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surely not lose all his land through not paying 5/- in quitrent? - (Mr. Sakwe): I am speaking of the point of law. If a man fails to pay quitrent for two years, his land is forfeited. If no steps are taken, then it is merely through the leniency of the officials.

You think that the law may be harsh? - Yes.

Although, in actual practise, you do not consider that it is an actual danger? - As regards the forfeiture of allotments, that happens yearly. A man who fails to pay his quitrent forfeits his land and I think that can be found out in almost every surveyed district.

But you do not propose that a man who does not pay his quitrent should still keep possession of his land? - I maintain that, if anyone fails to pay his quitrent, something else should be done and he should not forfeit his land.

What other means should be taken? - A man's property could be attached in the same way as is done for other debts.

Do you think that you would be in a better position if that were done? - Yes, I am of that opinion, and that is the opinion of others. What we are afraid of is this, that a man has made improvements on the land and that everything may be forfeited. When that man made improvements on the land he had means. Through misfortunes for a period of two years, all his labour has been in vain. His improvements are not valued and he cannot get the amount of his improvements, but what we say is, that if the ground were sold, the amount in default should be taken off and the rest should be given to the man. The original owner of the land should get the value of the improvements. He would, in that way, be refunded for the expense he had incurred in improving the property.

The one point is that his other goods could be

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attached. He is entitled to sell some of his other goods so as to enable him to pay his quitrent. Would not it be better for him to do that than to have all the other expense? - It is a common thing to have one's property attached for failure to pay one's taxes. It should be the last resort to go to the land and that should only be done if there is nothing else to be attached. A man may have a property and he may have failed to pay his taxes. I maintain that his property should be attached in the first place in order to compel him to pay his quitrent.

You think that, if he fails himself to make provision, you should first of all attach his other property before taking his title. Is that what you mean? - If the present system is not altered, it will lead to great hardship - I refer to the present land tenure. We maintain that one should get ones allotment under certain conditions so that the person concerned should not have his land forfeited in the way it is done at present. (Mr. Qamata): I just want to clear that up. The usual procedure is this. If a man fails to pay his tax, a messenger is sent out with a writ and it is only if he has nothing that the Government falls back on taking his ground. But the Native point of view is this, "Why should this ground be forfeited only for that amount, with all the improvements that have been made on the ground". If the Government were to help the people, they should do this - why not put up these lands that are forfeited and only take out of the proceeds that what the Government wants; the value of the land could go to the children. What causes failure to pay the tax is this. Sometimes you have a widow who is poor. Her sons have deserted her and she cannot pay. What we feel so much is this. According to Native custom

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girls do not inherit ground, whereas in improving this ground, the father used means by which he could otherwise have provided for the girls of the family. We feel that it is rather a hardship if the Government steps in and takes the place over. There is another matter in regard to land tenure. When we speak about the insecurity of land tenure, there is first of all the point which Mr. Sakwe raised, and then there is this further point in regard to this Proclamation of 1921.

That Proclamation has a tendency to break the table of succession, according to Native custom. This Proclamation was promulgated at the request of the Natives themselves, and it would appear that, when they asked for that Proclamation, there really was no necessity for it. And my experience is that, where the Natives do not feel this Proclamation is a hardship, it is because it has not been carried out by those in authority. I happen to be in a district that has just come under the system of the Bunga and there it is working harshly with these forfeitures. When we brought this matter before the General Council, I went so far as to say that the Proclamation was worse than Bolshevism.

Is your point that the table of inheritance is not in accordance with Native custom? - Yes, that is the point I want to make. It is wrong as it stands today.

In what way is it not in accordance with Native custom? - If this is my father and I am his son and this is my son. If my father dies and I have a lot of my own, I have to give away the other lot. My son cannot inherit that lot.

You mean he cannot inherit the one which you have to relinquish? - No, if he is a minor he cannot.

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How do you bring that in with the Bunga resolution that, where the heir is a minor the land should be given to a major who is the head of another family? - The Bunga resolution was against that.

That was the Bunga resolution? - That is wrong.

MR. LUCAS: There were two resolutions; the one you are referring to and the other one which the Chairman referred to. They seem to be inconsistent? - (No answer).

CHAIRMAN: I think that, at the last session of the Bunga, there was a resolution passed by a small majority recommending that where a surveyed allotment passed ~~threw~~ to a minor son of the previous holder, that allotment should not be given to that minor son if there are majors belonging to that location who had no land? - I thought we were fighting against that.

(Mr. Whitfield): That resolution was passed in 1921, and the resolution passed last session was against the resolution of 1921. We have Section 9 of Proclamation 174 of 1921, which authorises the ~~holder~~ ^{holder} of an allotment to leave his allotment to anyone.

(Mr. Sakwe): It appears that there must be two ways of dealing with defaulters. It appears that there is also the system under which a defaulter's stock has not to be attached and where he, straight away, forfeits his lands.

CHAIRMAN: And what do you think, Mr. Qamata? - (Mr. Qamata): I think the stock should first be attached.

Is it attached before the land is taken? - Yes. (Mr. Sakwe): There are two systems. There is a system under which there is no attachment practised at all.

Is it possible that the procedure may be different in the different districts? - (Mr. Welsh): The law requires a writ to be issued on movable property which has to be attached first. If a writ is not issued in certain

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parts, then the magistrate should be approached and he should see to it that the law is properly carried out. What Mr. Qamata says is the correct practise.

A further point is this, when the title is taken, does that mean complete forfeiture even of all improvements which a man may have introduced ?- (Mr. Welsh): Everything goes with the title deeds.

There is no sale of that? - No.

That would be a legitimate grievance? - (Mr. Welsh): I think so. I think a man should get the benefit of his improvements in cash.

MR. LUCAS: Has he not been getting the benefit of his improvements in the past? - No. (Mr. Sakwe): I want to say that there is no attachment of stock before the forfeiture of the land. It used to be the practise, but now I am not sure of it.

CHAIRMAN: It seems that the flaw is not in the law, but if there is a flaw it would be in the administration, and I think you can have every confidence that Mr. Welsh will attend to this.

Now, coming back to the question of title, would an amendment of Proclamation 187, which deals with the line of succession, meet the case? - Yes.

That is, if the LINE of succession be made to accord with Native custom? - Yes.

There are European ideas of succession which are in conflict with Native ideas? - (Mr. Qamata): The ideas laid down are non-European and non-Native. I do not think that, according to European ideas, a stranger can be made to succeed or a brother of a party can be made to succeed.

According to European ideas a brother can be made to succeed. If the brother is the next of kin, he can succeed? - We have no quarrel with that. What we are

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quarreling with is that youth should be penalized. It is the fault of that young man that his father or his grandfather died young.

The brother may succeed to that ground when the son of the deceased is a minor? - Yes, that is what we are against.

And the Bunga has represented that matter? - Yes, but the Government did not agree.

Was there any reason given why the change could not be made? - The same reason which the Chief Magistrate gave. We consider that the people who made this law made it before any need for such a law was apparent.

The reason which the Chief Magistrate gave was that the resolution which was passed originally had been asked for by the Bunga and should be given a fair trial? - Yes.

Do you think that, in the original request, a mistake was made in the table of succession? - I think so.

Now, what you are asking for is that the mistake should be rectified? - Yes, if it could be done. We should rather have the old proclamation turned down.

You must make some provision for succession? - There is the usual table of succession. When this request was made, the Native table of succession was there. They asked for something new to be introduced in order to meet a certain difficulty which had arisen. We say that this table is wrong and those people who did that had no justification for doing it. According to Native custom, there is much responsibility placed on the heir. He may be a poor man. All the elder sons of Natives have the responsibility placed on them of looking after the poor men. But if a man is to be disinherited, what then is to become of the other poor people?

In dealing with surveyed districts, you

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suggested the introduction of a Native land bank? - (Mr. Sakwe):

Yes.

Now, in connection with that, it would be necessary to mortgage your lands? - I see that.

It seems to me that you have a choice before you of two things. The one is a mortgage of lands which involves the possibility of the holder losing the ground altogether and the other one is the possibility of getting loans on mortgage. Looking at it from the point of view of the Native, which is the more desirable course? - If a man fails to repay the loan, what must be the position of the Land Bank?

Do you think the benefit which the Natives generally will get of being able to borrow money on the security of the land is greater than the risk which some of them will run? - Well, we do not benefit at the present time.

You will benefit if you are able to borrow money from the Land Bank? - Yes, that would be better.

Do you think it is worth the risk of some of your people losing their lands to other Natives? - Well, under the present system, we certainly do not benefit at all.

I am trying to put you into the new position. This is what I am trying to explain. Here you have a Native Land Bank. The Native may borrow a certain amount of money on the security of his lands. After he has borrowed that money he has bad crops, illness and various other things and he cannot repay his loan and he loses his land to the Land Bank, which sells again to other Natives. Now that is the price which you must pay. Do you think that is desirable? - There are evils in both ways. In the one thing you lose the land and get nothing and in the other you lose the land and get something. (Mr. Qamata): I am sorry I hold rather a different view from that held by my friend

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Mr. Sakwe, and I should like to explain it in just a few words. I would rather see the conditions of the title deeds altered and made suitable so as to encourage the Native to try and invest his own money in his own lands and improvements in the hope of that money not being lost through this forfeiture clause, and other things, rather than burdening the Native with a debt. Because, at the present time, I do not know whether it is caused by this depression, but it appears to me that the Native now is short of markets. He may be a very good farmer and he may produce a lot of stuff, but if he has no market where he can sell that stuff, then how is he going to redeem his quitrent, how is he going to pay it, and, if he has a loan from the Land Bank, he may be still worse off.

When you get into the turmoil of the European system of capital and credit, you have to take the bitter with the sweet? - Yes, that is why I would rather not risk it at present.

You think the risk of the Native losing his land is too big for the little benefit which he may get? - I think it is too big, certainly at present.

There is a second point arising out of this. The whole method of thought of the Native is not individualistic, not capitalistic, it is communal. As soon as you introduce the system of loans on ground, you introduce a system of individualism and capitalism. Now, the point is this, do you think that the Natives require that change and understand it? - I will say this, the civilized Natives desire it and I have some experience of what I am speaking. In either district there were many farms granted by the late Chief Gecolo, granted to individual persons and with individual title attached. Well, what happened? The

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moneylenders got it. First of all, the Native thought "We will pledge our farms", well they did and the moneylenders got the lot, and today I do not know of one of these farms that has ever been released. Everyone of them was eventually sold. And that is what I am afraid of.

You mean, that the Natives have lost their farms? - Yes.

And the Griquas, in East Griqualand, have gone exactly the same way? - Yes, they also lost everything they had.

Now, your point is that there is the risk of the Natives being dispossessed wherever they hold in absolute freehold any land - where it can be sold to Europeans? - Yes. And even if the ground could be sold only among themselves, I am quite sure that it would cause a great deal of unhappiness. I am speaking from my experience and I do not think that the Native really understands these new methods. And even if he does, he is not in a position to redeem debts of that kind. I would much rather see something else done to meet the position than to introduce the mortgage system, which I think will have very bad effects.

You think it is too big a jump for the Natives to take at the present stage? - Yes, much too big a jump.

You see ~~at~~ the disadvantages behind it as against the obvious advantages of the system? - Yes, the disadvantages are too big.

I think you were referring to the point which you spoke of before, in regard to forfeiture? - Yes.

MR. LUCAS: Did you not have in mind some other means of assisting the Native other than by means of a loan on mortgage? - I was referring to forfeiture. If the title deeds were made more suitable for the Native so that he could invest money on his land in improvements, it would be very much

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better. I think it is there we must look for improvement.

CHAIRMAN: We would like to know what each of you think in regard to these matters. I want to ask you whether you agree with Mr. Sakwe that it would be a useful thing for the Native to have this system of mortgages introduced, even at the risk of the land having to be sold, or whether you agree with Mr. Qamata that the risk of having the land sold, even to another Native, is too big for the Natives to face at present? - (Mr. Moshesh) We should like to consider that question.

MAJOR ANDERSON: Do you understand the functions of a Land Bank? You would not be able to mortgage your land to anyone. You would only be given the power to mortgage to the Land Bank, which is a Government institution, and if such an institution were established, it would probably be much on the same lines as the existing Land Bank of the Europeans? - (Mr. Qamata): Yes, I understand that.

Now, in that way, loans can only be made by the Land Bank for specific purposes. The Land Bank cannot lend money for the purchase of a motorcar or to enable you to have a holiday. It can only lend you money for improvement of the land. That would give you a certain amount of security from the dangers which have been suggested? - Yes, I quite realise that, but it is a very difficult thing.

CHAIRMAN: You would like to consider this? - (Mr. Moshesh): Yes, we would like to consider it. This is a very important question and we would rather that it should be allowed to stand over. It is a very vital point and it affects our lives.

At 1.5 p.m., the Commission adjourned until 2.15 p.m.

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On resuming at 2.25 p.m.

CHAIRMAN: To return to the question of mortgage of land; are you prepared to give an answer to that matter now? - (Mr. Bam) I think I can venture to say something. My opinion on this matter of the Land Bank is that, like all other institutions, as far as we are concerned, if it ever comes about it will be in the nature of an experiment. I am not one of those people who think the experiment should not be tried. /My own experience I do know that many Native farms have changed hands - in fact some of them are in the hands of Europeans. I come from the district of Tsolo and I know there are six or seven Native farms there granted by the Government in 1883, x only two of which now remain in the hands of the Natives.

All the same, that does not debar us from trying the experiment under proper supervision, because you must remember that those farms that have gone into the hands of the Europeans have got there through the medium of money lenders. Of course, money lenders are not the kind of people who are willing to teach us the use of money.

The Bunga claims that the time has come when they should be given a measure of authority in the management of their own affairs and it seems to me that this experiment of granting people the opportunity to get money from the Land Bank should be one of them. All things being equal, I think proper precautions would be taken to give the money to people who deserve it. I do not think we should run away from the principle; the principle is good and I am of opinion, if the titles could be given under proper conditions and were such that we could not obtain money from the bank except under proper supervision, and on good security, I hold that this experiment should be tried. I happen to know that many people would be

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quite willing today to mortgage their property to proper authorities. Many people today have lost their property because they have had to play into the hands of the money landers.

As has been remarked, this money is not going to be lent out to people for luxuries and so on, but in order to improve their land, and it will, therefore, be invested in the land. I do not see why we should run away from that. (Mr. Xakekile): I also realise the danger of making an opening by pledging the land, because I have seen it in our localities; at Hlangaz there were small lots owned by Native people. Most of those lands have gone to white people. It is necessary that lands should be improved. If land is yours and you are unable to fence it in, of what benefit would that land be, especially to us Native location residents? Our lands are not properly protected. There are times when stock gets into our lands, which one cannot prevent. That has got to be overcome by means of fencing.

If there are ways and means by which these lands could be protected by being fenced in - one is by borrowing money from the Land Bank - as it was explained, if these title deeds were drawn in such a way that one is enabled to borrow money from the Land Bank, I think that would be a good step forward, especially if the money is not going to be advanced for minor matters. The man borrowing money would have to give an assurance that he is going to improve his property and that would have to be certified to and so, by this means, the land would not pass into the hands of money lenders.

There is also this fact, that if one fails to refund the amount advanced to him and the land has to be sold, it should be permissible to sell it to another Native.

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For those reasons I support the proposal. (Mr. Qosho): Although I have got up in connection with this matter, I do so somewhat reluctantly. It is a deep matter, the roots of which have gone deep down. There are always two sides to a question; that applies to this one.

When you consider the people at home, one comes to the conclusion that the time is not yet ripe and I again say, in considering the question on behalf of the enlightened Native, one asks himself the question "Why do you say the time has not arrived?". They do not live out in the locations because there is nothing on which they can hold. When these Natives go to the Native bank to get money, they go with the title deeds in their hands in order to get money to buy ploughing instruments, but he gets no such advance because there is no clause in the title deed. If the proposal were to be accepted, no loophole should be left for people to speculate with this land; but if one has got land, he should be allowed to pledge his land with a Native bank, not an European bank - a bank under the aegis of the Bunga; I do not advocate a white people's bank.

Let the Natives have their own bank and this bank should be under the supervision of the Bunga, on the lines indicated by Father Bernardos. Anyone getting an advance should get it for protective purposes and not to pay his debts. It would be merely an experiment on the part of the Native people. (Mr. Moshesh): I am dead against this suggestion advance by Councillor Sakwe. The experiment has been tried in the Free State, where the Baralongs at Thaba'Nchu got advances in the same way. They have lost the whole of their lands; they now belong to the Dutch farmers - almost the whole of that Thaba'Nchu district in the Free State. The same thing with the Griquas here in East Griqualand; they have lost their farms

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in the same way - and many of the Dutch farmers also have lost their farms; other farmers have taken them on those grounds. The same thing has happened all round, even down in the Colony.

Now, to start at such a young stage in the Colony here with the Natives, would be most dangerous. This trouble arises out of a very, very small sum - that of quitrent. This very small sum is causing a lot of trouble and leads to bigger trouble. You cannot be behind a man to see what he is going to do with his money; you cannot keep a watch over him day and night and the Native is not at present sufficiently enlightened to do such a thing as that. I would be willing, if they said they wanted the experiment with only a certain few, in order to see how it would work with them. For instance, if all my friends were willing to take up the scheme, I would be willing to do it then, but not with the mass of Natives at present, if it were made a law that they should all fall into line with those who are farther advanced. Immediately a red man finds he can get money, off he will go and get it; he will not think of the future; you will find him folling about with a bottle of liquor and the money he has borrowed will never be returned. In many of those instances I have quoted, the money borrowed has gone into liquor.

That would also bring about a great danger to these people, that of being caught with illicit liquor or something of that sort, if they had the money.

If you wish this system to be brought in, first test the Native - bring him up to such a stage - which I am afraid will take some time - that he will be able to understand what is wanted and what he has to do with the money and how to use it in the right way. In

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that event, I would agree with those who make the suggestion, but at present I am dead against it. It would be a danger to the country; you would have a lot of landless Natives.

(Mr. Mmelandu): Perhaps there might be much to say over this question, but I just wish to say, sir, in the first place that the chief point underlying the principle under consideration is that our Native people have not come to the standard, at the present time, of recognising the responsibilities of paying off their debts; and that, to my mind, is a conspicuous beacon from which our Native people should be viewed. I submit, sir, that there are many phases of this matter which one could submit. To begin with, the General Council has framed a scheme by which people could get advances from the Council by way of assistance to fence off their lands for cultivation; it is on the pound for pound principle; a certain number of people at a location could group together, collect money to the amount of not less than £20, and if they were prepared to collect such an amount, the General Council is also prepared to advance such people an equal amount of money to enable them to fence in their lands.

Up to now, the people have not availed themselves of such an opportunity. If I remember aright, I think that has been in existence for, say, a period of no less than three years, yet the people have not made any movement that one could stand up and speak of. Secondly, sir, it must also be conceded that, before people can embark on such a scheme, they must first consider the pos of the market. So far as I can remember and as far as I can make out things, the Native people have got no opportunities in the shape of any open market for cattle - that is with regard to the question of overstocking. We have

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put up motions at almost every general meeting of the Council, to the effect that the authorities should see that outlets were made for Natives to send their stock to the open markets. Up to now we have had no relief, and the position from day to day is becoming very serious indeed. Therefore, sir, I think it would be very very dangerous indeed to open up such a scheme.

There is also this point to consider. The question now under discussion is based on the system of land tenure which, according to the evidence adduced, is not secure, and before we can embark on such a scheme, I think we should move in the direction of getting the authorities to change the conditions of land tenure. As the Chairman has said, according to European custom, you cannot get all sweet things always; if you want a good thing you must also be prepared to reap the bitter fruits of such ambition, and I quite agree with the Chairman's remark. That is to say, Mr. Chairman, I fully support the position taken up by Mr. Qamata here.

The great bulk of the Native people are not in a position - or rather, one might say, would not be prepared to undertake such a scheme; it would be ruinous for them and I certainly think that, before our people can embark on such schemes, it is our duty to see that before we lead them on to such huge schemes, we must first prepare them on smaller things and then, as time goes on, they would be prepared to embark on larger schemes.

I can quite understand those who support this kind of scheme; probably some of us happen to know that public opinion elsewhere favours the suggestion thrown out by Mr. Sakwe. I know that, at public sittings, our Native people have voiced their opinion that they favour

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such a scheme, but I have always understood them to mean,
so,
when they say/that they favour it on a different system
of land tenure than obtains today in the territories.

Well, I have no quarrel, sir, with those who hold such a view under different systems of land tenure than we have here in the Territories. (Rev. Mjali): Troubled as we have been in the past with lots of oppression, there are still those who love us and, provided such a bank would be in the hands of such men as would guide and shew us on what lines we should borrow, I think we should let this stand. The borrower should be well examined first as to how he is going to utilise the money. I think it would be a sort of school for our Natives and ^athe very necessary school for us. If we are taught how to make use of this money, I would say create the bank but put it in the hands of men whom we still trust implicitly. In that event, I would approve of such a scheme.

CHAIRMAN: MR. Sakwe, you said the supply of arable land is dwindling; does that mean more land is being broken up to the plough every year? - Yes, that is my belief, sir; of course, the circumstances have been created also by the increase of population.

More land is being broken up; is that simply because there are more people who have to grow food, or is it because they also realise, when they cultivate their lands, that they have to produce a certain amount of food for their cattle? - For their consumption?

Chiefly because there are more human beings? - Yes.

In connection with lobolo, you said there was a tendency to use money and small stock; is that considerable? - Yes, in our Territories.

Why do you think the change has come about? - Well, I think the change has been brought about by the

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the conditions - evolution; the Natives are immersing from their barbaric state and they are beginning to realise the value of money - the sheep also produce wool, by which they obtain money.

In cases where the bride and bridegroom belong to different districts; is there any difficulty in moving the cattle from one district to another? - Yes, under the East Coast fever restrictions.

Does that also help in the substituting of other animals for cattle? - Yes.

Have you cases where only money is paid? - I cannot think of one.

There are always some animals? - There are always some animals.

You were referring to the need for a better breed of cattle; do you realise that that also involves better conditions of grazing? - I certainly should think so, sir.

Is there any prospect of getting the better grazing which the better cattle require? - There would be a prospect, sir, if the Natives were saving money.

The difficulty is how to look after their money? - The difficulty is how to obtain money to get better bred stock.

You raised the objection to the individual tenure than the original grantee may not sell his ground, but that is not quite accurate, is it? - Well, I do not know; I have not heard of any cases where the original grantee had an opportunity of selling his ground by public auction. If there is anything of that sort, sir, it is by private arrangement.

Yes, but he has got the right to sell; the question of how he arranges to sell it is neither here nor there. He has the right to sell it, has he not? - He can sell by private arrangement.

But then he has the right to sell? - I do not think

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sir, it would be legal for him to sell.

But how does he manage to do it if it is illegal? - Well, the way I usually see the people conducting these affairs is, one goes there and says "I am transferring my allotment by consent".

He does not say he is selling it? - No, I do not think so.

But actually he does sell? - Well, I am afraid to incriminate myself in that.

But the consent of the Chief Magistrate is required to transfer that land, is it not? - Yes, it is obtained. (Mr. Bam) I was working in the Xalanga district and there Natives are allowed to sell their land. Before the Magistrate can sell they have to hand over the money. I have seen allotments in that country go for from £80 to £100; I have seen a man pay cash for an allotment in front of the Magistrate. (Mr. Sakwe): I would like to know whether the arrangements there are under the Glen Grey Act - the survey. (Mr. Qamata): There are two kinds of surveys there; there is the Glen Grey Act and what they call "A title". That is the survey we had after the war of 1877. (Mr. Sakwe): What I was driving at in raising that point was, my point was that the Native is debarred from selling his land at his free will to anybody he pleased, whether white or black.

CHAIRMAN: Mr. Qoshozx, You referred to the recruited Natives being like shorn sheep; are the Natives here dissatisfied with the system of recruiting? - If any boy who joins goes forward after having contracted debts, that is a bait.

It is a bait to get him to go? - Yes, to get him into this contract.

Are you dissatisfied with the way in which the

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recruiter goes to work to get the boys? - To go forward to the mines?

Yes, or anywhere else? - If they engaged them up at the Rand there would not be so much danger. If they are engaged up at the mines, it would be to their benefit. They would receive their wages and remit them home, thereby helping the father and the other members of the family. The young men who go forward who used to be of great help to the people at home are today of no assistance. Today the young men send no money home from the Rand.

Would you favour the system of deferred pay for the young men? - I like the system, but they must get no advance; they must go up voluntarily; you get more money under the voluntary system. And also, the deferred pay system is good.

Do you say that the man under the voluntary system gets more pay than the man under the daily pay system? - I prefer the voluntary system. If the man has been recruited, I prefer the deferred pay system. The one who has gone forward under the voluntary system can do as he likes; he can please himself.

You said one of them would get more pay? - Yes, under the voluntary system; he brings home more money than the boy who is recruited. (Mr. Xakekile): I would like to say something in support of the last speaker. There is always a great danger in these boys joining up to go forward. The traders in the location hold themselves out as labour agents and when they want a boy to go forward - these boys are in their debt, and when these boys owe the traders money, the traders then say "I want my money" and these boys reply "I have no money", and the trader then says "Oh, join!". The day the boy is taken to the recruiting office, this money is written

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down. The boy is working for the trader when he advances the goods, and when he returns from the mine he has no money left. That is why there is this difference between the one who goes forward under the voluntary system and the one who has been recruited.

The one who went forward under the voluntary system will choose what kind of work to do and the length of time it will take him to work there; it is usually three months. After the expiration of these three months, the boy is then at liberty to do what he likes. If he wants to go on working at the same mine, he will keep on doing so. If there is a better place where he can get more money, he goes to that place, so long as the 38/- has been refunded.

SENATOR VAN NIEKERK: What happens to the boy who is in debt here and who goes out to work; do they not attach his property? Say, the boy owes money to a storekeeper and he goes away to work voluntarily, as you want him to do, what happens to him? - He pays when he comes back.

They do not attach his property while he is away? - No.

CHAIRMAN: Councillor Qosho, is there any complaint here that the recruiters or their runners encourage small boys to leave the locations without the consent of their parents? - I am glad, Mr. Chairman, that you have touched on that point. It is a general complaint, the young children taken away from their fathers and mothers and taken to places where those young children are not known; the conditions and treatment are not known by the parents. By the time these young children return to their homes, they have a different character. Today, in our locations, you will find small hatchets: these boys regard human beings out in the locations as wild beasts. If you consult the records in the office, you will find rape

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cases and murder cases, the result of these boys having been taken away from their parents.

By other locations, these locations are regarded as being the worst. The result is, these boys are taken away from their parents. It is a general complaint. We here in the Transkei complain that these boys should not be taken away from their parents. These boys return without any money and are clothed by their parents on their return. Everybody will tell you that is a fact.

Can you suggest any way of getting over that? - It should be an offense to recruit a boy under age without the consent of the parents. There is this also, sir, going on: someone has got hold of these boys in the street; this man calls himself these boys' father, and the boys are allowed to go forward. The result is, the boys' real father looks for them and, in the meantime, these boys have gone forward under the pretence that the real father had allowed them to do so. What I would suggest is that these boys' father should go before the Magistrate with his tax receipt, shewing his name on it.

DR. ROBERTS: How much would the recruiter give this man who is not the real father? - I am not aware of that; I have never been present at the passing of the reward.

But he gives him something? - Undoubtedly, sir; yes, behind.

(Mr. Bam): I would like to say a word on this matter. I think this method of recruiting boys under age - this evil - is at its worst in Pondoland, especially in Pondoland East, round about Lusikisiki and Bisana. What the recruiters do is, they run to the Natal border; they rush them to the border and when they get them to the border they send them to the sugar cane fields and such places. That is what is

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happening there today. In fact, I remember quite well this was under discussion in the Bunga and the Magistrate of Bisana spoke about this matter very strongly. He said "We are experiencing the same trouble". Those recruiters recruit under no license at all; they are not under regulations; they just come and pick up any boy on the road and then send him over the border. It was recommended that the best thing to do would be to appoint a Commission to go into the whole matter of recruiting for the coal mines and sugar estates of Natal.

In other places, what has been tried is this: the boy is required to go to the headman if he wants to go to work and, if he is under age, Then the headman, with the boy's father, goes to the Magistrate. Well, that has failed, because the recruiters no they are under no recruiting restrictions; so, in order to avoid that, they simply rush along in a lorry and pick up these boys and one never hears anything about them until they either die or come back.

DR. ROBERTS: Could not the chiefs stop that by putting out men to break the wheels of the lorries, or something like that? That would be criminal; the chiefs would be powerless in that matter.

You said the arrangement between the father and the headman did not work; is that because it has no legal sanction? I should think so, because, under the N.R.C., the regulations are there and they must be observed. I know of a case - I think it was in Flagstaff - where a trader was sued by the father of the boy. The trader was asked the question and he said he did not come under any regulations.

MAJOR ANDERSON: When boys are taken away like that, do not the parents make complaints to the magistrate? Yes, that has been done; they rush to the police station

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and the magistrate. I know personally of an instance of a boy who ran away three months ago and who has not been heard of since, and I do not suppose we shall hear of him for another nine months unless he has died in the meantime.

(Rev. MJali): When this man takes this complaint to the Police, the first question asked is, whether he was willing to pay back the money to the trader. That is what has always confronted the parents. One sees that he is getting himself into 'hot hands'.

MR. LUCAS: You mean the officials insist on----? - They ask the parent "Are you going to pay back the money that has been expended for that boy of yours?". They say "No; my child has been taken away", and they say "Well, you must find the money if you want that child back", and the poor Native fails to return. I am living in that very part of Pondoland East which has been referred to, and that is practised at large.

CHAIRMAN: (To Councillor Qemata): You said the Native has learned the bitter lesson; "the white man has come to stay"- to quote your own words. Now, do you consider it is a bitter lesson?- Yes, they paid dearly to learn that.

Oh, I see; the cost was in learning?- Yes.

Let us suppose it is possible to withdraw all the white men from South Africa at the present day; would it be in the interests of the Natives?- No, that is not our intention.

The bitter lesson did not mean it was bitter to have them here?- No, it means that the cost of learning was bitter.

Now, you said too that the white man considered that the Native did not respond to certain situations in the same way as the Europeans do; do you not think that is perfectly

true, that the Native does not respond in the ^{same} way? - I do not know.

To quote examples, in the matter of improvement of their agriculture, do they respond in the same way as do the white men? - Yes, sir.

All of them? - Yes, if taught, or if more are taught.

That does not seem to be quite according to our experience. Do you yourself not find great difficult among your own people in teaching them some of the elementary lessons in agriculture? - It is difficult with the very primitive Native because, first of all, you cannot take him to the rudiments of agriculture; you must, first of all, start him from the A,B,C, as it were, and gradually bring him up. What I mean by that is the civilised Native, mostly; I mostly refer to them; they are the civilised Natives - men who could be made to understand things. I say they have the same abilities to respond as the white man, because they have been taught things.

DR. ROBERTS: You do not mean that the European has taken a far longer time to rise to his present condition than the Native has during his short time? - Well, the European did take a longer time, and that is only natural, because he had nobody to copy from. With the Native, it would not be natural if we were to take the same number of years that it took the white people to make up their civilisation. We have the pattern, but you had no pattern when you started.

CHAIRMAN: Councillor Moshesh, with regard to the remarks about water facilities in East Griqualand, I take it what was meant was water for human consumption? - Yes, and for cattle.

First take human consumption; the difficulty is, there is not enough clean water? - There is clean water, but it is at a distance from the Natives' home; sometimes

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they have to travel two miles.

It is a matter of distributing the water? - To go and get the clean water from the streams.

In the streams you can always get clean water? - Yes.

Is there a shortage of water for cattle? - Yes, especially in those parts you pass through going up to Qasha's Nek. As you have probably noticed, it is all flat country there; there are no rivers or streams; they dry up at this time of the year, but the Bunga is constructing dams for cattle - which shews that there is a shortage of water.

It is a matter there of surface water? - Yes. What I am alluding to more there is drinking water.

Now, taking the matter of shortage of work for Natives; I take it you were referring to a shortage of particular kinds of work? - Yes; not only that, but in many instances where Natives were working, they have been driven out and Europeans put in their place.

What do you mean by "driven out" - that they have been given notice to leave work? - I would not exactly say that. For instance, there were boys working on the railway lines and at stations, and Europeans have taken their place.

Can you quote cases where the boys were actually told to quit the job and the job given to Europeans? - There are many in Matatiele; the whole of that station was worked by Natives.

Was not the procedure to substitute a European wherever the Native left the work? - No, sir.

It comes down to this, then, that work which was formerly done by Natives, is now done by Europeans? - Yes.

I take it you are aware of the fact - leaving aside for the moment what kind of work - that there is always work for Natives? - No, sir; there cannot always be work for Natives.

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I think there is always work for Natives; they may not like the particular work that is offering? - Well, you may be right in a way there, because if you say there is no work for a Native, there is an opening for Natives at 5/- and 2/6d; nobody would be willing to go for that.

You would not refer to work on the mines as working for 5/- and 2/6d? - Boys are most willing to go to the mines, and they do go.

The mines always want more than they can get? - They are refusing them now.

Yes, it is possible it may just have come to that now because, as a matter of fact, there is a large offer just at present, but it is the first time it has happened for six years; they are temporarily turned down? - Well, I am a Native chief in East Griqualand; many, many boys through my hands for Johannesburg, and Durban for the coal mines.

It is an exceptional thing that the Chamber of Mines cannot take on more boys? - Well, with me, it is not the first time; I have known it to happen several times.

DR. ROBERTS: Is not that so always when trade gets low and the food gets low - bad times? - Sometimes it so happens, but at other times again the mines induce the boys to go by offering more money and the boys go off and fill up the mines in no time.

CHAIRMAN: It is very seldom that the Mines cannot take on more labour? - It is happening.

SENATOR VAN NIEKERK:
There is generally some shortage too for farm boys? - Yes, there is, on account of the low pay that they get from the farmers.

I am coming to that; but I take it you are aware that, among Europeans, there is generally a shortage of work? - I do not know, sir; that is out of my sphere altogether; they

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are far away from me, so I do not know. I see in Kokstad buildings are being put up to give them work.

The putting up of nice buildings for Natives, is that a wrong policy, according to your idea? - Where are the nice buildings?

In Johannesburg, the locations and so on? - These people on the Railways are living free, almost, whereas those people in the urban areas have to pay very dearly, - in fact, it is above their pay; that is the complaint that was placed before you in Matatiele.

CHAIRMAN: The houses are very expensive - more expensive than they can pay for? - Yes.

But these Railway labourers have to pay for living in the Railway houses? - Very moderately.

According to the proportion of the salary? - Yes, but not so with the Native; that is not taken into consideration at all.

Not on the Railways? - No, I mean these urban area Natives.

But on the Railways? - Well, down in Durban the Government tried to put up decent buildings for the Natives to induce them to go to work, and they fed them very well; but after they were found to be turning out in large numbers, they dropped feeding them for a time.

They found they could get them cheaper? - Yes.

With regard to Natives on farms - I think, as a matter of fact Councillor Mlandu started that question - when you were referring to the low type of Natives on farms, what type of Native were you referring to? - (Mr. Mlandu) There is only one type of Native who goes to farms to work, that is the ordinary illiterate Native.

Are you referring to people who live on the farms with their families - labour tenants? - Yes, sir, servants.

Do you think they are worse off than the Natives

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who go to work in towns? - By far, worse off - not when they are compared with the slums in towns; I do not speak about slums in towns.

No, I am talking about Natives who go to work in towns for the ordinary wages they get there; there are some people in towns who get very low wages and others who get the ordinary run of wages; but the Native who lives on the farm and has his family there, do you not think he is generally better off than the Native who goes and works in town, for even £2 or £3 a month? - On £2 or £3 he is.

As compared with a person who is a labour tenant on a farm? - Well, I think the labour tenants are worse off than the Natives in the urban areas.

Because the one gets the cash and the other does not? - Yes, that is the position, sir.

You look at it purely from the point of view of the amount of cash a man gets; but if you look at it from the point of view of the way in which a man can live, is not the Native on the farm getting more food and less trouble than the man who gets £2 or £3 a month in a town? - At the present moment there are so many troubles on the farms since the Land Act came into operation.

SENATOR VAN NIEKERK: What districts are you speaking about when you speak about the farms? - Well, out in the Transvaal the position is much more grave than it is down this way.

Have you been to the Transvaal? - I was there at one time.

Do you know under what conditions they are living there on the farms? - Well, the conditions they live under, in the first place, judging from the appearance of the housing, is not what one could speak about very much.

The housing of the farm labourer in the Transvaal

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is different from what you find here in the Transkei? - Well, I do not single out the Transvaal from the other provinces particularly.

But why did you say the Transvaal first, then? - I think you asked me particularly.

I asked you what place you were thinking of, and you said the Transvaal? - The Union as a whole, sir.

CHAIRMAN: Now, I think you look upon it this way, that the man who goes away from here to work, goes away because he wants money? - Yes.

The more money he can get, the better off you consider him to be? - Well, if a man can get money on the scale of a living wage, I think one can consider he has got money.

But now your labour tenants on the farms live under conditions in which they get a good deal less money, but they require to buy a good deal less because they get their food and housing on the farms. Do you not think they could be just as well off as the man who has to pay money for everything that he gets? - Well, if the arrangements were satisfactory and met the condition of the people.

Can you speak from firsthand knowledge about that - about farming areas? - We had farming areas formerly in the district of Mount Fletcher; well, of course, they changed from Native Territories into the Colony; yet, still, geographically, they stand in the same position as they were before.

Mount Fletcher is still in the Native Territories? - Yes. Well, of course, there is also the adjoining district of Matatiele, which adjoins Mount Fletcher, and I often go there.

What do you consider the position of the Native on the farms there - who is the better off, the Native who works in Matatiele or the Native who works on the farm? - I

think it is the Native who works in town who is better off than the Native who works out on the farm.

At a pound to thirty shillings a month? - Yes, I think so, because that is supposed to be about the minimum wage.

Will you tell us why you think the one is better off than the other? - In the first place, for the Native on the farm the minimum wage is about 10/-.

SENATOR VAN NIEKERK: What district is that? - Generally speaking, that is the position when looking at it from a common point of view; all along the district, sir, that is the minimum. I am living on the border, and that is the minimum wage for a male adult.

Do some get more than ten shillings? - Very few.

So that 10/- is very nearly the average minimum? - Yes, it is.

DR. ROBERTS: You mean that is the average and not the minimum? - By minimum wage, I say that is the lowest I have seen a Native engaged at.

CHAIRMAN: Your Native in Matatiele gets from £1 to 30/- a month? - Yes.

There are some who get more, such as interpreters and so forth, and those who get special posts; but in the town they get from £1 to 30/-? - Yes.

And their food? - Yes.

Now, the farm Native gets 10/- plus ground to plough, plus room for his cattle to graze. Now, which of the two is worth more? - At the present time, the conditions vary according to the province; in other provinces people do not get the right of grazing their stock on the farms.

For example? - Well, for example, unless it has changed, that used to be the practise, since the Land Act came into operation, in the Transvaal and the Free State.

Of what part of the Transvaal and Free State are you speaking? - We understood it as a whole.

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That the Natives did not get grazing for their stock? - So it is said.

No; I think your information is very bad. If you had mentioned for Natal, ~~xxxxxx~~ in the wattle and sugar areas, I could have understood it. I think you know Matatiele better. Now, in Matatiele, are they giving grazing for their stock? - Well, I could not say particularly, but from what I know it is only with the Native farmers that that is allowed. As for the Europeans at present, they are not willing to allow any Natives to graze their stock on the farms. (Mr. Moshesh): They do allow them, but the oxen have to pay - they are worked without being paid for.

They use the oxen of the Native to plough? - Yes.

Are the oxen of the Native generally enough to plough his own grounds? - Yes, and that of his master.

If there are any oxen on the farm, they have to work on the farm the same as, if there are any Natives on the farm, they have to work on the farm? - Yes, for their grazing.

I think that is fairly general? - I could not say, sir, but in many instances in Matatiele, they do that.

Now, take this case: the Native on the farm has to provide a certain amount of labour and has to provide a certain amount of labour from his animals; as against that the farmer gives him a certain amount of land to plough, grazing for his animals, and a small wage. Take your case in town now; your native has to work for the employer and he gets a wage of from £1 to 30/-, - therefore, two or three times in cash what the Native on the farm gets. He gets food for himself, not for his family; he has to pay for his own housing - let us take the most favourable case, where housing is also given by the employer and the 30/-, and where a man has no lands to work and no grazing for his family;

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which of these two people is going to be the better off? - If I go to a farm with my family, my wife and children have to work and, in many instances they are not paid for their work. It is very rare where they do not work.

I do not think that quite comes to the point - which of those two parties is the better off? - The man who is in town and gets about 30/- a month has got his housing and food and he has got his family at home.

Let us suppose he could save the whole of his 30/-; do you think that 30/- is enough, to give him what he gets from the farm and the lands worked by his wife and children and from his animals? - How do you mean from his animals?

From the animals that he has on the farm of the European, the milk that he gets, and the increase that he gets, and now and again, when an animal gets, the skins that he gets? - Well, the man in town, with his 20/- or 30/- a month as a regular standing wage, is far better off than the man who is on the farm, who will perhaps get a very good crop to start with but who, just before the reaping time ~~comes~~ comes on, suffers his crop being smashed down by hail, and so on.

Do not assume Providence is going to be hard on him all the time; sometimes he does reap a crop, does he not? - He is just given enough land to keep him going; he is not given too big a piece of land which he can live on.

There are some cases too where they work a very small piece of land in the reserve - but what is the general position? - The farmer is not quite willing to let a Native make more than he thinks is over his wage, because he thinks he is spoiling the Native. If he gives him too big a patch and this Native is able to get 20 bags and sell them and get so much for them, apart from the 10/- he is getting as a wage, the baas looks upon him as a second baas.

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SENATOR VAN NIEKERK: Yes, but the farmer has to compete against other farmers. If I have Natives on my farm, I must try to keep those Natives on my farm; if I treat them well they remain with me; if I do not treat them well, they go to another farm. Therefore, it is in my interests to look after my Natives. Speaking as a farmer, sometimes a Native will leave a farm because he thinks the farm is no good and says "We do not get crops here"? - I am speaking about Matatiele; the farmer says, "By thrashing the bush I can get as much labour as I want".

In other words, the wages are very much lower in Matatiele, on account of the number of Natives there? - Yes.

Do you not think the position would be improved if they went for labour farther afield and made less labour to be "thrashed out of the bush"? - It is not everybody who can get away; there are some people who cannot get away from their homes.

MR. MOSTERT: You gave evidence this morning on Native recruiting in general. Are you satisfied with the methods of Native recruiting in your area? - (Mr. Mlandu): Well, in general, I would say I am not satisfied.

I understood that, some time ago, the Bunga was forming some scheme for recruiting; can you tell us what that particular scheme is? - I am not aware that the Bunga has undertaken any scheme of that sort itself.

But has there been any motion or discussion to that effect? - There has been discussion over the wages.

Not for recruiting itself? - Well, if I remember rightly, some discussion took place in the Council over the methods of recruiting.

But you formulated no idea or scheme for recruiting? - Well, a deputation at one time, about November 1908, was sent to Johannesburg to see about conditions up there, and that

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deputation, when it came back, made its report here, but nothing in the report touched much on the system of recruiting. Barring that, something was said in the report about the method of joining, and this can be found in the blue book of the Session of 1929, page 43, where something was said about recruiting.

CHAIRMAN: Will you read it please? - It touches upon the assisted voluntary system. The delegates reported that they approved of the voluntary system and were grateful for the introduction into several districts of the Territories - that is in the Territory here - and wished it added to others. Today, sir, I would wish to add just a few words, namely, that it be extended to all the Transkeian Territories.

From where did that recruiting emanate, from what area? - Well, I could not say from memory what districts; it emanated from the Flagstaff district in Pondoland.

That is voluntary recruiting? - Assisted voluntary recruiting, so they call it on the Rand.

I understand there is a Native recruiting organization here? - ~~XXX~~, (Mr. Moshesh): Yes, there is one down here.

Does the Native recruiting organization assist voluntary recruiting or voluntary labour going up? - (Mr. Mlandu): it does, sir, or so they gave us to understand there.

If Natives go up voluntarily, then you do not need the N.R.C.? - (Mr. Moshesh): They used to run a bus from Kokstad to Mount Frere to get voluntary boys and send them on.

Who is that? - The Native Recruiting Corporation. They were quite prepared for it. I remember an interview with Mr. Tabarer; he told me they were quite prepared to assist voluntary boys with money if they called at his office, and when they got there they would return the money and work

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wherever they pleased.

What is the difference between that and any other recruiting? - It is just that you can go to any other mine.

Because the Native has to borrow, first the £2, has to pay for his fare up and for his food; what is the and difference between that/the other recruiting? - In the one case you are bound to a certain mine for a certain time; in the other you are not bound to any time at all and to no mine.

SENATOR VAN NIEKERK: You must go to a mine? - If you go to the Native Recruiting Corporation.

DR. ROBERTS: Even as a voluntary man? - If they find on examination you are not fit for a mine, they are quite willing to help you to get work elsewhere.

MR. LUCAS: And do the boys under the assisted voluntary system get any higher wage than the recruited boys? - I should say so, because the boy picks out his own work.

But for the same work, does he get a higher wage than the recruited boy? - (Mr. Xakekile): No.

So that the mine saves the expense of recruiting, but the Native does not get the benefit? - A boy goes to the recruiting office and offers himself and he is there assisted and given tickets to the extent of £1.18.2.

MR. MOSTERT: Is that the railfare, food and motorbus? - I mean at the recruiting office, yes.

MR. LUCAS: And they have to pay that back afterwards? - Yes; when they get there, and have worked, they pay this back; they refund it. If it is found that a boy cannot go into a mine - they all contract for a mine - and when they get there and it is found that they are not fit, they try to get work elsewhere.

On the surface? - If he cannot obtain work through being ill or unfit, he is returned free of charge. He specifies

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the time himself - generally three months. After three months he is free; he can work if he likes, or go somewhere else if he likes.

Now, is that the boy who goes voluntarily to the office at Flagstaff and does not go through a trader or runner? - Yes.

That is what you term now a voluntary boy? - Yes; he goes of his own accord.

DR. ROBERTS: What is the difference between this voluntary man and the other man? - The other man has to go and sign on for six or nine months - at anyrate, now it is nine months. If he wants an advance, the advance will be given according to the time; if he wants more money he must sign on for nine months.

MR. MOSTERT: How much money does he get for nine months? - I think it is £3.

SENATOR VAN NIEKERK: And he gets £1.18.2? - Yes; that is added.

DR. ROBERTS: Then the only difference between the voluntary man and the other man is that the one man gets an advance and the other man does not; is not that so? - Yes; even the voluntary boy, if he wishes to get money, could get it then, and would send it down later. (Mr. Sakwe): A question has been asked as to where this system emanated. This was a suggestion put forward by the N.R.C. and it was allowed to be exercised in certain districts as an experiment. I know Ngcobo is one, Butterworth, Mount Frere and Flagstaff also, if I remember correctly. The advantage in that, sir, is that a voluntary boy is going to get an advance of £2 or £3, as the case may be, and he has got to choose what mine he wishes to go to; that is left to his discretion; whereas a boy who contracts through the trader has not got that option; and, at the same time, there is a certain capitation fee paid

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on a boy recruited by a trader, whereas, for a voluntary boy there is no capitation fee.

MR. MOSTERT: The N.R.C. has to pay the trader so much, and the trader the runner so much. Therefore, the voluntary boy comes out cheaper and therefore he can choose his job. Is not that so? - Yes. (Mr. Bam): I might add, it was also pointed out that sometimes the trouble is that a man who goes through the trader's hands does not go willingly; he goes because he is in debt with the trader and, if he borrows money from the trader, he runs the risk of usury. Again, there has been some complaint, especially with regard to the boys, as to the length of time the boys stay on the mines. I come from a district where the boys contract to go to the mines. The Fonds are very fond of going to Johannesburg under contract. They like it: but when they get there they find that the period of nine months is very irksome and some of them use very dishonest means to get home. The general complaint is that the nine months contract is too long. They would like to sign on for, say, six months and not more.

But the nine months' contract has only been extended in these last few years; it used to be six months? - Yes, it was on the mines. Last August they complained about it. They think it is too long and many of them use dishonest means to get home before that time; some complain of being sick and so on and some of them manage to get away from work; and some thought it would be better ~~for~~ for the boys if the period of the contract were shortened.

MR. LUCAS: The nine months is nearly eleven months? - Yes, it is eleven months.

MR. MOSTERT: It is 270 days? - Yes, it comes to more than nine months. They complain about that.

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DR. ROBERTS: (To Mr. Sakwe): I may be wrong, but I understood you to say you press for more power to be given to the chiefs; is that so? - That question came up during the last Bunga Session.

Yes, but I was dealing with your own views? - That was also ventilated by the Minister for Native Affairs. The request was that these people who are chiefs should be recognised as such.

That is all? - Yes.

You would not give them criminal jurisdiction and civil jurisdiction? - No sir, that was not discussed.

You spoke of the criminals in Johannesburg who are being sent back; they are too bad for Johannesburg. Where would you put them? - That rests with the Administrator, sir.

No, but if you were the Administrator? - Well, I think the people who have such people should keep them.

(Rev. Mjali): That is it. Hear, hear! Those are consequences of their training.

Would you put them to a labour colony; do you think that would be too much, to put them to a labour colony where they could be kept until they learned better ways - not a prison, do you see? - I think that would be a safeguard to the community.

You do not want them in the towns? - No, sir.

Then, you hold that headmen should not be hereditary? - Yes, that the system of the appointment of headmen should be improved.

By putting in the best men? - Yes.

You do not think that a clever father can have a clever son? - Well, if he is a clever son, certainly he should be appointed; he falls within the category of those people I was speaking of.

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You raised a very important point I think, with regard to the welfare of the country - that is for an Union Council; are you in favour of that? - Yes.

Do you think it is possible? - I do not see how it could not be possible.

The objectionz made against it is that you have different races - Bechuanas, Basutos and so on, and you could not gather them together in one race council. You do not see that difficulty? - I realise the difficulty, but I daresay the difficulty could be overcome.

You mentioned about the annual Fretoria Conference. We can pass that over? - Yes.

Had you in your mind what trades and industries you would give support to? - Well, I daressy, sir, if facilities were provided in the rural areas for carrying out trades ---

Such as? - Such as I have mentioned here - carpenters shops, or the manufacture of butter and suchlike things.

What about bootmaking and mending? - Yes.

And all leather work? - Yes; we could even make beef and bacon out of our livestock; we could kill some of the cattle to provide meat.

I do not know if it is fair to ask you your view about these smaller industries, such as the making of rugs, hats and so on; can you offer an opinion on that? - That is one of the industries the people in the Territories are clamouring for nowadays. If there were schools provided to teach the womenfolk those things, I think it would be an excellent thing.

Now, Councillor Qamata, did you not say the Native is losing his dignity? - I said the white man is losing his dignity, - that is as seen by the Native.

Now, would you tell us how; my hearing is not

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so good as it was? - In this way, sir; we see white people say things which are not dignified. In enlarging upon that, sir, in the first place they have taught us religion, and we see them departing from all rules of Christianity, and so that reduced the white people in the eyes of the Native; By making speeches, because the law permits them to, to which the Native cannot reply, because the law does not allow them, as it would create ill-feeling. So we begin to think, if the white man is so frightened of the Native, then surely there must be something that he is frightened of; and by such things he is gradually losing the high respect that was given him by the Native.

I would go further, but it is a question that I do not like to speak about.

Well, we will not press you? - (No answer)

I think it was you, Moshesh, who spoke about getting water, was it not? - Yes.

I will not bother about that, but I am going to put this question to you; does the Bunga employ Europeans? - Yes, sir.

In what capacity? - In all capacities.

Mention a few, because you yourself are so hot on Europeans that one would expect the Bunga to employ only Natives? - In certain cases they require them as engineers, or for higher work.

Such as overseers on the roads? - Well, yes; but at the same time they are training Natives for that work.

Yes, but do you not think the Bunga uses too many white people? - I do. There are able Natives who can take some of their places.

I hope you will remember that at the next session of the Bunga. (To Rev. Mjali): Have you any sort of tradition about the beginning of lobolo, or is it lost? - From our ancestors?

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Yes? - I can only go on what we have heard from our fathers - and that is a lot.

They give no idea of a beginning; does it go back and back and back? - They just related how the thing took place between them.

And was it different in the past; you have given a little? - Yes, there is a difference. In the past one beast was enough to warrant that particular girl going to another kraal, and time and again the people of the kraal to whom the girl went, went again and, though they did not press it, often got another beast. This was done very sociably and friendly. But the first beast, as I said, was pen, ink and paper.

MR. LUCAS: The certificate? - Yes.

DR. ROBERTS: You said lobolo goes very far back; you mentioned Abraham, did you not? - Yes.

Do you know Abraham's grandson? - Jacob.

CHAIRMAN: What lobolo did he get for Rachal? - He worked there seven years for Rachal, and even fourteen.

SENATOR VAN NIEKERK: Mr. Sakwe, you spoke about the detribalisation of Natives; what do you consider to be a detribalised Native? - I consider him to be a man who is living outside the scope of the tribal system, such as you will find in the urban areas.

Now you, as an educated Native, do you consider yourself to be a detribalised Native? - Not for a moment, sir.

You said that one of the causes of detribalisation was the lack of land; is that so? - ---

MR. LUCAS: You said "dearth of land"? - Yes, dearth of land.

SENATOR VAN NIEKERK: How does detribalisation come about; is it not a slow process? Bees/a Native/leaves his location or a farm and go^{es} to the towns with the idea of never coming back; is that how it started - or is it a slow

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process? A man goes to the town, becomes attracted by the town life and one thing and another; is not that a slow process?— There are two reasons, in my opinion: one is the shortage of land and the other is the need of money.

Is it a direct process or is it an indirect process; does a man leave, say, a Native location because he has got too little land to work, or is it a bad crop that drives him to town and because he wants more money?— Well, his object, sir, is to get means of livelihood; that is the main factor. He finds, in the rural areas, the means do not cover his cost of living, or standard of living.

We have had evidence over and over again that a man leaves a location or a reserve, he has got his plot of land and his women and children there and it is evident he is doing fairly well; but then he goes to the town, gets under the influence of the town, and forgets to come back?— The Natives of today are not the Natives of olden times; the Natives now can understand the use of land, and the land that they get is not big enough to provide them with means and, consequently, they have to go to the towns.

Is it necessary for him to stay altogether in the town and become detribalised; he has got his land in the reserve, he has got his home there; that is an asset he has got?— Yes.

You can understand, if a man wants money, his going and earning it and coming back. Why should not a man go to the town, come back and not become detribalised?— I suppose it is because the towns are more attractive. That is why I say some industries might be started in the Native reserves in order that Natives may have means of earning money and where they can use raw material.

Is it necessary for all the Natives to reside permanently in the reserves? Why should not a Native have his

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small plot in the reserve and then go out to the mines or the towns and earn money, and then come back; it is not necessary for all of them to live in the reserves, is it? - You ask me the question whether it is necessary for him to remain in the reserve?

Yes? - I think I have given you the reasons that induce people to go to the reserves.

Is there anything to prevent his leaving the reserve for a time and then coming back? - There are more facilities there which meet his conditions of living.

MR. LUCAS: I think you are missing the point. You are taking the line that he has to go out to earn money and when he is out the conditions there are more attractive than they are here. So he stays away. That is your side of it? - Yes.

Now, the Senator's point is, is there anything from the Native point of view against his going out to work for a time and then coming back to live in the reserve? It is a different question. Do you understand? - There is no objection to his returning to his home if he found the same comfort.

You would not object to his going out, if, when he came back he had reasonable comfort at home? - No.

SENATOR VAN NIEKERK: As regards the conditions under which Natives in the reserves are living today, - the system of land tenure - is there any possibility of a Native becoming well-to-do under the present system? - Under the present land tenure system?

Yes? - No; as I have said, the land is inadequate.

If you are a land holder, under the present system, is there a possibility of your becoming a well-to-do Native on the land? - Yes, if there are sufficient facilities - such as fencing of the land, facilities for making improvements

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on the land and so on.

But you have those facilities, have you not - or do you mean there is a lack of capital? - Yes, there is a lack of capital.

But if you had facilities for acquiring capital to improve your holding, you ought to be able to do allright? - And provided there is a good market where the Native could sell his produce.

Yes; but a Native today is labouring under the same difficulty as the white man, is he not, with the exception of East Coast fever now? You have East Coast fever; well, that is an extraordinary position. We cannot help that. But you have the same facilities for selling your mealies and wool as the white man; you have to go to the open market the same as I have? - But the white man has a big area of land.

That makes no difference; whether you reap ten bags of mealies and I one hundred; we have the same market? - A man with less produce gets less money than a man with a big piece of land. I have stated my case, but there are very many things confronting a Native today; he has to educate his children, dress his children; he has to pay money in connection with Government taxes for things; money which formerly he was not required to pay.

How are you going to remedy that? - I suppose it rests with the Administrator and for ourselves to discuss the question.

You said the Natives were over-congested; that about there were forty inhabitants to the square mile? - Yes.

Do you think that is too heavy a population for a country to carry? - Well, the experts say so.

Forty people to the square mile have to make a living out of farming purely; but you are in this position, that there you have forty people to the square mile; you do

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not all make your living out of farming surely; you go out to work in other industries in the country. Taking that as a basis, it should not be too heavy a population to carry? - We offer a suggestion on that point, namely, that some trading facilities should be provided in the locations so that the Native could live there peacefully in those congested areas.

What sort of trading facilities - industries? - I have just mentioned them. I will refer to my notes.

MR. LUCAS: That is the part in which you talk about carpenters shops and so on? - Yes.

CHAIRMAN: It is not necessary for you to repeat what you have there, if you have nothing to add to that. We have already got it on record.

SENATOR VAN NIEKERK: You say you want certain industries in the Territories? - Yes.

Could a Native as a carpenter or blacksmith and so on, make a living today in the Native reserves? - That is my assumption, sir.

Is it your assumption that he can? - Yes, if he can get all the privileges.

He has got the privilege today; he can go out to work. But supposing your schools were to turn out a certain number of carpenters, builders, bricklayers, blacksmiths and so on, would these people be able to make a living in your reserves? - Yes, sir, if they had the same kind of industries as are in existence in the Urban areas or in the townships.

CHAIRMAN: But would they work in the towns or in the reserves? - I mean in the reserves.

Would Natives in the reserves employ them to build their houses? - Why not, sir? I think they should.

Is there a demand for Natives in the reserves - for bricklayers, carpenters and so on? - Yes, there are Natives today who have got good buildings, substantial buildings

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in the reserves.

MR. LUCAS: Do you say there are some working today? - Yes, some Natives.

CHAIRMAN: But what is there to prevent that increasing just on its own account, if they are allowed to do it? - I do not understand your question, sir, on that point.

What is there to prevent that increasing; there is nothing to prevent them from doing it? - (Mr. Mlandu): I happen to differ from what Councillor Sakwe says. I say, if these industries were established in the Native reserves, they would not pay those men. There is, practically speaking, no demand for builders, and very little demand for carpenters, so much so that they cannot make a living. We have a lot of trained boys from these institutions, but they have to leave the reserves and look for work in the big centres.

Now, as regards the trade of a smith - one of the earliest specialised trades in the history of civilization; is there any likelihood that there will be work for smiths? - I think that there could be; only for that particular trade.

But not for the trades that pretty well any man can do on his own? - No.

SENATOR VAN NIEKERK: What you are driving at is that certain industries should be established in the Territories, such as connected with the erection of a big tank and so on. What we are driving at is that a man who has been taught a trade, can he earn a living in the locations. If it is impossible, why? Is it because the Natives in general are all poor? - (Mr. Mlandu): Yes.

The standard of living is not high enough to employ those people? - Yes.

CHAIRMAN: Is not the reason that they all know those crafts and, therefore, they are not going to pay another man to do work they can do themselves? - No, that is

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not the reason. Taking x the Native population as a whole, they are very poor; they cannot afford to hire builders: and one thing more, the cause of the Natives not building is the insecurity of land tenure; The Natives will not build because they say they are liable to be moved any day without compensation.

I think you said this morning there are no poor blacks. Now you say they are very poor? - They are very poor; I insist on that.

But there are no poor blacks? - Not in the same sense as the poor whites.

I quite see the difference between the two, but I was just drawing your attention to it. The question of poverty is relative. Some people are poor with £3,000 a year? - No, not amongst the Natives. (Laughter).

SENATOR VAN NIEKERK: Since the introduction of regular dipping in the Territories and elsewhere, has not the number of cattle increased? - (Mr. Sakwe): Yes, they have. We have had diseases such as rinderpest and other subsequent diseases; and I remember one councillor here stated that the cattle on the average are not the same as they were in former times. So that the Natives are not richer in stock than they have been.

But there must be a considerable increase of late, is not that so? In the last few years you have not lost many from disease. When you say they are not the same, do you mean in quality or numbers? - In numbers.

Natives tell me that formerly they had more cattle? - Yes.

On the same lines? - Of the same quality. Yes, but on the same land? - Yes, with less population.

CHAIRMAN: Does that not mean that individual men have more cattle? - They meant individual men had more

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cattle; the total must have been more.

DR. ROBERTS: How many cattle have you, Xakekile?— I am sorry, sir, I cannot give you an estimate.

You say the country is overstocked?— (Sakwe) Yes it is, sir.

And later on you said the introduction of better stock should be encouraged?— Yes.

Do you think it would be any good to introduce a higher quality of stock unless you decreased the number of stock you have at present?— Well, that is public opinion; but I hold that the Natives would do better if they had a smaller number of cattle but of good quality.

Yes; but then you will have to decrease the present numbers?— Increase the land; that is the suggestion, sir. (Laughter).

CHAIRMAN: You say that the reason why these Native become detribalised is because conditions in the towns are more attractive than the conditions on the tribal lands?— Well, I say it is need that is driving them.

No; but in reply to what the Senator asked you, as to why they stayed there, you said they found the conditions more attractive there; I think you said that, did you not?— Yes.

And Councillor Moshesh says the conditions are more attractive in the towns than on the farms?— Yes.

So that we have to start improving in the Territories and on the farm, and not in the towns?— (Mr. Moshesh): There are such people as Mashepers(?); they are people who go away from their home with the intention of going to work and coming back again, but when they get to the towns they work and waste their money every month, have nothing and are ashamed of coming back to their homes without anything; they remain in the towns until their death.

Those become detribalised?— Yes.