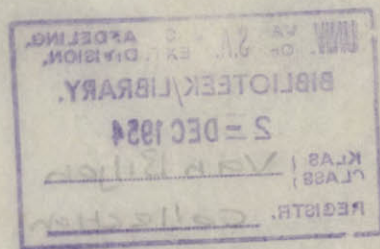


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NATIVE ECONOMIC COMMISSION

UMTATA 11th NOVEMBER 1930 2.30 p.m.

FORTYSIXTH PUBLIC SITTING

PRESENT:

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

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The delegates of the Pondoland and Transkei General Council, consisting of the following, were called and examined:-

|   |   |                    |
|---|---|--------------------|
| Messrs. Lockington Bam, representing Western Pondoland. |   |                    |
| Charles Sakwe,  | " | Transkei proper    |
| Josiah Xakekile   | " | " "                |
| Philip Qosho  | " | Tembuland          |
| Jeremiah Moshesh  | " | East Griqualand    |
| William Mhlandu   | " | " "                |
| Elijah Qumata   | " | Tembuland          |
| Rev. Peter Mjali  | " | Eastern Pondoland. |

(Interpreter Mr. Butuma):

Mr. W. T. Welsh, who was accompanied by Mr. G. M. B. Whitfield, Chief Magistrate of the Transkei and Secretary of the General Council respectively, heartily welcomes the Commission to Umtata.

The CHAIRMAN, supported by Dr. Roberts, acknowledged the welcome on behalf of the Commission.

Further words of welcome were spoken by Mr. Charles Sakwe, on behalf of the Bunga.

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CHAIRMAN: We shall be very pleased now to hear what the delegates of the Pondoland and Transkei and General Council have to place before us. If the delegates will address us first of all and make their representations to us, we shall put questions to them later on?-- (Mr. W. Sakwe):



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I wish to speak, first of all, on the question of tribal and detribalised Natives. In my opinion, the reasons why the Natives are detribalising as they are doing at present are due to the dearth of land and to the increase of civilization among them. I consider that the strongest influences driving the rural Native into the urban areas are the shortage of land and the next the need of money. The man leading the ordinary tribal life of olden times, was able, out of his lands and from the products of his stock, to produce sufficient for all the needs of himself and his family.

Today, the supply of arable land is dwindling and, in many districts, it is impossible for a youth thinking of marriage, to obtain the necessary land to provide for himself and his family. He has, therefore, to look elsewhere than to the land for his livelihood. As pointed out by Professor Macmillan, the congestion is enormous. According to statistics given by him, there is no district in the Transkei with fewer than 40 inhabitants to the square mile, while the Elliotdale district has 102 to the square mile. According to the summary given by the Johannesburg joint council of European and Natives, the average density in the Transkei is 58.59 inhabitants to the square mile. It is obvious that the number of landless Natives is increasing.

Next, education and civilization have introduced a new and higher standard of living. The higher standard of living demands a higher standard of expenditure. The plot of land at one time sufficient to satisfy the needs of the red man, is not sufficient for the growing needs of the dressed man, whether educated or not, and so the only remedy which presents itself is labour.

The rural areas do not provide sufficient labour whereas the urban areas do. As a writer says in the book "Christian students and modern South Africa", page 114, "South Africa in terms of available land is shrinking daily owing to increased population, and to many other economic and climatic



causes. Cattle diseases have crept into the country ruining the stock farmer, and thus Bantu wealth is gradually decaying. As a result, there are more and more workers making their way to the towns and cities, such as Johannesburg, to earn a living.

I now come to sub-section 4 of sub-section 1 of your Agenda, dealing with the question of migration. Although, before coming to that, I would like to say this, that I consider the tribal conditions of Natives are a distinct advantage. They preserve the customs and traditions of the Natives and allow for a gradual evolution and adjustment to the new conditions; they stand in the way of indiscriminate miscegenation, between the races, by preventing too rapid a flow from the rural to the urban areas, and it is common knowledge that the tribal Natives in the rural areas are a peaceable and law-abiding people who occasion little trouble and expense to the State. But the Natives cannot be retained permanently in the rural areas unless they can maintain themselves there, that is, unless their life is made more profitable and more comfortable than it is in the urban areas.

There is also the question of lobolo, which is mentioned in your Agenda, and I want to say, in regard to that, that the custom is an admirable one as a guarantee to the contract of marriage, it prevents a reckless making and breaking of marriages. It is not a system of buying a woman as is commonly supposed by those who do not understand the custom. There is a tendency in modern times to utilise money or small stock instead of cattle, as payment for lobolo.

I also wish to mention that Native stock is a Native's wealth, it is a medium of exchange for the Native, but stock are not looked upon solely for lobolo purposes.



They provide him with milk and meat and they are necessary for his ploughing. Then, I want to say that the Territories are undoubtedly overstocked with cattle. A solution of the problem might be the introduction of a better breed of stock, which would be of treater value, and the Natives would require less in number of a better class of stock.

Another suggestion is that more land should be granted for Native occupation. I think another solution would be the provision ~~for~~ of some markets for the Native cattle, the Natives would then have more money and less cattle. Even if the money were invested in sheep, this would induce the circulation of money instead of cattle, as the wool would bring in money which cattle do not do to that extent.

I want to touch now on the question of land. I have dealt with congestion and inadequacy of land in a previous paragraph and I now would like to make a few remarks on the question of types of tenure of land and its occupation. There is, at present, no fixity of tenure as at present the Native title deeds are liable to cancellation in default of payment of quitrent for two successive years.

CHAIRMAN: Are you referring to survey districts ?- Yes. That is irrespective of improvements however costly such improvements may be - improvements that have been made by the original grantee. Another disadvantage in that direction is that the original grantee is debarred from selling freely to another Native and there is, therefore, little inducement to make improvements on the land and to adopt more expensive methods of cultivation by the use of fertilizer and so on.

Again I wish to touch, as one of my reasons for saying that there is no fixity of tenure of land, on Proclamation 187 of 1921. In that Proclamation, it can be observed that a minor is disinherited as a result of the



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operations of that Proclamation. I would ask the Commission to take the trouble of reading for themselves Sub-sections "A", "B", "C" and "D". Again, in the occupation of land in survey districts, there is what is known as the building allotment under which a man gets a title deed, for which he has to pay quitrent of about 2/6d per annum and more, according to the extent of the land, - about one half of a morgen in extent.

If a man fails to pay the 2/6d in two successive years, he loses that building site, because it is forfeited. A man may have put up a building there costing, say, about £300 or £400. There is no regard given to that, simply because one has failed to pay two years' quitrent, failed to pay, perhaps, a matter of 5/-, and, as a result of that, a man is losing something like £500 worth. And the same applies to the allotment. A man may have fenced his arable allotment and may have incurred the expense of about £50 or £60 - if his land is properly fenced - and according, of course, to the extent of the land. If he fails to pay his quitrent he is liable to forfeit all that land. And how is it sold? It is sold to another man for the amount of the arrears due.

If a man pays 15/- per annum quitrent, then the next man who wants to buy may only have to pay these two years arrears of thirty shillings. That, sir, is a very serious grievance among the people of these Territories, because a man considers that, if he has been paying quitrent for about 15 or 20 years, then due regard should be given to the amount which he has so been paying.

SENATOR VAN NIEKERK: Does he not get some benefit for the 2/6d? - Yes, he does get a benefit right enough, but he does not get any security.

That is different. You say that no notice is



is taken of his paying?— Yes. I would, therefore, recommend that Natives in the reserves should be allowed to redeem their quitrent on their lands and should be given freehold title, and they should also be allowed to bond their properties, to other Natives of course.

MR. MOSTERT: Not to white men?— No, not to white men. I now come to the question of migration, and in this respect I say that there is an important matter to be borne in mind when considering this matter of migration to urban areas and that is the possible effect of the Urban Areas Act. The Act gives the authorities the power to repatriate undesirables and I say that we should be exceedingly careful not to provide the authorities with a pretext or loophole by which the Territories might be flooded by an invasion of what the authorities might term the superfluous Natives of any urban area, or criminals who left the Territories as innocent men to seek work and later acquired criminal habits through the effect of their residence in the town.

And now I will deal with the question of rural Native areas and administration. There are two forms of administration as affecting the Native Territories and other parts, which I want to speak about. The Union Government ruling through Parliament and its laws, and the Department of Native Affairs, ruling through its representatives, the magistrates and Native chiefs and headmen.

The functions of the Union Parliament are to make laws affecting the whole dominion, irrespective of race or colour. In the Union Parliament the Native races, practically speaking, have very little or no direct representation and consequently their views are not urged before the promulgation of laws adversely affecting their economic position, such as the Master and Servants Act, Mines and Works Act (Colour Bar Act)



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Natives Lands Act, etc.

DR. ROBERTS: You say the Natives Land Act - are you referring to the 1913 Act? - Yes, that is the Act to which I am referring. The Department of Native Affairs applies the laws of the Union Parliament through the magistrates and the headmen. Although it is true that headmen are appointed as officials of each location, the system of appointment of these headmen is not altogether satisfactory. It invariably happens that a headman's son is appointed to succeed the father, whereas he is frequently an unsuitable person.

The appointment should be made purely on merit and suitable qualifications and it should be on a proper salaried basis. The remuneration should be substantial enough, of course, to obviate the temptation to bribes, which is not an unknown practise.

SENATOR VAN NIEKERK: When do you think it is substantial enough to obviate bribes? - Well, that is difficult to answer - I think I would rather ----

You are not answering my question; when will it be sufficient? - I leave that to the authorities to consider. I suppose that they have sufficient knowledge to understand that. I say it is not an unknown practise. I presume that that is known by everyone and it is known by everyone that there are temptations. Responsible men looking after thousands of people should not get such a small remuneration as the headmen are doing today. They are offered many things which they are not allowed to accept. I say that an improvement in this direction would have a good effect on administration and would lessen the burden and the responsibilities at present imposed on European officials.

The Natives in that way could help in the administration. I need not make any further comment on the low status of these headmen. I suppose all these things



are publicly known and I say that the progress and the welfare of the Natives would benefit tremendously.

SENATOR VAN NIEKERK: What do you mean by that?— By this system of appointments which I have suggested here, Native welfare would benefit. The administration is aided by the Transkeian Territories General Council and by the Pondoland General Council. The recent amalgamation of the Councils should prove of great benefit. We are looking forward with very great hope if we are nursed. The Councils have proved themselves and have been publicly commended as examples to the entire Union and beyond.

I was fortunate, at one time, to listen to the Prime Minister addressing Pretoria, and I heard him speak well about the Bunga system, inasmuch as that he intended to include it in the Native Bills which were to come up before Parliament. So I think my views must be correct on that point. That being the case, I would recommend that the system of consultation between the Government and the Natives should strictly be adhered to, should be exercised through the medium of General Councils and the annual Conference at Pretoria. That Pretoria Conference is one of the things which the Natives appreciated as having been of great help to them.

I will now deal with questions of trade. I have previously remarked that there is a growing surplus population in the Native reserves, which is bound to drift to the towns through lack of opportunities for earning money in the Native reserves. To stop this migration, trade by Natives should be encouraged in the Native reserves by allowing Natives living in surveyed Crown locations, to start trading stores without requiring that they should fulfil the present requirements by which a trading store is not allowed



within five miles of the next station.

The Native population is now tending to congregate more and more in closer settlements through lack of land; and opportunity should, therefore, be given for a freer scope for trade as between the Natives themselves. If you go to a densely populated location, I say that one might be able to shoot a pistol from one kraal to another on account of the density of the people. I want more scope to be given to the Natives for trade among themselves, and in this way it could be expected that trades of all sorts would be started and business would be started, such as carpenter shops, butcher shops, blacksmith shops, doctors residences and, ultimately, factories for the manufacture of articles. I think, if these things were done, or if other facilities were provided for the establishment of such undertakings, then the Native would settle in the reserves. It would mean he would have something to do there.

Now I come to the question of Native agriculture. The Natives of the Territories are placed in a fortunate position in that, in the Transkeian Territories the Bunga or General Council is developing agriculture through the establishment of schools of agriculture and the employment of agricultural demonstrators. Let me say, sir, that all this the Bunga is doing without any assistance whatever from the Government.

The drawback to Native agriculture is the lack of facilities by which Natives can obtain the necessary financial help for the purchase of implements, seeds, and for improved stocks and for providing irrigation schemes, etc. I would recommend that the Government should supply this need by the establishment of a Land Bank for the service of the



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Native farmer in the same way as there is a Land Bank for the use of the European farmer. I do not wish to waste your time, Mr. Chairman, and for that reason I shall draw my remarks to a conclusion. But in conclusion I wish to say that, if the segregation policy of the Government is to be made effective, it is necessary that the Native reserves should be developed so that they can provide openings for work for the surplus population in the reserves. This development can be brought about by means of improved agriculture, sound education and the establishment of trades and industries.

I thank you for having listened to me so patiently.

(Mr. Xakakile): Mr. Chairman and Gentlemen we are grateful to see you here. I am going to touch on certain points which have been left out by the last speaker, but I shall add some remarks on Item 6, Sub-section 1. It is quite true that people will only accept the administration presented by the Government.

In regard to the recognition of Native chiefs, the appointment of headmen and their working together with officials and magistrates, it is a keen desire on the part of the Natives that these headmen, who have to assist the magistrates, should be enlightened people. They are the leaders of the nation, If a leader is blind he cannot lead anything to any good purpose. In order that people might advance and be uplifted, the officials assisting the administration should be enlightened men, and they should be properly nominated.

I should like to add this. The police should be educated men. The country is advancing and I ask how can uneducated police do the duties of the advanced stages



of the Native people. The Native people desire that higher salaries should be paid in order that the best men should be got, and we ask that the same pay should be given as is given to the Indians and the coloured people. As a result of that, suitable men would be engaged, men who would be able to perform their duties efficiently. I leave that point.

I now come to the question of overstocking and I wish to lay stress on the matters mentioned by Mr. Sakwe. It is quite true that the country is overstocked. Some people maintain that that is on account of the increased stock, but others say that it is because of the increased population that the grazing ground is filled up with kraals and kraal sites. Well, sir, the fact remains that the country is overstocked, no matter what it is caused by. It is a serious question when one considers it, because, at the present time you will find that the grass bears no seed. Nature is increased by seed, but there is no seed for the grass. It goes to show that, in future times, there will not be any more grass.

The stock which covers the grazing grounds tramples down the grass and the roots of the grass are destroyed, and erosion is caused as a result of this. We say that a remedy is required for this evil, but at this moment there is no remedy that we can think of, and we ask you, therefore, to think over this matter for us. I do not say that this evil cannot be fought against, but I do say that the remedy is very difficult to find. Because, sir, the Native people regard their cattle as their cash. A man meets his difficulties and his liabilities through his cattle. What does he do if he gets an account from a trader - he drives out a beast and he sells it. If one is in default with one's taxes, a beast is attached. Cattle are almost



cash to a Native. There are several liabilities which a Native has to meet from his cattle.

One matter of great importance was mentioned by the last speaker in regard to cattle - and that was the lobolo question. Lobolo, sir, is of great importance and of great significance to a Native. The relationship among the Natives is carried on through lobolo. Lobolo is the test by which a woman knows that she has been properly married. It is not an easy matter to make a man part with his cattle. Yet a man has many liabilities and he has to look to his cattle to settle them, but there is no way of selling these cattle. Now, if even cattle are to be reduced - are they going to be slaughtered? This leads us to this conclusion, that the Government should help us, the Government should find ways and means by which we can sell our cattle.

The Gospel says that we should have a proper kind of cattle, well, that Gospel should be preached and people should be taught that five head of cattle - five head of these cattle are equivalent to only one beast. We should preach that people should sell these five head of cattle and ~~purpose~~ purchase one beast instead, and this one beast would be able to do the work that was done before by the five head of cattle.

That is a fact which we cannot deny, because the cattle, at the present time, yield no more milk. In the time of the Xosas we had a lot of cattle and we had lots of meat, but today things are different and today we do not find these things. If there could be one beast instead of five head of cattle, one beast that would support a man's family, it would be a good thing and it is, therefore, that I say that this Gospel should be preached. It should be preached to the extent that, if one owns daughters, if two head of cattle are paid to that man for a daughter, it would



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mean that the father has been paid ten head of cattle. I want to lay stress on that, but to make it compulsory for people to part with their cattle, that would be a very great hardship on the people.

Now I come to another matter, a very serious matter, which I have before me. It is referred to in your Agenda under the heading "Taxation" and, under this heading, the Native has a general complaint. The way in which taxes are demanded from the Native constitutes a very serious hardship. The Natives have lots of taxes to pay. He has to pay a tax in connection with the Bunga and then there are several other taxes which he has to pay direct to the Government.

But now I want to say this - one notices that a white man is taxed in accordance with his income and I think that there is a provision that if a white man does not earn £300 he does not pay a tax. As against that, look at the poor Native. He may not own a single beast but he has to pay a tax nevertheless. He has to pay various kinds of taxes.

Let me touch on the direct taxation. First of all there is the poll tax. He has to pay that. Then there are excise duties which have to be paid and customs duties on blankets and there is a cotton duty too. And on other things too they have to pay duty. Cotton blankets bear a tax.

SENATOR VAN NIEKER: What do you mean by that? The Europeans do not pay a duty on cotton blankets, it is only the Natives who pay it. These cotton blankets are used by the Natives only and that is why I am making that reference. The fact cannot be denied that the Native pays many taxes because he is a consumer of many goods and he pays taxes and duties on these goods. There are



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harbour dues which the importer has to pay. The importer makes the trader refund that amount and the trader makes the Native refund it. And these goods are conveyed by the Railways to these parts. Who pays the railage - it is demanded from the Native and it is the Native who pays it. I do not think that anybody can deny the fact that the Native is taxed very heavily.

Yet, although the Native is taxed so heavily, no proper arrangements are made for him in regard to his employment. It is a very easy matter nowadays to get rid of a Native when he is employed in some work, and to engage an European instead. It is a very painful thing on the part of the Native that he should be obliged to leave his home and go and look for work. A man may be away for ten years in employment elsewhere and he is getting better pay, and all at once he is ordered to make room for a white man.

Mr. Chairman, the matter is getting more and more difficult. At the time the Prime Minister was here and at Butterworth, he said that this would be done in European areas only and he said it would not be done in Native areas. Yet, on the 1st October, in the Goods Sheds at Butterworth, all the Natives were dismissed and Europeans were engaged in their stead.

And again it is noticed that the Government intend taking another step - that in the industries and in the factories Europeans are to be engaged, and not Natives, and we hear that the manufacturers are going to be subsidised by the Government because they are going to engage white people.

The position is difficult for the Native because he is a taxpayer. Yet he has to make way for a white man. The revenue of the country to a certain amount



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comes out of the pockets of the Native people. When employment has to be found, arrangements are made by the Government for the white people, but no such arrangements are made for the Native, and I say it is hard on the Native people.

The Natives are the supporters of South Africa and the Union has attained to its present status through the Natives. Formerly, the railway lines were constructed by the Native people, they are not so today. The diamond mines were started by the Native people and, even today, on the gold mines, in order to put things right Natives are required. The Native is an asset to this country and I say it is a fact which we all know that, if one's backbone is injured, or if one injures the backbone of a beast, that beast will not have its best strength.

There is this here that, in future times, South Africa will go down because we have got this feeling that the Native has to be kept down. I do not say that that is the ~~xxxxx~~ case, but I do say that the more the Natives are kept down, the more South Africa will go down and the higher the Native is lifted up and the higher South Africa will be lifted up and rise. If the white people want to get higher up, they must first of all lift up the Native. What I say is what the people say and to that I have nothing to add.

(Mr. Qosho): I am not going to say very much. All I wish to do is just here and there touch on matters dealt with by previous speakers and it is fitting that I should begin with the question of Native customs and then also I should like to speak on the lobolo question and the use of substitutes for lobolo.

So far, no one has complained against the Native



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customs, and the whole of our nation wish to stick to their traditions. I want to speak about the conditions prevailing in the Native rural areas, but first of all let me say, on this matter of lobolo, that it is really a contract of the Native people, a contract binding them together to make them into a strong nation. This goes to show that if any change were to be made in the custom of lobolo, it would mean ruining the Native people and breaking down their tradition.

But, the great point is, that to do away with lobolo would mean to lower the status of the Native women. If you were to go and ask a Native women whether, in her view, lobolo was good or bad, she would tell you at once "If no dowry is paid for me, then I am of no value". The lobolo does not mean that she is bought, lobolo signifies her worth. The father of this girl receives lobolo as security that his daughter will be properly treated by the man in whose keeping she is given. What the father receives is for her benefit, so that, should she be illtreated by her husband, she will be able to return to her people.

With regard to substitutes for lobolo, that customs is already in existence among our people. The first speakers touched on that point and, therefore, I shall be brief in what I have to say. If one has no cattle, one pays out cash and that is done in agreement between the two contracting parties. Otherwise, if there is no cash, small stock is paid over, or whatever one possesses. It is simply a matter of contract and arrangement to bind the matter. That matter speaks for itself and there is no occasions for me to touch on it because I do not want to waste your time.

I am now going to jump about ~~the~~ <sup>and</sup> speak about



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the matter of congestion. This, Mr. Chairman, is a long story. The fact is, to put it briefly, that there is not enough ground available for all the Native people to live on and have their cattle on. The whole thing is a very long story. After the cattle killing, people were removed from their own places and sent to another place and there was great congestion there. A few individuals were left at the places from which these people were removed. During the 1877 war, the same thing happened again and then the nation began to mix up. There was not enough ground and the people had to live close together, all crowded; that is the cause of the congestion and many people, in consequence, moved away. But no arrangements were made to receive them elsewhere and, when the influence of civilization began to come in, people started to look at matters with new eyes, and they began to realise that they could not carry on any longer like that or remain under those congested conditions any longer. So they went away in various directions mainly with the idea of earning their own livelihood.

All this was due to the fact that the ground was inadequate for the number of Natives who wanted to live there and now the responsibility is thrown on the shoulders of the white man. The white man is responsible because he made no arrangement as to how many generations of Natives would have to live on the lands which they possess. It is due to that that too many Natives crowd together.

I now come to the question of the obstacles in the way of the more economic use of land. I believe that the other speakers have touched on this. The fact is that the Native has no means of improving his lands. One man may improve his land in accordance with more



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up-to-date methods, but he receives no reward, no compensation for what he does. Because, after a while, his land is allotted to another individual and the man who has had that land receives no reward and no compensation for the improvements which he has made there. No matter what amount of fertilizer the man has applied to his land, no matter how well the man has fenced his land, when that man dies the land passes to another individual.

Now I come to the question of overstocking and this, again, is caused by the congestion of the people. People have all their stock together on the land and, if you see all this number of cattle together, you may come to the conclusion that large numbers are owned by these people. But each individual does not own too many. The people blame the Government for what has taken place and they say that the Native should be given more land and it is in this connection that I want to say that the Natives should be given would of these released areas where it would be possible for Native people to buy land. That would enable the Native to extend all these areas.

I am not going to touch on the other points as the other councillors will be doing so, but I want to say a few words on the question of Native labour recruiting and on the question of Native labour supply. I say that if the Government were in sympathy with the people, the people should be allowed to go to the mines voluntarily and to the labour centres. These contracts lead the Natives into bondage. The Native labourer cannot go forward according to his wishes, he is compelled to go forward. He is going to get an advance or some other article and it really means that this labourer is going



to work for the benefit of the recruiter and not for the benefit of his people. When he comes to the mines he cannot get the work which he wants to do, but he is bound by his contract.

Then, I say, that the Government should also encourage the Native people to get higher wages. The one who does not go forward to work gets money and the one who does go forward gets no money. That is what we complain of.

MR. LUCAS: What do you mean by that?— The recruiter gets the money for the boys who are going forward like a lot of sheep to be shorn and, when the labourer returns from the mines, he has already been shorn. The result is that, instead of being a help to his people, he is no help to them at all and the only people who have benefited from his going to the mines is the recruiter, because it is the recruiter who gets the money. That is what I mean. I do not want to add anything because the other members of the delegation will deal with the other points and I do not want to waste your time.

DR. ROBERTS: Would Mr. Sakwe explain the position in regard to the proposal of the Bunga?— (Mr. Sakwe): That matter will be dealt with by some other delegate here. We shall all deal with the various points on the Agenda.

The Commission adjourned at 5 p.m. until 9.30 a.m. on Tuesday, 12th November, when the evidence of the Delegates of the Transkeian Territories General Council is to be continued?