working their land properly, the advantages of having their lands in certain positions and if the demonstrator can shew these people exactly what they should do, then the Native will see how it works. They have seen things on the farms of the European farmers, but they say "We cannot introduce European methods into our locations". But if you have proper demonstrators you will do better and my contention is that you must have a number of them.

Take the locations in your former district. How many demonstrators did you have there?— And how many should there be in one district to do the work ~~xxx~~ properly?— There should be two at least for the moment, but more later on. The demonstrator I referred to started off by trying to instil into the Native mind the idea of having fertilizers put onto the land. He hoped that through getting them to see the advantages of a fertilizer, that he would induce them to adopt methods which would prove of great advantage to them. He tried to teach them the advantages of fertilizing their land, and to a certain extent he was successful. For the moment, I think, two demonstrators would be sufficient.

You have four big locations there have you not?— Yes, I have.

One demonstrator to every two locations is your idea?— Yes, they have taken this one man and given him the Sekukuniland location, which is equal to any two other locations. This man has to divide his time among the two locations. ~~xxxx~~ He came to me and he said that it was quite hopeless for him to try and divide his time among the two. It is a waste of time to expect these men to do more than they can do.

Why I queried two is because it seemed rather

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little if you have four large locations?— I reckon one man for Pashlela's location and one for Sekukuniland and then you could have one for the two smaller locations.

But even those three locations which you have there cover a very large stretch of country?— Yes, that is so. This one man met with a very great deal of opposition from the Chiefs. They said "Why do you come and introduce methods to which we are not accustomed". But there was one Chief there, Bakkeberg, who saw himself that it was a very good thing and he said "I am going to have my official lands cultivated and ploughed according to the methods which the demonstrator is shewing and he did so." But the other Chiefs said no they would not do it.

MR. LUCAS: Did he have satisfactory results?— No, unfortunately it was a bad season.

CHAIRMAN: What view did Alfred Manbi take?— Oh he is a hopeless chap. His father died in a lunatic asylum and he is likely to die there as well.

MR. LUCAS: Now, is what is being done with the demonstrators sufficient, are they given enough facility to do their work ~~properly~~ properly?— Yes, I think so to start with. It is of no use launching out on an expensive scheme which is beyond the comprehension of the Natives. You have to start with the demonstration plots so as to convince the Native that he will benefit, convince him that it is better to put a load of his kraal manure on the land than sell it to the estates for 5/- a load. But they will not manure it. They prefer to sell the stuff rather than put it on their lands.

Did you find that the demonstrator was able to convince them of the value of manure?— The idea was to

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convince them and everything was done in that respect. Where you have your demonstration plots side by side with the land of the ordinary Native, it is very useful. If you can show him the difference in the yields from the one plot and the other ones surrounding it, if you can give him ocular demonstration, you must convince him.

Was the demonstrator there long enough to enable you to see the results of his work - before you left?- Yes, I think so.

Very well, how would you describe the results?- He started with seed selection and he showed them that the type of seed which they were using was played out. They were using the same old seed from year to year and they were producing a tiny little grain which was useless and he induced a number of Natives to allow him to select the seed for them. He went to the farmers who gave him seed for nothing and at the end of the first season he brought an armful of crops to me which I sent to Sir William Thornton. They were produced from the plots where he had sown these seeds. The next year there was a great increase in the demand for seed. The farmers in the neighbourhood of Zebedella's location all gave the seeds for nothing and I must say that the farmers took a very great interest in everything there. There are very many men greatly interested in the advancement of the Native as an agriculturist.

Can you mention any other instances?- Yes, I noticed the response to his advice that they should go in for winter ploughing. There was a time when if

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you went through these locations you would see no winter ploughing done at all. Plough as soon as you have reaped your crops. As soon as your oat stalks have been eaten off, plough. There was a tremendous and very gratifying response to his advice that they should go in for winter ploughing. He told them to get their lands ready. If you have your lands ploughed, if the soil is loose, all the moisture that falls will soak in instead of it running off, and allowing the land to be trodden down hard. Under the old conditions all the moisture was allowed to run off and it was only a very heavy rain which enabled the ground to be properly soaked. There was a very good response to that too. Then he tried to start with the selection of bulls. I told him that it was a very difficult thing because, although we have done our best to improve conditions among the Natives in respect of the improvement of their stock, they will not listen and you never know where you are with them. Most of these Natives may have a span of ten oxen and you find that half of them are bulls. Some people say that that the native very often selects the bull by the size of his testicles; it does not matter what the animal himself is like, it does not matter what his size is-- they select him by the size of his testicles.

Are there many other instances where the demonstrator was successful; did he succeed in getting many of them to use manure?-- No, only one or two. The view I took was that it did not matter whether he succeeded at once or not. As a matter of fact the manure had all been bought up by the Sebediela Estates; they sent all ~~the~~ bought u

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round for it and they bought the lot, so there was no manure available, but I said to the demonstrator "Just go on with your demonstration plot" and in the course of time the Native will begin to realise that manuring is worth while and the man will see that he will get his ten bags to the acre instead of his two or three. And then, with regard to sheep, he wanted to introduce a better class of sheep. The Black Persian does very well there. He is a very ambitious fellow, is that demonstrator, and he was disheartened very often through the Natives regarding the whole thing with suspicion. I admire that fellow very much. He had passed through the circumcision school. He was educated at Lovedale, but before that he had passed through the circumcision school, so that he had an entry to those schools and he said "Look here, we have so many of these schools and the course is a three months' one. I intend visiting these schools and lecturing these young fellow and see what can be done." I noticed that there was a growing desire among the men like Pashlela who cannot break down the circumcision schools, to introduce a form of education and let the young men there have some lectures. This demonstrator used to go round lecturing these boys on agriculture. Of course, all these things are bound to have a great accumulative effect - the effect is bound to be great in the long run. I cannot say that I can show you the results now, it would be a gradual thing, but I feel convinced that in the course of time the results will be excellent. Of course, the main thing is this, that we should try and convince the Natives that we are really and genuinely anxious to do something for their advantage. We must

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try and break down the suspicion, the spirit of suspicion which lurks behind his mind every time you suggest anything new to him. That is the great thing which we should try to do. The Native says to himself "I wonder what the white man is after, I wonder what he is thinking of". Let the Native get confidence in the Officials of the Native Affairs Department, the people who are dealing with him, let him have faith in them, so that he will go to the Native Affairs Department for advice on matters affecting his welfare, rather than that he should go to the I.C.U. or to the Transvaal or South African Native Congress. That is the difficulty, to get behind the suspicion which lurks in the Native mind, to convince him that there are people who are genuinely interested in his welfare as an economic factor influencing the destiny of this country. That is a point which I wish to emphasize because I feel that in that direction we can do a great deal of good.

MR. MOSTERT: You said that when the demonstrators showed them that their high bred mealies and their seed were no good and induced them to use good seed, so that he actually had good results --- did the Native then realise that he had been doing wrong and that it was the right thing for him to improve his methods?-- Yes, in some instances, but not all of them. They did not all of them say "Yes, we must have this seed", but quite a number of them did so. The whole thing is gradual. We cannot expect these people to be unanimous nor can we expect the results to be instantaneous. Quite a number of them said "We do feel that we should have better seed and we must go to the demonstrator and ask

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him to select our seed. In kaffircorn, for instance, they produced very fine samples of kaffircorn from seeds selected by the demonstrator, which he got from a farmer. It was an American species of kaffircorn, very heavy ears and low stalks. He dished that seed out, the Natives used it and the result was very gratifying. They sent Thornton specimens of the kaffircorn produced. He said "I can get a form of nullet". He said "If you like I can get a seed from Central Africa which will produce an ear about two and a half feet long". I put it up to them and they said "Yes, let us have better seed, no matter what it costs us". They were very keen themselves. So there you saw the thing gradually taking root. You see, there is an incentive to them, and when they see the results and when they know what they can do, they are anxious to do it.

CHAIRMAN: What do you think would have the best effect, a small number of demonstrators very intensively trained, or a much larger number with the training in the ordinary rudiments of better farming?— I personally should favour intensively trained men. I think it is better. An intensively trained man is better able to explain things himself. You might say "Why go along to Tsolo or Fort Hare or Lovedale, you might go to a farm and there learn what has to be learned". You might get a boy who has learned to plough the lands and send him along to train the Natives. They won't take any notice of a boy like that. You see, there is a sort of pride among them. They want to see a man who has been properly trained, but I will say this — do not make the

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course too difficult. Today, for instance, they have to take a very difficult course in veterinary science and I do not think that that is really necessary. You have your veterinary officer too, but the demonstrator should know sufficient to go about, to do the castration of animals for the Natives. And there you have another point where they have responded to the advice of the demonstrator. He said cut out your methods which you have followed so far and let me teach you how it should be done properly, and he used to go round and do the castration of the animals instead of their getting two stones and bashing the testicles to pieces.

MR. MOSTERT: Does he use the Burdizzo?— Well, I have asked the farmers whether they thought it advisable that this demonstrator should be given one of these instruments to go round, but they all said no, because the result has been very unsatisfactory among the farmers there. There have been quite a number of cases where they have not responded at all — quite a large percentage did not respond. So far as I understood, it was not successful and a man with a large experience in the Argentine told me that you could not always rely, if you cut the cord, on the animal not being fertile. But the Natives came to the demonstrator and he taught them how to castrate properly.

SENATOR VAN NIEKERK: Now you have had experience of Natal and the Transvaal. How do you find the pass system working?— Do you find the Natal system better than the Transvaal and do you think the time is ripe for a change in the pass system?— The two systems are so

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totally different. Here you have a system where you have an inward and outward pass. Any Native coming in from the outside has to take out a pass here. If he is a Native belonging to an adjoining territory, he has to take out a pass here, and if he goes out he has to take out an outward pass. Here in Natal, you have the identification pass system. You do not take the identification pass from him. In a sense it is superfluous. It does not serve any more purpose than the tax receipt. It is applicable to females as well as to males, whereas in respect of the tax receipt, you do not have the females included. I think that the tax receipt properly filled in would be sufficient identification.

DO YOU think that we could simplify our pass system?— Yes, I think we could. There are so many formalities and these people, some of them very unsophisticated people, have to carry their passes in their skin bags and their passes become badly mutilated. I think that a very much simpler system should be adopted.

MR. LUCAS: Do you favour simplification of the whole system?— I do.

SENATOR VAN NIEKERK: Have you had an opportunity of comparing the position of the town Natives with that of the farm Natives, i.e. economically, and also of the tribal Native?— That is going back to one of the causes of detribalization. The reason why Natives are becoming detribalized is due to the fact that they have begun to realise that the old system of tribal government does no longer fit, and they want to break away from it. Autocratic social organization which

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was quite good enough for their fathers and their grand-fathers, does not suit them today. Contact with a higher civilization has brought about a totally different state of affairs, he has assimilated ideas of his own and he says "No, I am not going to be bound by all this tommy rot surrounding tribal organization", and he breaks away from that, he breaks away from the yoke of tribal control. The flow into the towns would be every so much greater if there were not the sentiment attached to the possession of stock. In the town he cannot possess stock. It is ^{the} only thing which holds back a lot of them today, but many of them lead dual lives now. In town they become detribalized and they adapt themselves to the conditions in the towns, but they still manage to keep up a link with their tribe for the purpose of having their cattle in their kraals at home, although they themselves are living in the towns. Then again, there is the overcrowding due to the factors which I have mentioned. There is no scope. Then there is the social life and the freedom and these other advantages which they enjoy in the towns. After a day's work is over these young fellows know they can do as they like, at least in most cases. I am now referring so much now to domestic servants, but to the Natives in factories and stores, and so on. They are free after their day's work is over and the kind of social life they lead in the town appeals to them. They accustom themselves to these changed conditions and they like them, and when they come back to their kraals they no longer like it, they tribal life and conditions are irksome. Then you get a tremendous flow of Natives from the farms, Natives

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who will rush to the town and become entirely detribalised - they go away so as to get away from the squatting system. Now the squatters system itself is very rarely understood by the Natives. It is quite impossible to convince a Native that he is getting anything in return for his labour. You say to him "Your cattle have been grazed on the farmers lands or lands have been given to you, and your women and children are kept on the lands, and you have to pay something for it". They will not understand that. Others who are living on unoccupied farms pay £3 or £4 per year and have to pay so much for their cattle. You tell the natives that and you point out to them that they get their living for nothing and their grazing for nothing but they cannot and they will not see it. They call the squatters system the "Somaar" system. They say "I work for nothing". They call it the "Keberek somaar" - "I work for nix". That is the attitude they take up.

CHAIRMAN: Does not that refer to the system under which 90 days are spread over the whole year? - No, there he said "Bewereke 3 months", but with the other they say "Somaar".

It means that they work for 3 months? - It means that they are working for a dead horse, that is what they consider .

Your point of view is that the squatters practise is equal to the "Bewereke somaar"? - Yes.

Mr. Yates said that the Natives were complaining that the farmer did not keep his contract. He would make an oral contract and then when it came to carrying it out he would include something which had never entered before,

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and that lead to a lot of illfeeling under the oral contract which could be varied by the farmer, and that was why it was called the "Somaar" contract. I have tried everywhere to induce the farmers to have written contracts and I think it would be a very wise measure to make it obligatory on the farmer and the Native to have written contracts so that you shall know exactly what the position is. Today a farmer will often change his year --- instead of having it from the 1st January to the 31st December, he will say my year runs from the 31st July to the 30th June, the idea being to get the seasons in and a great deal of confusion arises through it not being explained to the Native what is the real year for which he has to render his 90 days service.

DO You know of the use of the word "Somaar" being connected with the fact that the contract was an oral one and that conditions were being changed? - No, I did not know that.

Now, about the disadvantages of the oral contract? - Very few farmers really go to the trouble of entering into a proper contract. A man goes to a farmer and says he wants to work for him and the farmer says allright, so and so are my conditions and the man starts working. Otherwise you have this - a man goes over and buys a farm. Very often farms change hands. Now, instead of getting all the Natives together and saying to them "So and so is our agreement and I am your baas and that is the end of it", this man will go along and he will apply the terms which he has probably been applying to his squatters on the farm which he has sold to someone else.

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Those conditions are not exactly on all fours with the conditions to which the Natives are accustomed. It should be made compulsory for a farmer to enter into a proper contract with all his squatters, so that the squatters shall be exactly where they are. Today you find that the unfortunate squatter is very often landed in a court because of his ignorance of the contract.

SENATOR VAN NIEKERK: We are told that it is the squatters who are opposed to the written contract?— Yes, that is so. As a matter of fact, I have mentioned it at farmers' meetings. I have said to them that there is a form of contract which they should all enter into and it could be done if they would all combine. Then there would be no difficulties. Today there is this, one man is afraid to start this sort of thing because his squatters neighbour may move off to his neighbour's farm. If they were all to combine there would be no trouble. The Native will know that he has to submit, and he will submit.

MR. LUCAS: Have you ever come across a case like this, that where a farm was sold a Native had for that year done his three months' work, but the new purchaser came along and claimed another three months?— Yes, I have come across that and I have come across very much worse cases too. The squatter system is a question of higher hire of labour. It is a case of hiring and letting. The squatter at the beginning of the year is given the option to serve his three months. The squatters law says that if a man wishes to leave the farm, he must give three months' notice to the owner. Well, say the squatter gives notice. He tells the farmer "I want my trek pass in three months' time". The owner says "Oh no, you must

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work another three months. That was after the boy had actually worked three months. In many cases I have had to step in and say "No, that man has given you three months' service and you have to give him his trek pass now".

Will you give us the different varieties of squatters contracts which you had in the P'P'Rust district? They all more or less stuck to the 3 months. The only law on the point, of course, was the old tax law which said that to be entitled to the reduced rate of £1 instead of £2 a man shall be a farm labourer if he has rendered 90 days service. That is the only legal reference, but it was customary to have 3 months. Some farmers said "We shall have 3 months, but it must be 3 months continuous service". Others said "No, it is 3 months extended over 12 months, called upon at different times as we require you". "You must hold yourselves ready to work for me whenever I want you for a week's service," and so on. Others again said "We must have 90 days free service from you, and after that we shall have the 9 months as labourers on the ordinary rate of wage. That means that you cannot go to work elsewhere so long as I have work for you and pay you. When I fail to give you work, then only can you go to Johannesburg." Others again said "I do not like this free labour business; I shall pay you a wage throughout the year and you work 12 months for me". There are farmers in P'P'Rust who have no free labour and the Natives have to work for them throughout the year.

Did you come across these two days' per week

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system , throughout the year?- No, I have not come across that.

Were the women required to work as part of the contract?- No, not as you have it in Natal.

Were the squatters fed by the farmer?- While at work, yes.

And if the squatter had four or five sons, were all of them required to work?- Only after they had started paying taxes.

SENATOR VAN NIEKERK: And then usually the old man was let off?- Yes, but in other cases the piccanins had to work. I do not think the system was quite so exacting as I find it in Natal, where apparently the farmer has the right to demand that the whole household shall come out and work for six months instead of three.

MR. LUCAS: What is the payment in such cases?- In some cases it is 10/- per month, and in many cases no payment at all.

Was there any payment during the 3 months in P'P'Rust?- No, excepting Mr. Todd's case, where he paid them throughout the year.

And in the cases you have come across here, would you say that the cases where they get 10/- per month predominate, or otherwise?- The 10/- cases are very few.

I notice that in some places it is three calendar months and in others it is ninety shifts, which makes it nearly four months, which was the system that prevailed at P'P'Rust?- The shifts prevailed; but then, instead of calling upon men at odd times to do a shift, the custom was to keep men continually employed on shifts. The man did not do three calendar months; it was counted as 90 days, and Sundays did not count.

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Do you know whether that is the usual thing, the substitution of shifts for calendar months?— No, I do not think it is. When I went into the district in 1905, I found that they were giving them the 90 days' system and they got tickets.

CHAIRMAN: The old law was exemption from portion of the tax for 90 days' service, and not three months?— Yes, that is so.

Three months' was a loose way of thinking of the 90 days?— Yes.

With regard to compulsory written contracts, do you think it is feasible to introduce that throughout the Union?— I think it is feasible to introduce it to the Transvaal, the Free State and Natal. As far as I have been able to study the position in Natal, it would be quite feasible. The Free State they are more or less than in the Transvaal, but whether it is possible in the Cape I do not know. I do not know anything about the Cape. I do not know whether they have the squatter system there.

To allow for local differences, would it be a feasible thing to have a system such as they have with compulsory fencing; under which areas are proclaimed for that purpose?— I do not think that it would be wise. You would come back to the same thing again. You would make it a sort of parochial business. Say you had ward No.1. They might say there "No, we won't have it". While in ward No.2 they might have it, and that might disturb the whole of our labour conditions, and the result would be that you would have no co-operation.

There would be difficulty on the borders?— That is so.

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Coming back to the detribalization, you described the circumstances under which the Native, while continuing to hold to his tribal customs, is personally detribalised. That, ultimately, leads to complete detribalization? - Yes, it does.

Which are the factors leading to complete detribalization? - The main fact I think is the freedom which they get in the towns, the wages they earn in the towns and the social conditions to which they have adapted themselves in the towns.

That attracts them to the towns; complete detribalization only takes place when they bring their family out and relinquish their tribes? - I do not think so, I do not think that you will find that a detribalized Native has brought his family out.

MR. LUCAS: What do you mean by detribalization? - A man who has cut himself off altogether from his tribal organization. He has gone to the town and he has become a lekolwa. That term is applied differently in Zululand. It is taken from the Dutch word "geloo". It means christianised. He goes to the town but he may have his wives at home. You ask his people where is he and they say he is a lekolwa. He has become essentially a dweller in the towns and he has nothing more to do with the Chiefs.

We were given to understand that a Native had gone to Cape Town and had got married there, but had come back after twenty years. He went back to his own kraal. Now would that Native be detribalized? - Yes, he only came back because he thought that he could get something by coming back, but at the same time, although that Native came back, he would not remain there.

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DR. ROBERTS: Does the Native ever lose the sentimental and social recognition of the Chief?— No, he always retains that. He will always pay respect to his Chief whenever the Chief comes to the town where he is working. He always pays his respects.

So you would still call him a detribalized Native?— Yes. He may pay nothing to his Chief. His Chief goes to Johannesburg and although he does not pay a tax on anything to his Chief, he will pay his respects. The exactions that are made in the locations are made on his time or are made in the way of taxes, and a Chief is always trying to get him to pay some money. When the Native is detribalised, he is rid of these exactions. But I say this, that our policy today is such that we are making the Chiefs dishonest. We have regulations and we say, the Chief must do this or that. He is a representative of the Government, he is there to attend to various matters, and he has to obey the orders of the Native Commissioner. He has to do this, that and the other. But, what do we give him for this, what do we pay him. We pay him £4 per quarter. In the Northern Transvaal there was a time when the Chief's income was a substantial one. They imposed the sinkwa tax, and every Native who returned from work had to come and greet his Chief and pay him that tax. His income in those days was sufficient to enable him to live and to get what he required. He was able to get a pair of mules or a horse, or even a motorcar. But since we have ~~xixm~~ started the tribal levies, the Natives say no, we won't acknowledge the sinkwa tax, and as a result the Chief's income is reduced to nothing. Today, the man who pays most by way of court fees, when

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he goes to court, gets judgment in his favour from the Chief. The financial consideration comes in very considerably and that is why I say that it is our policy which is tending to make the Chiefs dishonest.

MR. LUCAS: The Chief fines both sides?— Yes, that is so, and that is a matter which is materially affecting the Native administration in the locations. We are making the Chiefs dishonest because they have to be dishonest if they have to live. They cannot go out to work and they have to do something in order to get sufficient money to keep themselves and to maintain their position.

SENATOR VAN NIEKERK: How can we remedy that?— We can easily remedy it. In the first place I say that the stipend paid by the Government should be increased. I have suggested to the Department of Native Affairs that a committee should be appointed to decide on the status of the Chiefs in the Transvaal. You should have your Chiefs classified properly. Here you have your big chiefs like Sabasa, Pashlela, Sekukuni, Matlala and so on. I should say that the smaller chiefs should not be entitled to the same fees as the big ones. But my contention is that you should fix your stipends on a reasonable basis. Then you have your tribal levies. For every pound that a Chief gets from the Government, I consider that the tribe should also pay a pounds. It should be on a pound for pound basis - each should pay half. That would give the Chief an income of at least £40 per quarter, £10 per month, that should be the very least.

And then the fines imposed by the Chief would go into the tribal fund?— You could take the

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court fees, no fines. The Natal Chiefs, or rather the Chiefs in Zululand, exercise criminal jurisdiction, but the Governor General has not extended that to the others. But they have certain civil jurisdiction. Of course, there are no fines, in civil cases, but the court fees could be paid into the tribal levy account. I only mentioned this £40 per quarter casually. My contention is that you should give the Chief something that he can live on and feed himself properly. If there is a Chief at all, if you give him certain duties, you must also see to it that he lives in accordance with the dignity of his position.

DR. ROBERTS: That excellent system which you are advocating would not hold if you were to establish a council such as you had in Sekukuniland and elsewhere?— Yes, it would, I do not think that a council would alter conditions at all.

CHAIRMAN: Do you think the criminal jurisdiction given to the Chief is not a good thing when the Chief can impose fines, as he can in Zululand, for his own use?— What I feel is this — if the Chiefs in Zululand are capable of exercising criminal jurisdiction, then why should not the other Chiefs be able to do the same thing.

Well, we are coming to the question if they are capable?— A Chief has to keep up his power and exercise his authority. He has to see to it that noxious weeds are eradicated. He calls on his tribe and appoints so and so to attend to these matters and if his orders are not carried out he should be able to fine these people, or something of the kind. So long as his order is a legal order, he should be given the power to

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see that his orders are carried out. The Chief should have the power to punish those who flout their authority.

What is to happen to these fines?-- Where you have your system of paying your Chief an adequate stipend, and the tribe contributes to it on the pound for pound basis, then the fines should be paid into the tribal fund.

Do you think that that could be usefully extended to the rest of the Union?-- Yes, I certainly think so.

Now, coming to the detribalised natives, the men who have broken away altogether from the tribe and who have taken their families away. Why do these people take their families away, thereby sacrificing certain economic assets?-- I do not know that I can say that they do take their families away. You see, in most cases the young man goes away before he has a family, and he has a family where he has established his home.

That man is also detribalised. Are we correct in assuming that he has given up certain useful economic assets in the tribe -- the right to work a certain amount of ground, the right to live there and to graze their animals, and so many other rights; are we right in assuming that the Native who goes away has sacrificed those rights?-- Yes, in certain conditions he has.

Are those assets which he sacrifices not worth more than any economic assets which he may get in the towns?-- He may not get any economic assets in the towns. But he has broken away, he has finished with his tribe.

Yes, that is so, but are not these economic assets worth more than those which he gets in the town. He goes to the town for other purposes. I am trying to compare the values?-- You mean, apart from his way of looking at it.

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Apart from non-economic reasons for which he gives up his tribe. He is giving up certain definite economic assets and advantages? - Yes, that is so. He looks upon it from a different point of view probably.

And when working for that wage which he gets in Natal he is faced with the competition with people who still have these economic assets in their kraals. He is faced with competition with people, who although they are in the town, have not given up their rights in their kraals. Now, is he not worse off than all these people? - No, a lot of these natives who have become town dwellers are in fixed employment, and they are drawing better wages than the casual labourer who just works for six months and then goes back to his kraal. The man in regular employment generally draws a better salary, and to that extent he is better off than the man who goes home to his kraal periodically.

Do you think a considerable proportion of detribalised Natives draw better wages than those who just casually come in from the reserves? - I think so, although I have no reason for saying so. I have not been in contact with the town native for a long time, but I am of opinion that that is so.

Do you think that a certain proportion, a fairly considerable proportion, do draw larger wages than these others? - Yes, and I think it is only natural that they should. They are in permanent service and they have acquired a certain skill at their job and they get increases and of course they are in a better position to demand better pay than the man who just comes in casually and has to learn his job all over every time when he comes to the town. I do not think there is any doubt about that.

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Naturally, for a certain number of them it must be the case, but some of our witnesses seemed to think that it is a relatively small number who gained that additional wage in towns? - Well, I should hardly think so. I should think that the skilled Native, i.e. a native skilled at his job, the Native who is permanently on his job can always command a better wage than the one who always remained what is called the "raw kaffir".

Now, with regard to the landless native population. Do you consider that the fact of there being so many landless Natives is due to the bad use which has been made of land in locations? - No, not entirely, because in some areas - in this district for instance - we have a large Native population of 50,000, with only fifteen Chiefs. Only two of these Chiefs have land, which they bought long before the Land Act came into force. No locations at all. Their followers are distributed all over the farms in the area and even the Chief himself is a squatter on a farm. There are three of these Chiefs, I think. One of them lives in town. Apparently no provision was made for these Natives; there is nowhere for them to go to and really they are at the mercy of the farmer.

There is land for them to work, but owing to the conditions which apply in their farming, they cannot make an existence? - It is Hobson's choice, they have to accept the conditions ----

You are referring to farming conditions. They can work on the farms but on the conditions applying in the farming areas? - Yes, that is Hobson's choice.

But in the locations they have not got enough land owing to their haphazard methods of working the lands? - That is partly one of the causes.

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SENATOR VAN NIEKERK: Do you think we should make provision for these Chiefs whom you have just mentioned?— Yes, we expect them to control their tribes and we look to them to perform certain duties, and that being so, it is only right that they should have a right to a place where they can be buried.

CHAIRMAN: Would the setting aside of a certain area for these Chiefs be regarded as a friendly gesture?— Yes, I certainly think so.

MR. LUCAS: Do you have any Chiefs here working as squatters?— No, I find that any kraal head, if he had a large family, would be exempt, provided he supplied the farmer with sufficient labour; he himself would not be expected to work for the farmer except during the sheering season when everyone in the kraal is expected to come it.

MAJOR ANDERSON: What duties are these Chiefs, who have no lands of their own, expected to perform?— They are hereditary chiefs and the regulations of the Native Administration Act apply to them just the same as they apply to the Chiefs living in a location surrounded by his people. But of course, their complaint here is that they are expected to perform duties, while they have no control over these people who are subject to the control of the farmer. I do not say that land should be placed at the disposal of such a Chief and that all the Natives should be placed under the control of that Chief, but there are a certain number of Natives who cannot find homes to live on.

Where do they live?— They have nowhere to go and the result is that they are squatting on the town lands of Ladysmith, which are 17,000 acres in extent, one third of which has been sold to private individuals

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and these people leave the moment they have a disagreement with the farmer. They leave the farmer and they come here to the town lands because the Land Act does not apply to these town lands. Here on the town lands they pay 5/- for a small piece of land. How do they live - well they make kaffir beer. No one has any control and conditions are most unhealthy for everyone. But those are the conditions which I find prevail.

CHAIRMAN: A number of Natives go away from their own areas to work for Europeans either in the ^{or} towns/on the farms? - Yes, that is so.

Has that any material effect on their own agriculture? - Not to any great extent. I think the position was made clear to you in the Northern Transvaal. You see, the Native does not do very much himself in the way of agriculture. He will perhaps sit under a murillo tree and watch his piccanins ploughing - if you call it ploughing. The women do the other work. But even there, the women today are doing less work than they used to do before the plough came in. A woman consider it infra dig to handle either the plough or the oxen. The piccanins do it and the men watch it. Now that ploughing is done in any case, whether he is at home or not. The tendency is, if the season promises to be a good one, for these people to come back from where they are working. They do not come back so much because they want to work, but during that time of the season, if conditions are good, they know that they are likely to be a whole series of beer drinks, and they come back to joining in these parties. They are attracted back by the social conditions which prevail during that period of the year. During that

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time they get as much beer as they want, they thoroughly enjoy themselves, they go to weddings and they do a little work in return for the beer which they receive.

CHAIRMAN: Can you mention to us any of the Native tribal customs which militate against the improvement of their agriculture? - customs and superstitions and so on? - Yes, there is the doctoring of the land.

How is that done? - A man has a bit of land allotted to him and before he uses it he goes and gets it doctoring by the witch doctor. It is doctoring in the same way as a village is doctoring. A village is laid down out and they doctor the village in order to keep the evil spirits away. And the same with the land. He goes to the witch doctor and he says "I want you to doctor my land so that it shall not be encroached upon by anyone else". The witch doctor comes and performs the rites and they believe that if anyone else uses that land, some evil will befall him.

What does the doctoring consist of? - The usual incantations, or some powdered herbs, or things like that are thrown over it. You find a tree on the land invariably and that tree has the power of watching over the interests of the owner of the land. These people are very superstitious and it will take you many years to get rid of that superstition.

MR. LUCAS: How does that doctoring militate against the economic use of the land? - For this reason, that that land will only be used by that particular man; and that is one of the reasons why so much of the land is lying fallow.

CHAIRMAN: What other beliefs are there? the doctoring of seed, for example, is that practised generally? - No, I cannot say that it is.

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SENATOR VAN NIEKERK: The fixing of the season? - Q Yes, that is general throughout, no ploughing may be done until the season has been declared open in the same way as no reeds can be cut until the cutting season has been declared. All that is governed by the Chief and declared by the Chief.

CHAIRMAN: That will militate against winter ploughing? - It does, undoubtedly.

MR. LUCAS: There must have been some enlightenment before that demonstrator whom you told us of could have got winter ploughing done? - Yes, every tribe has its official plot and that plot has to be sown first of all. It may be that the demonstrator succeeded in getting the official plot ploughed in winter and that of course would enable the others to follow suit.

CHAIRMAN: Have you any experience of the conditions under which Native labour is recruited here? - Yes, I have.

Do you think that that is a system which should continue generally? - You have the agricultural recruiters, Hadley's organization, and then you have the recruiting that is done ^{for} ~~by~~ the mines by the Native Recruiting Corporation, and then there are a number of others.

It has been represented to us that there are quite serious abuses in connection with recruiting in respect to the advances that are given. We have had it put to us that the Native takes an advance and then absconds after a few days. Then he goes back to the recruiter and he gets another advance? - Yes, you do find that, but then abuses are apt to creep into anything.

MR. LUCAS: Do you find that recruiting

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really leads to the employment of any more Natives than would be employed if there were no recruiting. I mean, take the Union as a whole?— Yes, I think so. Of course, a Native really has a deeply rooted aversion to being recruited. He thinks he is being sold. Many of them will go voluntarily, not to a recruiter, but to the mines, and say "I am available for labour", but when they find themselves in a corner and cannot pay their taxes, then they will go to the recruiter, get an advance, and then go out to work.

They would have to find that money somehow?— Yes, that is so.

So really the recruiter is the bank?— Yes.

But that really does not make men go out to work, it merely attracts them in a particular way. Could not that be met by a better method, better from a national point of view, by some bureau, rather than this expensive system of touting and recruiting?— I think it would be a good idea.

MR. MOSTERT: If you were not to have recruiters, would you have sufficient labourers for the works and mines and for agriculture?— I think the tendency among the Basutos, the Transvaal Basutos, is to take up work other than mine work and that the recruiters do divert a certain flow of labour to the mines from the Basuto-speaking tribes who would not otherwise go to the mines.

MR. LUCAS: That is diverting labour from one class of employer to another?— That is so.

My question was in regard to increasing the total number?— In the long run our taxes would show

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a short fall, and once a Native falls into arrears badly, it is almost impossible to get the tax out of him.

Would not it be possible to make these advances at a sort of a bureau? - Yes, do away with the recruiter, I think I agree there.

SENATOR VAN NIEKERK: When once a business license has been granted to a trader, that cannot be cancelled can it, - in a reserve I mean? - The trading permit that is granted by the Minister of Native Affairs imposes certain conditions. So long as he maintains those conditions, adheres to those conditions, I do not think his license can be cancelled.

How can we get over the difficulty? The Native wants to be a trader himself and he complains that he has no opening in his own reserve? - The trading permit stipulates that it can be cancelled by notice. I thought you referred more to the policy of the department than to anything else.

No, the Native is coming up and wants to be a trader himself and he finds he is being blocked. He says there is a license given today and I cannot put up a shop within 3 miles. Where do I come in? - Right throughout the reserves there is no scope now for further trading licenses. One site must be at least six miles from the next and all the available sites have been taken up, so that unless the licenses held by Europeans are cancelled, one cannot do anything at the present moment. That is so - the Native is, at the present moment, in that position, that he cannot get any license.

MR. MOSTERT: If there is a vacant site would you advocate giving the license to a Native? - I would

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but they have never allowed a Native to trade in the reserve.

CHAIRMAN: Do you think it is a bad policy?— I say, let a Native trade on his own. They have given the Natives the right to have kaffir eating houses, butcher shops and boot shops, but not a general dealer's license.

MR. MOSTERT: But there are some, are there not?— Not that I know of.

CHAIRMAN: You think it is not a good policy to refuse a Native a general dealer's license?— I do not see why he should be refused, if he is a fit and proper person. Why should he not have the opportunities in the reserve. If a man can run a business decently, why should he not be allowed to. I go further and say that there are quite a number of Natives who are able to run businesses decently, more so than a number of the Europeans that we have. I am not talking of things here.

Do you find that credit is given to the Natives to a large extent?— Not to a very large extent, and there again it depends upon the Native himself. If he has cattle and something that can be attached, he will be given credit to the extent of his assets.

Is he given credit freely? In those conditions?— The debtor makes it his business to secure himself. He will not give credit to any Dick, Tom or Harry who comes along, and if there is nothing that can be attached in the event of his not meeting his commitments. The Native in that respect has to see that he has something in the way of assets.

Is that degenerating into an evil among the Natives?— Yes, I think it is.

MR. MOSTERT: He is given credit to the extent

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to the utmost of his earning capacity?- Yes, that is so very often.

MR. LUCAS: What makes you say that you think it is a bad thing?- I think it is developing into an evil. You see, the Native has not developed a very pronounced sense of proportion.

Do you think that it makes him extravagant?- Yes, if he knows he can get credit, he will go along and buy. Take my Native constables for instance. I had twenty of them drawing from £4 up to £7 per month and all of them were in debt and able to get into debt simply because they were in fit employment. The storekeeper had no compunction in giving them credit and the result was that they were always in debt. There is a lack of sense of proportion so far as the Native is concerned; when they know they can get credit they go and buy all sorts of things which are not necessary and which they would not dream of buying if they had to pay cash. Of course, you find the same sort of thing among Europeans too.

CHAIRMAN: Is there much indigency among the Natives in the reserves?- Know, I have never found it.

For what reason is that?- Well, I should say their own charity among themselves.

They will always help each other?- Yes, they share everything, as a matter of fact they are wonderful in that respect. You do not get the type of indigent people among the Natives that you get among the poor whites. You may have men among the Natives who have nothing at all, they may be aged and finished, but they will always be someone who will feed them and look after them.

Are we doing anything that tends to break

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down an excellent custom like that?— I do not think we are doing anything actually to break it down, but I am afraid that the natural growth and development of the Native mind is tending in that direction. The growth of individualism among the Natives is tending in that direction. One cannot help being struck by the extraordinarily lavish hospitality among the Natives. You will notice it yourselves. How is it that a Native can walk from here to Johannesburg. Wherever he calls for a night's lodging he gets it, and he is given food or whatever he needs.

DR. ROBERTS: But do you not find the same kindness among the poor classes both in England and Scotland, they will not allow a man to starve?— Yes, I believe so. You have the same trait among the Dutch-speaking people of this country. The hospitality of the Dutch is proverbial. It does not matter when you come or where you come, you come to the poorest among them, you will always remain welcome. They will always give you a cup of tea or a bit of bread and butter or a cup of witgatboom coffee. They will always share it and you find the same thing among the Natives.

CHAIRMAN: The breakdown of that custom might cause an appalling problem?— Yes, that is so. The only application I have ever received in all my experience for relief from the Government was last week in Ladysmith, when a blind man came and said he was a pauper and asked for relief. He was a Native.

With regard to education of Natives, what direction do you think that that should take, Natives generally?— I think the tendency of all these larger

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institutions is to give the Natives some industrial training. When I was a boy in Basutoland, the idea was to teach the Native to read and write so that he should be able to read the bible. But today that has changed and the idea is more, even among the missionaries, to teach him to use his head and his hands, and I think that industrial training is the main thing which we should aim at there. Teach him some trade, some useful form of occupation, and it will be a good thing, both for the Native and for ourselves.

When you speak of industrial training, I take it that you use the word in its broader sense and that you include agriculture as well? - Yes, quite so.

The purely cultural training that is given to the Europeans, do you think that there is scope for a large amount of that among the Natives? - I do not think that there is at present.

Do you think any changes in the organization of our institutions such as we have at present would bring about a considerable demand for Natives educated in that way - changes in the organization of the community? - Yes, I think so.

In which ways could they be used? - They make very excellent clerks, typists and so on.

What scope of work should there be made for them if you had to create things like that? - I think there is one thing we should do. For instance, a lot of Native Affairs work, essentially Native Affairs work, should be done by the Native. I think the Native should have an opportunity of competing in that respect. Take interpreters for instance. I feel very strongly on that question. I do not say that there are no competent European

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interpreters, but my experience is that it is very difficult indeed to get an European interpreter who is thoroughly competent and who has a perfect knowledge of Native idioms, men able to convey to the Judge the true sense that is intended by the witnesses. It is only the man who has a perfect knowledge of Native idioms and also of European idioms who can do that. A European may have a perfect vocabulary of the Native languages and yet he may not make a good interpreter. Say you get a Native up as an accused, or even as a witness in a circuit court. The whole thing is strange to him. He is not accustomed to the atmosphere. He will suddenly be addressed by an European whom he does not know. It is not so much so in Natal as in the Northern Transvaal. I speak Sasutu fluently, and I have noticed very often that a Native is so surprised when I address him that he does not know that I am speaking to him in his own language. He is confronted by an European interpreter, the atmosphere is so bewildering that he really does not understand a word of what is going on. On the other hand, where you to have a Native interpreter, the Native would see at once somebody of his own colour and he would be put at his ease and that is one of the reasons why I say that the Native interpreter is very much more useful than the European, no matter how perfectly the latter may understand the Native language. I think that this is a very important direction in which we might make use of educated Natives.

SENATOR VAN NIEKERK: The Native witness is capable of grasping much better what the Native interpreter says?— Yes, there is no doubt about it and he is

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ever so much more at his ease.

Is he capable of always translating it into English or Afrikaans?- Yes, I think so. There is one man at P'P'Rust, whom I would back against anyone else. The Native, of course, must be qualified. After all he has been taught the Afrikaans language or the English language and he must have acquired a thorough knowledge of it. On the other hand, the European interpreter may have been taught Sasutu and he may have been taught it thoroughly, but he may not have grasped the Native idioms and similies.

CHAIRMAN: That would give you a limited number of posts, some of which are already occupied by Natives. Are there any other kinds of work which should be open to the Natives?- Yes. The system in East Africa, Uganda and Tanganyika is, that in every farm of any standing they have one or two fundis, skilled artisens, not skilled in the same way as Europeans, but they are quite decent carpenters, blacksmiths, stonemasons, etc. All these farmers have their fundis who are Swahilis and Indians. There are some who are getting something like fifteen rousees per month and amounts like that. Others would be getting something like four rousees per day. These men are continuously employed on the Estates today and they work on these estates doing the rough work. Sometimes they go from one place to another. I think there is a tremendous scope for that sort of thing in this country and at P'P'Rust I mentioned it to several farmers and they were only too glad to be able to get into touch with someone and they would be able to take on

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DR. ROBERTS: You have also assistant stationmasters there?— Yes, I would not go to the same extent as they go there. All your telegraphists and typists and all your stationmasters, except at the big stations there, are Baboos, and a large proportion of the work in the Public Works Department is done by Natives, but of course I would not go to the extent that they have done there, but I certainly think that even in that respect there are openings here.

Why not do it in the Transkei?— Yes, you could do it there, you have purely Native territory there.

SENATOR VAN NIEKERK: Do you think we could make a change and have educated Natives as Native constables?— I do not see the need for that.

Should not a man of education have preference there?— Oh, we do give them preference, we do select. It is the policy of the police and also of the Native Affairs officials to do that. Where we can get a reliable man of some education, he is given preference, but if you are going to make it a hard and fast rule, it might mean that you would be losing the services of some of the best Native constables we have.

CHAIRMAN: Are there any other directions where we could make openings for the educated Native ---?— Do you mean without coming into conflict with the Europeans?

MR. LUCAS: Take it from the point of view of what you consider is advisable?— I think we are doing very little to encourage Natives to become skilled artisans. You see, the trouble at the present is that although they may become skilled artisans there does not seem to be any scope for their work. I think we should try and get them

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EMPLOYED ON Farms in jobs which the Europeans will never occupy. In the Native reserves too, there is quite a lot of work which they could very usefully do. There are a great many openings of that kind which should be filled by Natives. In Zebedeila, for instance, we built a council chamber and we went to considerable trouble there. We discussed the matter and voted £250 for it and I said that as this was a council chamber purely for the Natives we should build it with Native labour. We said that after all there must be someone round about in the Northern Transvaal who could do the work. We had a rough scale made, but we only found one man, one Native, to give us a quotation, and that fellow had no sense of proportion at all. We asked him to tender for this and we pointed out to him that it was in a Native location. At the same time we consulted local contractors. We got a number of other prices, and when this fellow, this native, put in his tender it was £100 higher than that of the highest local tenderer. It was impossible to accept this price. They must be trained not only to do the work, but they must learn to develop some sense of proportion. That is lacking today.

Sense of proportion is largely a question of training, is it not? - Yes, that is so. Of course, there are some wonderful buildings here built entirely by Natives under European supervision. They are capable of doing quite excellent work, but they have to be supervised.

We have come across one or two men who put up buildings for some people at so much per day? - Yes, there is quite a large demand for that type of man.

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I wrote to a place in Bechuanaland where these men are trained and I asked them if they could supply me with carpenters and stonemasons for service at P'P'Rust on Native buildings, but they could not get them out.

I attach considerable importance to the list of occupations which could be open to Natives and which should be open to Natives. Of course, there are laws at present which prevent ~~it~~ us and we have to consider all these matters - ~~they~~ have been specially referred to us? - I consider that there are large openings on the mines too in the work which Natives could do. For instance there is drill sharpening and such things. We know that the natives can do this work quite well. In the platinum mines we know that the drill sharpening was done very well by the Natives.

DR. ROBERTS: Would not you rather circumscribe that - say you were to lay down in definite Native areas, what work could be given to Natives? - I do not know that I would definitely lay it down in that way, but I do think that there are many ways in which Native labour, skilled Native labour, could be very usefully employed.

THE COMMISSION AT 1 P.M. ADJOURNED UNTIL
2.15 P.M.

Major Harries continued his evidence at
2.15 p.m. on Wednesday, October 15th, but for the sake
of convenience, the continuation of his evidence is
recorded in this volume.

On resuming his evidence on Wednesday afternoon, at 2.15 p.m., Major Harries proceeded:-

MR. LUCAS: Have you anything to say about the tenure of land either in the P'P'Rust district or in

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this district?- Individual tenure you mean - no generally I have not. It strikes me that there is a tendency on the part of the Native to have individual land tenure. But the difficulty of course is the machinery for it.

Let us take P'P'Rust first. Were there any instances there of individual ownership by Natives? ^{No} /But there were cases of syndicate ownership, undivided ownership on a farm bought by a syndicate of Natives.

Have you any experience of individual ownership by Natives?- Not in this country, but on the East Coast among the Coast Natives there, you have all individual land tenure there.

Are you able to say what the effects are on their advancement?- The Native, of course, feels more independent. In the first place he realises that any improvement to his holding is to his benefit. What struck me when I was attached to the Tanganyika service was the simple method which the German Government had instituted in regard to registration. In the Coast lands you have a large number of Swahilis who own cocoanut producing lands and who go in for cocoanut growing. The area is very small, consisting of plots carrying 100 to 200 trees. The Native owns that and he has a form of title which does not go through the ordinary channels through which the European owner generally has to go. There are no such complicated formalities as the European has to go through. The Native has his title and the District Commissioner's Office has a book. His plot is numbered and it is entered in this book, and if he transfers or sells his land or mortgages it to another Native, he merely goes to the office of the District Commissioner with

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a document written in Swahili, containing details, if it is a mortgage or the terms of mortgage, or if it is a transfer the terms of transfer. And that is entered into this book and then it is endorsed by the District Commissioner and handed over to the other man and that constitutes perfect title, and it costs him nothing at all.

How was the original demarcation made, was there a survey?— I think so. The coast lands have been settled for a long time and when the actual survey took place and how they were divided into plots, I do not know, but it was many years ago, because the cocoanut industry is of long standing there.

The survey in the ordinary way is a very expensive business, is it not?— Yes.

Do you know of any way of satisfactorily dealing with that as far as the Natives are concerned?— I would suggest that where you have a farm purchased by a community of Natives, the survey should be more in the way ^{that} of the old farms were surveyed in the Transvaal in the olden days, where you had an inspection. The old farms were not surveyed, there was an inspection, that was all. On the old diagrams the inspection report was in this way "You ride from this kopje ten minutes to another kopje and there you find another kopje", that was how the farms were surveyed before the surveyors came and the beacons were placed in and you find it today. It was only later on that a survey was properly made and that the area was definitely laid down. If you wanted to avoid the expense of a survey, you could come to an arrangement whereby the farm was equally divided up among the syndicate holders and you were given a diagram. You could do that on plain paper and you need not have a

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surveyor. And if a transfer took place to anyone else, it was done in the same way. That is a simple form of registration. And it was inexpensive.

CHAIRMAN: When the surveyors went over these things, they found quite a lot of farms which did not exist at all?— Yes, quite possibly. But here you have the main survey and the beacons are on the place and your area is laid down and you must give each man exactly the number of square roods that he is entitled to, to the best of your ability.

MR. LUCAS: Have you had attempts to subdivide farms held by syndicates?— No, I am making an attempt here. I am going to see them next week to ascertain whether we can avoid all these legal expenses which makes the thing come out so dear.

Have you come across any cases of very heavy expense?— I came across a case here the other day. A Native Chief came to see me last week. There has been a long standing dispute and he said a syndicate have bought a farm and they have been disputing the matter for the last ten years. They had gone as far as the Appellate Division. The history of the thing was that they had bought a farm for £10,000 and they had paid off all but £1,200 when the bondholder foreclosed. Then they raised the money from a surveyor to pay off the bondholder. The Surveyor suggested that the farm should be divided and each co-purchaser should receive his share. They gave the surveyor a bond over the farm for £3,000. I said to the Chief "Why £3,000, you borrowed only £1,200". He replied that £1,800 had been the cost of surveying that farm.

How many holders were there?— There were 120 holders.

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You agree that that is an impossible figure to apply to small lots which Natives hold in the ordinary way? - Yes, I agree that it is.

Something has to be done to simplify and cheapen the division? - I quite agree.

Did you have much experience of the squatting system in P'P'Rust? - Yes, I had a good deal of experience of it.

Did you come across many cases of abuses there on the part of the landowner, abuses of the power of the landowner? - Yes. I will not say many, because I think the farmers realised that if they got a bad name among the Natives they would be boycotted, ostracised, I know of a case where a man was farming with cattle in a big way and he was doing quite well. That man treated his squatters badly and also his casual labourers and they simply would not go to work for ~~xxxx~~ him, so much so that he had to sell ~~xxx~~ up. He appealed to his neighbours and he said "Have you any boys you can send over, I have no one to milk my cows". His neighbour said "Yes, I shall send you over a few boys", but when he gave instructions to the boys they simply would not go. The position got so bad that the man had to sell up.

That, of course, is a weapon which the Native has? - Yes, the farmer realises that if he has a bad name among the Natives he is going to have a very bad time. My experience is that you can more or less tell the character of a man by the number of complaints you get against him. You know that there is something wrong with a man about whom the Natives are always complaining.

Did you get many complaints in P'P'Rust district? - I got one or two complaints about men who were outstandingly bad in their ideas of how a Native should be treated.

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Can you give us any idea of the kind of abuses that they were guilty of? - This man I had in mind - I will not mention any names - the Natives complained that although they had given 90 days free labour as squatters, it took them from six to nine months in continuous employment, because for any little complaint which the master had against them he docked their ticket with so many days.

He instituted a system of fines? - Yes, he said "I shall take off four days because you have not done this or you have not done that". It was something like Sissiphus trying to get to the top of the mountain, the more he worked the more he had to work.

When that sort of case occurs, are the Natives apt to generalise and make that sort of thing a grievance against the Europeans generally? - Well, they talk about it among themselves, but I do not think they generalise because if they did it would mean that all the Europeans would suffer. A good farmer who knows how to treat his Natives has no difficulty about getting labour, no difficulty whatever, and I think you will find that to be the case generally.

A case such as that one which you mention, would that be due to failure to understand the Native language, or failure to explain things to Natives? - No, in Natal it seems to be customary for a man to acquire a knowledge of either Zulu or kitchen Zulu. The Natives expect to be spoken to in their own language, but that is not so in the Transvaal. It is an exception to find a farmer in the Transvaal who will give his orders to a Native in his own language, they will speak either Dutch or English.

Do the Natives generally understand that? -

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Yes, but I think the main reason why the farmer treats his natives so badly is that he is rather inclined to think that the native has no feeling at all, that he is not a human being in that sense. He seems to think that it does not matter what you do or what you say, the Native does not feel it.

Yesterday you spoke about troubles arising through misunderstanding of one another's point of view, misunderstanding between the Europeans and the Natives? Do you think that that is a serious source of trouble? I think that very often the trouble arising between the European and the Native is due to the fact that there is a lack of perfect understanding, as was explained here this morning. The Native has perhaps not thoroughly understood the terms of contract between himself and his employer, and then there is also the lack of confidence between the employer and the Native. The employer would not put himself out at all in order to make things clear to the Native and that leads to misunderstanding and lack of confidence. The employer does not take the trouble to explain to the Native as to why things are done and generally speaking I find there is not the necessary personal contact between the two sections. There may be personal contact between yourself and the boy you are employing, but the power behind that boy, that is the Chief, and the Indunas and those who are the people to influence the Native thought, there is no contact between the employers and those Natives. Hence we conceive that Native bureau in P'P'Rust to bring about that contact and have a better understanding between the employer and the Native.

Do you think that more could be done with the

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Natives, that they could be turned into more useful helpers on the farms if the reasons for what they were doing were explained to them more fully? - I do not know, it is difficult to say. I agree with what Mr. Illing said this morning. A Native seeing a thing often knows why it is done. He cannot help knowing it. He knows manure is put on to the lands to feed the lands and make it produce more. He knows that cattle are dipped to keep them free from ticks and to keep them in better condition. He knows that salt is given to the cattle for the same reason. There is really no reason for him to be told why these things are done, but as soon as he gets back to his kraal, his will not apply these things.

Would not an uneducated person be entitled to think that putting manure on the ground was some form of witchcraft, unless he was told it was food for the soil? - No, I do not think so.

You said yesterday, when we were dealing with detribalization, that the tribal system did not fit now; in what way does it not fit the lives of the ordinary Natives? - It does not fit the lives of the Natives who are inclined to become detribalized. Even the ordinary Native in the location finds today that tribal organization has become irksome. Take the Northern Transvaal. Most of these Chiefs are still influenced by these very old men and they insist on these conservative ideas of theirs and these autocratic powers which have become irksome. The Native mind is changing; contact with civilization has made him more of an individual than he was before.

Now that form of emancipation is generally spoken of with regard to the men. Do you notice it also with regard to the women? - Yes, we do notice it lately,

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because they are going more into domestic service now than they did fifty years ago. I am speaking of the Native in the back parts of Sekukuniland, Zebedeila, etc. They are going into domestic service and they are becoming emancipated. The result of their going into domestic service is that they are becoming more independent.

How does that emancipation in the women show itself?- In their independence and in the shattering of the marital power. A very large factor which has changed the social life of the Native in the Transvaal is the introduction of alien labour.

In what way?- You go through Louis Trichardt, Pietersburg and P'P'Rust, and I doubt whether you will find many farms on which you will not find up to twenty Nyasaland boys and Northern and Southern Rhodesian Natives employed.

How has that produced a result on the tribal system, how has that had the effect which you mention?- In P'P'Rust especially, where you have adjoining Zebedeila's location the citrus estates employing 1600 labourers of whom there were 800 Nyasaland boys when I left, the effect is noticeable. In the weekends they break bounds and they go off in search of beer and women. These boys are lavish with their money. You have nearly all these men living with a woman whom they have enticed away from their homes or from their husbands in the location. Only a couple of months ago I heard two women talking about Nyasaland boys and I put it to them; I said what is it that attracts you women to these Nyasaland boys, why do you leave your husbands to go and live with these boys, and they said openly that it was the money. They said to me "These boys do not expect us to go about in skins; they give us money for clothes and finery and that is why we have left our husbands

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TO go to them. These alien boys coming in has upset the social system altogether, and one finds a lot of these women living in adultery with these boys.

Do you know of any of these Nyasaland boys returning to Nyasaland, or have they become permanent residents here?- Quite a number of them have been in the country for a long time now, but they are constantly going backward and forward. In the main they are going back. We came across one the other day, he had been arrested on a minor charge and was taken to the charge office and searched and we found a belt containing £250 in gold on him. He was on his way back to Nyasaland.

So that their unions with these women are purely temporary affairs?- In some cases the women have even gone back with them.

Do you think that is likely to be an increasing phenomenon?- It was up to the time I left, so much so that very strong representations were made by the Chiefs to make it a criminal offence for these Nyasaland boys to commit adultery with these local Native women. Those representations were sent forward, but of course it could not be done. But in Natal it is a criminal offence for a Native to commit adultery. It is criminal under the Native code here in Natal.

That is a breakdown in the social system through this importation of boys from Nyasaland. Can you point to any other results from this influx of these extra Union Natives?- Well, we have had complaints made by the Natives that these Nyasaland Natives were depriving them of their jobs. They said these people were depriving them of the work which they should get, and especially from Zebedeila's location did I get representations asking me

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if I could not do something for them. These Natives said to me "Those Nyasaland boys are taking the work which we should do. Cannot you help us." I said "Yes, you come along and promise me that if the 800 boys are removed from the Zebedeila Estates you will fill their places. We will tell them to go, we will give them notice, if you will promise to come and fill their places." The tendency on the part of the farmer there is to engage the alien Native rather than the local Native. For this reason, that the boy who comes from Nyasaland is permanent for at least three years. He walks all the way from Blantyre and it is three years before he even thinks of going back, where as the local Native will stay for perhaps six months and as soon as the rain starts, off he goes to his location. The farmers prefer these outside boys because, for one thing they are more permanent, and they are good workers.

In those last five years that you were there, was the number of these extra Union Natives increasing? - Yes, it was.

They were coming to the Union in larger numbers? - Yes, they were increasing tremendously. They had a depot at Messina and at Louis Trichardt. Messina is supposed to be the port of entry. They found out very soon that if they reported at Messina there were seized and sent to the Depot at Louis Trichardt, where they are issued out by the Government and the farmer has to pay a capitation fee. They did not like things as they were done so they left Messina out and they trekked through all along the Limpopo and they went as far as they could. Then they were arrested by the police under the pass laws and they were fined possibly £1 or seven days and when they came out they were given a pass to look for work. Their

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object was to get to Johannesburg. They are not allowed to go there but they gradually trek and move on until they get there.

Do they pay the Union tax?- Yes, if they have been in the country 12 months, Before the tax falls due and cannot show that they have paid tax in their own country or origin for the current year.

You told us yesterday about the Amalaitas. Have you had any experience of Natives, after being convicted for some crime in the town, being repatriated to their tribe?- Yes, there are quite a lot of cases of that kind.

What is the result of such repatriation?- I do not know whether that applies to Natal as well, but in the Northern Transvaal it started about 1909, when the Government decided to repatriate all incorrigible criminals. It was done through the Native Affairs Department. They were sent back to their own homes under escort and, with one exception, I found in every case that when the Native got back to his tribe he became quite a law-abiding person again. There was a great change.

What do you put that down to?- It is the influence of his tribe which seems to have some effect. He was no worse than any other member of the tribe and I put that down to the fact that he was removed from his criminal associates in the large centres. When he got back to his tribe he was a law abiding citizen and he did not seem to have any desire to indulge in these criminal exploits of which he had been guilty in the towns.

Taking the P'P'Rust area, is your experience the same as it is elsewhere that the Native is a very

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law abiding person? - Yes. Of course, P'P'Rust is rather a bad place for culpable homicide really. We have a tremendous roll there every session due to the presence there of the alien Natives. These Rhodesian Natives in have no compunction in using their knives. If they want a woman and she refuses them, they have no compunction in stabbing her. That happens time and again. But on the whole I should say that Natives are very law abiding.

Mr. Gilbertson at P'P'Rust complained that Native Commissioners were not allowed to use their discretion - or rather to use their initiative in dealing with natives except in the instance of a bureau which you founded. He pointed out that that bureau was entirely due to your efforts, without any encouragement from outside. Now what I want to know is this, - does the present system of the administration of Native affairs encourage any initiative? - No, I must say that I have a feeling that any innovation that is introduced in the system of Native administration is looked upon with profound suspicion and I also feel that the man who introduces an innovation, who is responsible for an innovation, is regarded as an absolute ~~XXXXX~~ nuisance. That is the feeling which I have, rightly or wrongly.

Do you consider that the subject is one in which there should be scope for initiative? - Yes certainly. There is nothing which calls for it more than Native administration - an administration where you deal with a primitive people whose minds are gradually expanding.

You held your quarterly meetings? - Yes with the Chiefs.

Did you ever get any of the Department Officials to attend? - *Do you mean of the Native Affairs Department?*
Yes that is what I mean

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Yes, that is what I mean?- No, never.

Have you ever invited any?- I got Mr. de Biere to attend once. He attended the last meeting I had in connection with the formation of this bureau. The Native Welfare Officer was there too. When the report regarding the bureau was submitted to the Secretary for Native Affairs he sent these two gentlemen out to consult with the farmers and myself.

Do you think there is enough contact between the Head Office of Native Affairs and these meetings of Chiefs?- There certainly is not, there is no contact at all. I want to be very frank on that. The only contact which the Native has had with anything associated with the Head Office are visits from the Native Affairs Commission. They visited us twice in the Northern Transvaal when I was there; but I have never seen the Secretary for Native Affairs there, or anyone else from the Department.

We have had instances of Native Commissioners being moved from districts in which they have had considerable experience to districts entirely different, to districts where there were entirely different Native tribes. Do you think that that is sound?- I do not think so.

It is wasteful?- Yes, a Native Commissioner who has been a long time in a district and who is attached to his work has made a study of the Native. He is planted somewhere else and all his experience seems to be lost. He has to learn things all over again. In my case here, for instance, I am very glad of the opportunity of getting to know something of the Zulus. I was twentyfive years among the other tribes in the

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Northern Transvaal. All that is finished now. It has taught me how to approximate the Native mind, but I cannot apply that experience in the same way as it can be applied in the Northern Transvaal.

DR. ROBERTS: That is quite true, but you must remember that we are inundated with complaints from Commissioners whosay "Are you going to leave me here for ever"?- Well, that man should be transferred because he has ceased to have an interest in his work.

MR. LUCAS: Is it not because, by being kept there, he sees no prospect of promotion?- Yes, that is very true and it may be so. It may be for domestic reasons, the education of his children, he should get away.

DR. ROBERTS: I say that in defence of the Department?- Yes, I understand that.

MR. LUCAS: Now you have had your experience in the Northern Transvaal and only a very brief experience here. Are you able at this stage to make any comparison of the conditions in the two areas. If differences were pointed out, they sometimes set one on the right track for investigating?- I do not think that I have been here long enough to speak definitely on points of comparison. I find things very different here from what they are in the Northern Transvaal and I find conditions very different from what I expected them to be. I want to say this, that I am rather inclined to think that the general attitude towards the Native strikes me as a little bit more harsh in Natal than one finds it in the Transvaal.

Now in the Transvaal, what would you regard as the limit of the working age of the Natives. At what age do they begin to have to work and up to what age do

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they continue?- Usually the Native works until he is exempted - that is if you mean ordinary farm work.

I mean generally, you can specify if you want to?- On farms the squatter works until he is exempt and you estimate the age of exemption at about 65.

Do they work as late as 65?- Yes, if he is an able-bodied Native. A man of 65 on the farm would not be doing the ordinary heavy work; he would be doing light work. I should think that they would be going out to work say from 15 to 50, or perhaps to 55.

Do you find cases where the children of ten or twelve are required to work?- On the farms, yes. But not to the same extent as you find down here, and it is not generally a condition with the squatter in the Transvaal that his whole family should work, but in some cases the little boys are perhaps required to herd the calves or feed the pigs and then they are paid for it. It is apart from the contract altogether. The master and servants act allows the father to contract the service of his child up to 16, but very few in the Transvaal have done that.

Do you think it is a sound thing that children as young as 10 or 12 years should be required to work?- No, I do not, because, speaking from the Transvaal point of view -- the adult members of the kraal are at work and the children are supposed to look after the goats and the sheep at home. I do not really think that there is any need at all for them to work, but it does not do any harm, they like it.

Is the supply of labour for the farmers in the Transvaal greater than it is in this district?- No, I do not think so.

Why should they require the whole family to

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work here, including the young children? - I have not gone into that yet. I may say that we have a squatting system in East Africa. Before they introduced the law with regard to squatters, they investigated conditions here, or they studied the law here, and they brought in a law there and they said "You can have squatters, but you must register them". "You may not have a man living on your farm unless he is a registered squatter and you must provide him with the following benefits - lands, wood for building, grazing and so on, and you must employ him continuously throughout the year and pay him half the current rate of wages - no free labour."

And how does that work? - Very well indeed.

Has it produced the evils of the squatting system which you have here, overstocking for one thing? - I do not think you have the evils of overstocking on farms there, because the farmer will now allow it, you have not got this overstocking there which you have in the Native areas here. But it has certainly made the Native squatter much more contented. He gets his money at the end of the month and his women folk, if they work, -- I am now talking of the coffee planters -- during the coffee season they are called upon to help picking the coffee and they are paid the ordinary rate and on my Mother's holding, she has had servants there for over 20 years and they have become quite skilled workmen in the coffee plantations.

MAJOR ANDERSON: They do not object to the continuous labour? - No, they do not. Of course, conditions are different there. They have not got the attraction ~~xxxxxx~~ there which they have in South Africa of the large towns, and the large labour centres. They have nowhere

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else to go. There is no large gold mining centre there. If they leave one farm they have to go to another. A very limited number are employed in Nairobi, the number in fact is infinitesimal.

MR. LUCAS: You made some comparisons with Kenya and other parts of Central Africa. Are there any suggestions which you can make in respect of our investigations for improvements here, based on what is done there?— Except that we might make greater efforts towards teaching the Natives how to farm. They certainly have made very determined efforts there to get the Natives to improve their methods in locations by having experimental farms, Native experimental farms, and by having trained men to go round. They have what they call Agricultural Officers to see that the methods are being carried out. And in Tanganyika especially, you will find that the Native is beginning to respond in a very gratifying measure to the instructions which he is receiving.

These Agricultural Officers, are they Natives?— Yes, properly trained Natives.

And the result has been good?— Yes, especially in the production of cotton among the Tanganyika Natives.

Now in the P'P'Rust district, did you have many master and servants cases?— Yes, quite a number.

Any cases against employers?— Yes, but it is not every case of complaint that comes to court. The Officer dealing with Native Affairs is the link between the Native and employer. Complaints made by Natives or by employers in most cases would be investigated, and if there is a misunderstanding, the matter does not come to court. It is only where the Native deserts from the farm or refuses to carry out instructions and is defiant

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that the case comes to court. Still quite a number come to court.

Are they practically all cases against the servants?— And vice versa.

Were there many cases against the employers?— Not nearly as many as against the servants. There are naturally more servants than masters, but there have been cases of withholding wages. And here and there there were cases of assault or illegally docking a man's ticket.

Take the cases of assault, is there any advantage in the Master and Servants Act over the common law?— No.

And take the withholding of wages, is there any advantage in the Master and Servants Act?— In which respect.

Over the common law?— No, I do not think so.

I am trying to find out what advantages there are in the Master and Servants Act, if any, over the common law?— The Master and Servants Act is out of date altogether. The Master and Servants Act in the Cape, Transvaal and Natal are all identical, with very small variations. The Cape Act was promulgated in 1865, and 1881 in the Transvaal and in 1894 in Natal. Well, conditions have so changed since those dates that those laws do not fit in today.

Could you, as a result of your experience, tell us in what way the Act in the Transvaal does not fit in. I think that Act is based on an Act of 1830?— Yes, I believe so.

Will you tell us how, as a result of your experience, you found that it did not fit in?— Up to recently, of course, when the Collins Amendment Act came in in 1926, it was quite impossible to apply it to a Native

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Squatter unless he had already commenced his service, because until he had commenced his service he was not his servant under the Act. But once he commenced his service, he was a servant. Then the Collins Act came in and made the Act applicable to those when they were under a labour contract, but in many ways you find that the provisions of the Act do not fit in with present day conditions and it stands to reason that if an act was promulgated in 1830, the conditions today must be very different from the conditions, the farming conditions and the conditions of life and the conditions generally among the Natives then. They were very different a hundred years ago from what they are today. There is, of course, the machinery for putting the Act into operation. You are a master, and you tell your boys you are going to complain and that they have to be at court. That does not apply today and no action can be taken under the Act by the police unless an affidavit is lodged and a warrant is issued for the arrest of the Native. Sometimes a farmer may have a genuine complaint against a squatter. He has to ride 30 or 40 miles to make a sworn statement against the boy and then a warrant is issued and then he has to go back and get evidence. Well, rather than do that, he lets the thing go by the board and the result is that no action is taken. Well, as you will realise, that sort of thing has a very bad effect on discipline.

And if the Native wants to lay a complaint against his Master, he has to go through the same procedure? - Yes.

What are your views about the establishment of Native villages or Native townships? - I am not talking

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ABOUT the residential locations such as some of the Transvaal municipalities have, but of the village townships?— Where a Native can acquire a stand and build his own house; in large centres, like Johannesburg and Pretoria, you have these villages just outside; you have one on the way from Johannesburg to Pretoria.

There is one near Johannesburg?— Yes, and just outside Pretoria you have a Native village where the Natives can buy stands and build their own homes. I think it is a very excellent idea. There is a class of Native who is attracted to town life and wants some home of his own. He is earning a fairly good wage and he wants a place where he can build his own home, and I do not see any reason why he should not have it.

Did you have any instances in P'P'Rust of attempts among the Natives to co-operative for producing or for selling?— No.

Do you know of any attempts among the Natives in that direction, for banking facilities, for instance?— No, I do not.

THE COMMISSION ADJOURNED AT 3.5 p.m. ~~and~~

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