

Mr. Harries

Native areas. Eight years of my official life were spent in Mount Frere then I had about six years in Engcobo and after that about three in Butterworth and it was after that I came here and I have been here 7½ years. I propose confining my remarks mainly to this district, but if you wish to ask me any questions about other parts, I know them as well. I have your questionaire here and I shall first of all deal with the heading "Tribal system".

You ask here what, in your opinion, are the adventsages and disadvantages of the tribal system of the Native. You ask me whether the system is breaking down and, if so, what are the factors which are causing such breakdown and should the breakdown be assisted or retarded or be allowed to continue unimpeded. Then you also ask what use is being made of the present chiefs and should greater use be made of them and what responsibilities have the chiefs got. A very important question is whether they have power commensurate with such responsibilities. These are matters on which you have recently been hearing the Natives. In my opinion here undoubtedly the tribal system has broken down and it has been going on for many years and I may say that it was broken down by the express decision of the Government of the day.

DR. ROBERTS: Are you referring to the days of Mr. Rhodes? - No, I am referring to the time before that. It was done in the time of Sir George Cathcart. This district was allotted to the Natives in the first place, but after that the Government decided to alter things and everything was changed completely. Until nearly two years ago the Courts did not recognise Native law and custom at all. By that I mean that no cases were tried here under Native custom. This, of course,

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led to a great deal of hardship and a great deal of abuse. If I may make myself clear, it is, for instance, a well known custom under Native law that no man shall hold two dowries under any circumstances. That was a very strong Native custom, but when I came here I found that there were many men with two, three or possibly more dowries. People had no remedy and they could not come to this court to get matters put right. Of course, they could go to the chief, but the chief could not enforce his judgment.

I went into the matter, and I found many cases where a woman was married, where dowry had been paid for her and where she had two or three children from the one man. Then she went home and took her children with her. If the husband pleased he could follow her, but he could not get his dowry back or his children back. Then that woman, if she chose, might be married a second time and another dowry paid for her. And even a third time, and, in every case, her father collected the dowry.

Well, that has been altered now and today if a marriage is dissolved, the dowry must be returned. So I say that the tribal system has completely broken down for many years and most of the Natives here, as a matter of fact, do not even know their own customs. And that applies to the chiefs too.

SENATOR VAN NIEKERK: That Native law under which you try Native cases, would you say that that is beneficial to the Native? - Yes, it is very beneficial and I think it is one of the best things the Government did.

DR. ROBERTS: Are you referring to the Native Administration Act? - Yes, I am.

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MR. LUCAS: On that point, it is rather interesting that we had a number of Natives at Queenstown who told us that they had always been under European law in the past and that it was unjust to them now to have them tried under a law, the Native law, which they knew nothing about? - Yes, one hears that, and it is so here largely. It is quite true that they do not know their own law, but they have, to a very large extent, kept up a show.

MR. MOSTERT: I take it that certain traditions which have been handed down to them have been kept up? - Yes, that is so in the main. I have heard that they said this morning that it was their wish that chiefs should be appointed. Well, I do feel and I agree that chiefs should be very useful, but here we have two chiefs. As a matter of fact, they are only petty chiefs, very petty and the whole district would not recognise any of them. That is to say, the one is recognised largely by one third of the district and the other is recognised by less than one quarter of the rest of them. But then, you have got the rest of the district, and a large portion of the district would not recognise either of them. I say that we are working very well with the present system of headmen and the District Council and I, certainly, would not recommend any change being made.

DR. ROBERTS: Do you regard government by chiefs as hopeless? - I regard it as out of date.

MAJOR ANDERSON: Have you had any experience of districts where chiefs still exercise their authority? - Yes, I have.

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Now can you tell us which, in your opinion, is the best? - Well, in those districts where the chiefs are still exercising their authority, they have paramount chiefs who have been there all their lives and the people there recognise them. But even there the chief decides civil disputes but he is not able to enforce his judgment, at least he is not able to do so legally, although they do it a great deal through moral suasion and sometimes by what one might call a show of force.

MR. MOSTERT: Are there any chiefs or headmen now who are in receipt of Government pay? - Yes, all the headmen are being paid by the Government. We here have fifty so-called headmen and two so-called chiefs. Our headmen and the chiefs too, are members of our Council.

So that you have fifty in the pay of the Government? - Yes.

Do you consider that any of those are redundant? - Well, we have reduced their number by two or three as being redundant. That is to say, on the death of a man we have not appointed another headman, but the location is put under the headman of another location.

Are those people Tembu chiefs? - Yes, all these people here are Tembus, practically all of them.

CHAIRMAN: Will you please proceed with the points which you are raising? - You asked the witnesses who were here today what is the customary number of lobolo cattle and you asked whether anything should be done to retain or regulate the custom of lobolo. I may briefly reply to that. The ordinary number of lobolo cattle here is seven. Of course, it varies and sometimes

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it is five, sometimes it is seven and sometimes even ten, but, as a matter of fact, under the Native law, there is no fixed dowry. Under Tembu law there is nothing definitely fixed and, as a matter of fact, I believe that the dowry, in reality, never ends. If a man is poor, when he gets married he will pay in instalments of perhaps four or five head of cattle. Then, as time goes on and he becomes richer, his father-in-law will call upon him and he has to contribute a little more.

You have this extraordinary feature, that, if the husband is greedy, his wife will go home to her parents to shew her contempt of her husband for not paying more for her and she will stay with her parents until he does pay more; if he becomes wealthy, his father-in-law will call on him again and he will have to pay more and you even find that that man's son will be asked to pay dowry for his ~~sister~~ deceased mother because that son has the benefit of the dowry from his sister or sisters if his father and mother are dead.

This is the position. When a man dies, the eldest son steps into his father's shoes and then his sisters are valuable assets for dowry and, therefore, he has to pay and keep on paying for his mother's dowry, because his mother has produced these valuable assets - his sisters.

SENATOR VAN NIEKERK: Do you think that we should do anything to regulate that? - Well, sir, it is difficult to say. I look upon it in this way, that dowry is necessary to maintain the tribal system and the general system of the Natives and it is also very necessary for the protection of the labour supply for the mines.

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One really finds that most of these young men go out to work on the mines, partly because they are compelled to go to work by economic pressure, because they want food at home and because they have to keep the home going. But very largely they go out with a view to earning sufficient money to enable them to buy dowry cattle, so that they may get married. I say, therefore, that if you did away with the dowry system, there would be no need for them to go to the mines because there would be no necessity for them to obtain any dowry. But, I can say this, and that too is a very important point, that the system undoubtedly tends to the hoarding of cattle.

As you have seen yourselves, we have large numbers of cattle eating up the country. These Natives, here as well as elsewhere, keep on collecting cattle for dowry purposes. You cannot limit the number of dowry, but there is one thing I should like to do, I should like to encourage them very much to pay in cash or in sheep for dowries. The Courts have laid down that, for dowry purposes, a beast shall be valued at £5, no matter whether it is big or small. Well, most of these cattle are certainly not worth anything like that, but that has been laid down by the law and there it stands.

Now, if they were to pay their lobolo in cash, if it were to be laid down that cash must be paid, they would insist upon £5 and most of these men would probably have to work for that. People bring in this scrub cattle today specially for dowry purposes and it might have the effect of putting a stop to that.

Can you tell us is there a regulation prohibiting the introduction of scrub cattle from other districts for that purpose?- How do you mean?

Let me put it this way, is there a regular introduction of scrub cattle from other districts for the purpose of lobolo?- Yes, there is.

And is that introduction considerable?- Yes, it is considerable.

And vice versa, is a great deal of scrub cattle exported from this district to other areas, also for the purpose of lobolo?- No, not much goes out.

CHAIRMAN: Not much goes out, except in the way of hides?- Yes, that is so, but they do not send much cattle out, not to other parts, especially to the Transkei, because of the difficulty to get permits.

Have you had East Coast fever here yet?- No, we have not.

Your district has always been clear?- Yes, it has, but it is still proclaimed as an East Coast fever area.

But you say that you have never had East Coast fever here?- No, never.

Now, let us come back to the hoarding system of cattle. I can quite see that the dowry system supports that, but supposing the dowry system were to disappear, do you think that would put an end completely to the hoarding of cattle?- No, not altogether, but it would certainly diminish it.

I was trying to distinguish between dowry as a cause for the hoarding of cattle and other causes. I have seen worthless cattle on European farms and I am inclined to believe that it is a form of luxury which, in reality, has nothing to do with dowry?- Well, there are other people who like

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to hoard scrub cattle as well, but it is my opinion that among the Natives it is the dowry system which is largely responsible for these large numbers of scrub which you find on the lands.

MR. LUCAS: With their present mentality, would they not go on hoarding cattle very largely, even if there were no dowry? - No, I do not think so, not to the same extent.

I have followed up the thing and it struck me from what I have seen that this hoarding of cattle is independent of the dowry? - I do not agree, I think it is very largely because of it. You see, you have these boys who are going to the mines to earn money in order to buy cattle. Then they lose their money in one way or another or they do not get sufficient money to buy what they want, and they come home, and then they go back again to the mines. They come home again and they return again to the mines and very often they do not come back at all. They become a sort of sub-European and then they remain in the towns. Well, it is difficult to say how one could stop that. Personally, I think that I should like to make deferred pay compulsory.

Compulsory for everybody? - No, for the unmarried man. You see, when an unmarried man goes away, he is after all still under his father's tutelage and I think it would be a good thing to make deferred pay compulsory for all married men on the mines.

MR. MOSTERT: Rather than say "unmarried men", would not you say "under age"? - No, I would say unmarried men.

But a man may be 45 years of age and yet not

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married? - That happens very rarely. There are very, very few unmarried men over 25 years of age.

I think it is very ~~broad~~ to say unmarried? - Still, there are very few unmarried men among the Natives.

DR. ROBERTS: I cannot say that I have ever met one? - No, that is so, and there are very few old maids, although I have known of one or two. As a matter of fact, there was one in particular. She was a woman of royal blood. This is rather interesting. She was engaged to be married and the dowry had actually been paid, but at the last moment she refused to go on with the ~~xxx~~ ceremony. Nothing would induce her and matters became so serious that there was nearly a tribal war over it. That woman is still unmarried today. Now, why I say unmarried men should be put on deferred pay is because the married men return home, but it is the unmarried men who stay away.

CHAR MAN: It has been represented to us that very often the married men do not go home at all. We have been told that the married men who go to the mines or somewhere else do not return to their homes, they simply leave their families behind them in the kraal and when they are in Johannesburg they start another family. What is your experience of that? - Yes, that does happen, but it is not so marked as the case of the unmarried man going away and becoming accustomed to town life and town conditions and remaining there. The married man would have his wife and his family and in the end he would return. Well, of course, sometimes he does not return.

MR. MOSTERT: That is my point. Take a man who has been to Johannesburg, who has been there four or

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five times and is not yet married, - are you going to put him under compulsory deferred pay? - Yes, I would. If he were on deferred pay it would be very much better and he would come back.

Do you not think it would be better if you laid down an age instead of saying that he must be unmarried? - It may be better, but we largely and generally go on a man being married or unmarried. Again, even with married men, some of them stay away a very long time and there is really nothing to compel them to return and that, of course, is a thing that you want to get at. You want to make them return because how otherwise are their families and their children to exist. I would insist certainly that any Native, whether he be married or otherwise, should not be allowed to remain away on the mines for more than, say, eighteen months and that he should not be allowed to take a contract for more than eighteen months continuously and I should lay it down that, at the end of the last period, the employer should be compelled to send him home again. I would make it obligatory on the employer to send him home.

MR. LUCAS: Would you apply that to the farms as well? - Yes, I would apply it to the farms as well, unless a man were living on the farm with his family.

CHAIRMAN: Is your idea that the employer must defer some of the man's pay and that he must give him a railway ticket, pay for the railway ticket out of the money he owes? - Yes, I think so.

That does not mean, of course, that that man will go home - he may even then not go home? - No, it does not necessarily mean that he will go home, but he

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will be given a railway ticket and his pass to return.

He may take the train to the next station and then scrap his ticket? - He may do that, but he will not do it very often.

MR. MOSTERT: Well, I have known that to happen? - Yes, it will happen, but still there will be encouragement for those men to go to their homes and, if they have a pass and then do not go forward, well of course they will be able to get another pass then. Of course, nothing is infallible, but I do think that something of the kind should be done.

The Commission at this stage adjourned for luncheon.

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On resuming at 2.10 p.m., the examination of Mr. Harries and Mr. Smith was continued.

CHAIRMAN: Well, will you continue your remarks Mr. Harries? - (Mr. Harries): Yes, sir. I may say that for some time I have been trying to get the Government to amend the Glen Grey Act. Of course, that meant at one time that they would have to take it to Parliament, but at present they could easily amend that Act by Proclamation.

Under which Act can they do that? - Under the Development Act they have the right to do so and, as a matter of fact, in the Native areas today, anything can be done by proclamation. Under the Native Administration Act, you could amend practically any act of Parliament applying to the Native areas by proclamation.

Which are the points which you thought required amending? - There are a number of points, a large number which I thought wanted amending. For instance, there are two areas which have been added to this area. (Names of area mentioned, but inaudible).

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Now these areas are not under the Glen Grey Act. The authorities found that, as the Act stands, they could not bring these areas under it, but at present they could bring the areas under the Act by proclamation.

Are they surveyed areas? - No, both are non-surveyed areas and in both areas the people are paying the local tax which, of course, goes to the Council. The people who live there have no votes in the election of councillors. Then we have these Government farms which were recently purchased - you saw some of them yesterday - they do not come under the Glen Grey Act either. I may explain to you that the Glen Grey Act excluded all European-owned property and they were then excluded and, although the Government bought those farms for Natives to be settled on, for Native occupation, these people are not under the Act today. Neither are they under the Council and the Council is unable to help them in many things where they require to be helped.

Is there a feeling among the Natives that they want to come under the Act and that they need the help of the Council? - Yes, there is that feeling and that desire.

MR. MOSTERT: Can you tell us how many European farms were bought by the Government? - Yes, 20 farms were bought.

And what is the area? - 16~~m~~79 morgen.

CHAIRMAN: What was the purchase price? - Ten thousand one hundred and fourteen pounds.

Rather over £6 per morgen? - Yes.

Did these farms contain a fairly large proportion of arable ground? - Yes, some of them contained a very large proportion of arable land.

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Would fifty percent of the ground be arable?-

No, I do not think so, say forty percent.

MAJOR ANDERSON: And what title have the Natives on that land got at present?- There is no title at all, at present they are simply squatters there.

CHAIRMAN: And what do they pay?- They pay £2 per year.

Can you tell us what they pay under the Glen Grey Act?- Under the Glen Grey Act they pay 15/- for the land per year. That is definitely fixed.

MR. LUCAS: Can you tell us is that £2 which they pay on these farms for land of the same size?- No, on the farms the land is smaller. As a matter of fact, we had to make it rather smaller so as to get the extra number that we required.

CHAIRMAN: But why this extra charge then?- This was land which was bought by the Government, whereas the land under the Glen Grey Act, where they pay 15/-, was land which was owned by the Government themselves.

Is this fixed @ £2 so as to bring up the interest on the capital?- Yes, that is the idea, but it does not bring up the interest, it really only brings up a little over three percent.

MR. MOSTERT: How many Natives are squatting on the 16,000 morgen?- I could not tell you that offhand, but I shall find it out.

MR. LUCAS: It would bring in about £1500 to £1600?- Yes.

CHAIRMAN: What happens to the money?- It goes to the Department of Native Affairs.

(NOTE: The witness was understood to give the extent of the farms purchased as 1679 morgen and the purchase price as £10,114. Mr. Mostert referred to £16,000 morgen and Mr. Lucas to the interest at the rate of 3% being £15/1600. These figures do not tally.)

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The money was loaned by the Government and presented to the Native Affairs Department for the benefit of the Natives? - I suppose so. They bought this direct from Lands. The Lands Department bought it and valued it.

MAJOR ANDERSON: There is no limit to the amount of land which you can allot? - Well, we have given out practically every bit that is any good.

MR. MOSTERT: It is not surveyed? - No, it is demarcated.

But that can later on be surveyed? - Yes, it can be done if the Government intends to do so.

MR. LUCAS: The price paid is apparently prohibitive already without the survey fees? - Yes, the expenditure is very heavy.

MR. MOSTERT: The Natives are very keen to get it, I suppose? - Yes, they were. I noticed this morning that the Natives made a point with regard to the small pieces of land and you asked them whether they landed survey and they said they did. What they really want is demarcation. They want demarcation, but should a man, in future, wish to have survey, he would certainly be able to get it. There would be no difficulty about that.

CHAIRMAN: But if one man wants to have survey, the cost of his getting it would be quite prohibitive would it not? - Yes, for one man it would certainly be prohibitive, but supposing you had 40 or 50 men in a location; if they wish to have it later on the cost would not be very high and it could be done.

And even then it would be very expensive? - Yes, even then it would be, but of course you know they might be keen on it and a man might be willing to pay for his fancy. One often finds that.

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Do you think that they derive any benefit from the survey over and above what other people have in Native locations which have not been surveyed - I mean, do they have any benefits which would justify the expense? - No, I do not think so. I do not think that there is any difference at all in the benefits which they derive.

In the surveyed areas, do you not find better agricultural conditions? - None at all, precisely the same.

May not that be due to the fact that the land is not enclosed? - Well, it is not enclosed in the other parts either.

I mean, the surveyed lands are not enclosed, and therefore the men there do not get the same services as in the other parts? - Yes, that may be so.

SENATOR VAN NIEKERK: They can enclose their land if they want to? - Yes, they can, but they can do so on the unsurveyed lands as well if they want to, but they do not do so.

MR. LUCAS: What would happen if they did not pay their quitrent, say, for a matter of two or three years? - If they do not pay for two or three years, the land can then be cancelled. (Mr. Smith): Yes, after two years we can cancel the land, but we always make it a point of not doing anything under three years.

Have you got the same conditions in those areas where they pay £2 per year in rent? - (Mr. Harries): No, we have not. In these areas we make them pay in advance and if, at the end of the year, a man is getting a year behind, we call him up before us and we threaten that we shall evict him and it generally finishes up in his paying. We have had such cases.

How do they pay that £2, how can they possibly do

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it? - I do not know how they do it myself, and I doubt if they can do it out of the proceeds of the land.

How much land do you give them there, do you give them four morgen as well? - No, they get mostly three morgen there. That is a general rule.

What do you reckon that they produce out of those three morgen? - I should say that the average Native does not produce more than four bags to the morgen.

Well, that would mean that the whole of the three morgen would not bring him in more than twelve bags? - Yes, that is all, but that would be enough for his family and himself. Of course, you must remember that he has grazing rights as well.

Yes, but these grazing rights do not give him any income? - Well, of course, he has his wool, and then he can sell his surplus oxen for slaughter and also some little milk, very little. Then you must remember, of course, that a good many of these people go out to work during the year. In the shearing season they go out to work for the farmers and, in the reaping season, you generally find that the women go to work.

Do you know what the women get when they go to work for the farmers? - They generally would get 9d per day and their food, but, generally speaking, most of the farmers do not pay them by the day, they pay them for piece work, they give them 2/- for 100 bundles.

MR. MOSTERT: Do you mean 2/- per hundred bundles of wheat? - Yes, wheat or oats. That is what is generally paid.

MR. LUCAS: Have you any idea what they can earn at that? - A good reaper would easily get as many as from

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300 to 500 bundles in a day.

You say that the women can do from 300 to 500 bundles in a day? - Yes.

But then, do any of them earn as much as 5/- to 6/- per day? - Very few of them earn that. They have to be very good at the work to earn that, but the women generally are better reapers and cutters than the men are.

Now, while I am on the question of wages, yesterday we happened to see some Native women who were busy cutting stones at a drift. Do you happen to know whom they were employed by? - Those women would be employed by the Provincial Council.

They said that they were getting 6d per day? - I do not know what they were getting, I have nothing to do with that.

Do your Council employ any women? - No, we do not.

And what do the men get? - The men get from 2/- to 2/6d per day.

Here, on the District Council, you pay £1 per month? - No, a little more than that.

Nobody gets less than that? - No, no adult males get less.

And what do the women get? - They are generally paid on piece work.

At these rates which you mention? - Yes.

MR. MOSTERT: And what are your Native overseers getting? - They get up to £9 per month, and over even. Forstclass men would get a little over £9 per month.

MR. LUCAS: Are those people Europeans? - No, they are Natives. The average which they get would be £7 per month.

DR. ROBERTS: What do you mean when you speak of overseers? - I mean men who are in charge of a party.

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CHAIRMAN: Will you continue with your points on which you wish to pass comments, Mr. Harries, please? - Yes, another point which I want to make is that provision should be made for the survey of additional arable land and trading sites. I think that is very essential.

SENATOR VAN NIEKERK: Are the trading sites fully occupied now? - Yes, there are 60 trading sites at present.

MR. LUCAS: Are these people occupying the trading sites all Europeans? - Yes, all of them excepting two Natives.

Have you any idea how the Natives are doing? - I do not know what their financial position is, all I can say is that they do not pay any income tax, so I do not suppose they are doing too well.

DR. ROBERTS: Have you any Natives in your area here who pay income tax? - Yes, we have one.

CHAIRMAN: That one, is he the owner of a farm? - Yes, he is a farm owner and a well known man here.

SENATOR VAN NIEKERK: The ordinary Native can only have one allotment in his name, is it not? - Yes, that is the principle, one man one lot.

This man who pays income tax, what has he got? - He has his own farm. He is a very up-to-date man and everything on his farm is very nice and very clean. He is a very good farmer.

DR. ROBERTS: He has a motorcar, has he not? - Yes, he has a motorcar and a coloured chauffeur. There is another point I wish to make in regard to survey of church and school lots. Mr. Smith would like to say a few words about that. (Mr. Smith): They are charging the Natives today a matter of £15 for the survey of church and school sites. In a Native area it was at one time, as the

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Magistrate point out that they did agree to demarcation and he got several of these church and school sites demarcated, but afterwards it was decided that they must all be surveyed. Now, they have made representations to us and we do feel that this £15 does fall very heavily indeed on these people. They get together as much money as they can get to build their church or their school and they find it very difficult often to collect that money. Then, when they have got a little bit together, we come to them and we have to say to them, "Before you can build your school or your church you have to deposit £15". Well, they think it is very hard, and I think so too. I think a site could just be demarcated and it would serve the purpose and there would be no extra expense involved. The Natives have spoken to the magistrate on this very point and they have said to him, "Here we have collected some money, but we have not even been able to pay yet for our church building or our school building, and now you want us to pay £15." One does realise that it falls very heavily on them, especially as the expense could be avoided.

CHAIRMAN: Who decided that the site must be surveyed? - It was the Department of Agriculture which decided that.

And do you think it is necessary to have it surveyed? - No, it is not.

SENATOR VAN NIEKERK: I may just say this, it was pointed out to a select committee of the House of Parliament that these people start encroaching on other people's land and that is the difficult and that was why survey was insisted upon? - That need not happen if you demarcate it and put the beacons up. You can easily do that and

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shew it on a sketch plan.

DR. ROBERTS: It looks very easy, but it is much easier for a man to expand? - Well, they can do that with a survey. If they are encroaching on Native-owned commonage, the Native people themselves would very soon report it and stop it.

MR. MOSTERT: You could put up four beacons and fence it? - Yes, that could be done.

And if you demarcate anything at all, you could drive your pins right down? - You could have stone beacons.

That is so, but they could be moved? - Yes, but the same applies to the survey, there the beacons could also be moved.

If your pin could be driven down in the same way as the townships in the Transvaal do, then it would do very well. Every stone has its four pins down there and they generally are driven right down so that you have to dig fairly deeply to get them out? - Yes.

They could always remove the stone beacons too, could they not? - Yes. In the country they always have the stone beacons which are three feet long and they must be sunk at least two feet. If you look up here you will see that all these beacons are of that nature.

But the pin would be better, would it not? - I do not know that I am inclined to agree with you there. You cannot find a pin so very easily. But the point that we are making is that demarcation is just as effective as survey, because it answers the purpose and, in addition, if you have demarcation you avoid all this unnecessary cost, which falls very heavily on the Native.

If the pin is driven there, the Native knows that it is there and, even if they do shift the beacon, the pin

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is still there and it can be detected. Now, is that not a great advantage? - Yes, it could be done in that way.

Could you not introduce the ancient ceremony beating the bounds, going along the boundary of each man's holding? - I do not know.

There are always a large number of people who know where these things are? - Yes.

They did that regularly in England at one time? - So I understand.

DR. ROBERTS: And in Scotland too? - (No answer)

CHAIRMAN: That would be rather a good idea? - Yes, possibly. (Mr. Harries): But then I want to say a few words about this question of building sites. That is rather an important question here. There is provision in the Glen Grey Act about building sites which have to be two thirds of an acre in extent. I am advocating, and I have done for some time, that building sites should be half a morgen, using Cape measure and not English measure. I say that, because the whole country is under Cape measure and not English measure. Very few people have taken up surveyed building sites. I do not think there are half a dozen who have done so. The reason for that is that they simply do not want them. They were tried in the Transkei and they were a failure there and particularly so at Umtata, where it was compulsory for a man to take a building site when he had arable land.

Did they take them up? - Yes, they took those up, but very few were occupied. The result was that, when they came to the Engcobo survey, they did not go on with this, but instead they gave the people residential areas there. A strip of land at the foot of a mountain

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marked out as residential area and along that they could build where they pleased. That is what they did in the Engcobo district, as the other system did not answer.

Now, in the Transkei, those residential areas are all demarcated and, in some places, they are surveyed and each individual gets his kraal site demarcated beaconed and marked out for him. Here they do not do that at all. Under the Glen Grey Act, the land was surveyed as arable allotment and then the Act went on to say that the rest of the land shall remain as commonage. The result of that is that the people are all living on the commonage. In reality they have no legal right to the site on which they are living.

You can quite understand what that leads to. For that reason, they can make no improvements, they simply cannot fence off a bit of ground and they cannot even plant a tree - legally they cannot do so, in fact they cannot do anything. That is one of the reasons, Mr. Chairman, why this district looks so ~~xxx~~ bare as compared with Butterworth and some of these other districts, which you probably have seen, where they can fence and cultivate and where they do a good deal on their lands.

Provision is now being made to enable them to do so here and I may say that it is very necessary that it should be done. That is all I want to say on that point.

I now come to the law of succession and I would like to make a few remarks on that. Before, a widow here, on the death of her husband, had the right to the usufruct of his land. Well, many of them undoubtedly abused that right. They left the district, in many cases, and they put someone else in to look after land which was often

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very much to the detriment of the heirs. Now, under these new regulations under the Administration Act, she can only do so so long as she resides on the land of her late husband. That is to say, she can only have the usufruct of the land so long as she resides there.

Another point to make with regard to succession is this. Under quitrent, a man may not devise by will. The land is bound to go to the next heir under the table of succession. There is more than one instance of educated men who have no sons but only daughters. Now, this is where the hardship comes in. The next heir, according to the table of succession, may be a red Native living somewhere else. Now, that red Native, under those conditions, has the right to occupy that kraal, supervise the Christian girls and use their lands and they are dependent on that red Native simply because, under the table of succession, he is the next heir.

Now, my point is this. I think that man who lives on that land, who has cultivated and developed it, should be allowed to will his land, if he is married according to Christian rites. I would leave it with the man, acting under custom, who will be governed by custom. That is to say, if a man desires to be governed by Native custom, he can be so, but where a man has broken this custom, he should be allowed, if he desires so, to come under the ordinary law of the land.

I know of one case where a man is a fully ordained minister, a Native, and that man only has daughters and the next heir is a man, an uneducated Native, a red whom he hardly knows. Yet, under Native custom, that land will not go to his daughters, but to that other man, to the red Native. That certainly is a hardship.

Mr. Harries

CHAIRMAN: Is it at all feasible in this district for the quitrent title to be sold by one Native to another Native? - Yes, they can do that, but at the same time, before they do that they have to get the consent of the family and, in addition, a sale of that kind has to have the consent of the Government, or rather let me say the approval of the Governor General.

In a case like that, the effect of the Native Administration Act would be, if a man were to die, his family might be deprived of the land after a great deal of money had been spent on the quitrent title? - Yes, that might happen.

That might happen in a case like that? - Yes.

I notice that your titles here are all in perpetual quitrent? - That is so.

So another effect of the Native Administration Act in this district is to assume that the Government can take back the land which was given in perpetual quitrent? - Not quite. It is only for certain offences that the Government can take back the land. One of these offences is rebellion.

Yes, but then, of course, you also have these conditions which are laid down under the table of succession - it is only under the table of succession that a person can inherit? - Yes, and that is the point I am making. A man should be allowed to will his land to whom he pleases and he should not be tied down by the table of succession, which may create very serious hardships.

Have any objections been raised by the Natives here to the provisions of the Land Act? - No, not that I know of.

These matters have come to your notice? - Yes.

Mr. Harries

There was only one case of which I know where it actually happened that such hardship was caused under the table of succession, but it may easily happen.

MR. LUCAS: There is just this point, do you consider that there is really sufficient security of tenure under a title of the Glen Grey Act? - Well, of course, there is really no security at all. You must remember that it is subject to such conditions as may have been or may hereafter be made, and you can make anything you like hereafter. In reality, it is not a title at all. Because there is no perpetual security - it is subject to such conditions and regulations as may hereafter be imposed. That is the whole point.

Can you imagine an European making many improvements under a title such as that - would he consider it as a title at all? - No, I cannot imagine it. As I say, it is really not a title.

MR. MOSTERT: Does a Native really know what that title is worth? - No, I really do not think he does. He has what he regards as a title and a little picture next to it. That little picture is a diagram.

MR. LUCAS: And there is faith in the written word? - Yes. And I want to say this, that we could easily give him the same thing without involving him in any cost at all.

CHAIRMAN: Are there any other points you want to raise? - Yes, there is just this other point which I think is rather important. The holder of the land cannot mortgage it and the land cannot be executed for debt. That is under the ordinary Glen Grey title. But, of course, we have the Mission title as well here

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and, under the Mission title, it is liable to execution for debt. That is an important point.

CHAIRMAN: Have any of these lands been sold for debt? - Yes, in fact, since I have been here, three were sold in that way and they realised good prices. Now, I say that I do not see why a Native should not be able to mortgage his land if he wants to - that is to say, if he wants to use the money for specific improvements. Say, for instance, he wants to fence his lands, or say that he wants to build a better class of house. In such a case I would allow him to raise a mortgage.

Would you allow him to raise a mortgage from anyone? - No. I should only allow him to mortgage his land to the Government, to the Council, or to the Native Land Bank if there were such an institution, or even to an approved co-operative society and then, if the bond is foreclosed, there should be a condition inserted that the only person who could purchase that land must be a Native capable of holding that land. If that were done, then I say that, under those conditions, there is no reason why a Native should not be able to mortgage his land and, in that way, he would be able to get some capital to improve his land. But I want to make it clear that he should only be allowed to mortgage for an approved purpose. He should not, for instance, be able to raise a mortgage in order to release himself from gaol, as was put by one of the witnesses before you this morning.

DR. ROBERTS: Are you in favour of the creation of a Native Land Bank? - Yes, I am, and I may say I would like to see one, it would be a very good thing.

Mr. Harries

CHAIRMAN: Where mission titles are forfeited for any reason, is that same ground issued again under Mission title? - No, it is not. When it is issued again, it is issued under the Glen Grey Act. There is no non-beneficial occupation clause under the Mission title. The only reason it can be forfeited is for non-payment of quitrent.

Does it happen frequently that Mission lands are transferred under a new title? - (Mr. Smith): Mission lands were brought in under Act 49 of 1894. Mission lands were then brought in as locations under that Act and then the Glen Grey Act was made applicable to the Mission title in so far as the payment of quitrent is concerned. Therefore, they brought them in under the Glen Grey title sufficient to issue a title under the Act.

CHAIRMAN: Does it happen frequently that they change over - that this change over of one title to another takes place? - No, because these Mission people take good care to hang on to their title and they see that the quitrents are paid and, so long as they are not two years in arrears, they are not interfered with. So there is really very little changeover from one title to another.

Now, which would you say is the more favourable. Is the Mission title more favourable to the occupants than the Glen Grey title? - No, it is not, except that the man pays more. They have about five morgen and they pay 3/- per morgen. So that works out at 15/-.

DR. ROBERTS: Is not a security under the Glen Grey Act greater than it is under the Mission title? - It is to this extent that, under the Glen Grey Act, it cannot be attached for debt.

Mr. Harries

MR. LUCAS: Can you tell us, is there a standing charge of 10/-? - Yes, under the Mission title there is such a charge.

How did these titles come about? - Certain grants of land were made to these Missions in the early days and, later on, they came under the Glen Grey Act. That is to say, they came under the Glen Grey Act as locations, but originally the grants were made to the Missions under the Missions Act. (Mr. Harries): There is one other point which we wish to make and that is this. There is a provision today that the land held under the Glen Grey Act shall not be subdivided or not be sublet. Now, some of these Natives have very large allotments and I think it would be of great advantage if they could be allowed to subdivide those lands. In the Transkei, as you may know, they may subdivide with the permission of the Government, but here they may not subdivide at all and I think it would be a good thing if it could be altered so as to have the same provision as in the Transkei, that they can subdivide with the permission of the Government.

MR. MOSTERT: This Mission title, is that freehold title? - No, that is quitrent title.

But the actual Mission title? - The actual Mission title ----

I mean the actual Mission land. Have they got that land on a freehold title, is it their own land? - (Mr. Smith): Yes, they have a special title, and that is freehold.

MAJOR ANDERSON: And is there no servitude on it, could they sell it if they liked? - Yes, it is absolutely freehold.

Mr. Harries

MR. MOSTERT: So that they could sell it if they wanted to? - Yes, they could sell it if they wanted to.

(Mr. Harries): Of course, the Mission title is granted for Mission purposes, so that they could not, for instance, sell it as a farm.

The original Missionary Land Grant to a Mission Station, I suppose that has a special title? - (Mr. Smith) Yes.

But that is not your ordinary freehold title? - No.

And the Missionaries cannot sell that title in the ordinary way. For instance, they cannot lay out plots and sell them? - (Mr. Harries): No, they cannot do that.

CHAIRMAN: I understand that you want to say something about the King William's Town titles? - There are practically the same points there. They have practically got the Glen Grey title there. The Minister there agreed to delete the forfeiture clause and, if the owner was in arrear with his quitrent, he would be sued in the ordinary way and the land could be sold and any balance would then be paid back to the original owner. Mr. Jansen agreed to do that.

When did the Minister agree to that? - I think it was last year. Mr. Jansen was here then. That, of course, is a step in the right direction. The land should not be forfeited, but there is another point in regard to that. Everything should be done to save legal expenses and I do not see why they should not issue a writ direct instead of going to an attorney and piling up costs against the Native. We do so here now. If a man is in arrear with his quitrent, we issue a writ and there is no expense. There, again, the land cannot be

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pledged. It is not liable to execution for debt but I do believe that they are allowing them there to mortgage their land. Then, of course, if they mortgage, it must be liable to execution for debt. They can only have it sold to Natives, of course.

MR. MOSTERT: It can only be sold to a Native? - Yes, that is so, only to a Native. Then one thing which they are objecting to is this. The land is liable to forfeiture for rebellion. Well, I really do not see why it is necessary to have a stipulation like that against the Natives. There has been no Native rebellion for a good many years and there is not likely to be one. But, in any case, why have this double punishment. If a man rebels, you punish him according to law and there does not seem any reason for this additional provision.

SENATOR VAN NIEKERK: That was the old idea? - Yes, that is so, but still they continue that here.

MR. LUCAS: In all these forfeiture conditions they would appear to overlook the fact that it is the family which is interested? - Yes, they seem to overlook the fact that it is the family which would suffer by forfeiture.

You do not allow private transfer without the consent of the family? - No, that is not allowed.

And here you have all these other conditions which apply against the family? - Yes.

CHAIRMAN: Will you go on with the other points you have, please? - Yes. There is next Section 16 of the Glen Grey Act which is acting as a stumbling block. The grant of land is subject to all such conditions and regulations which are already in force. Well, that is all

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very well, but it is also to be subject to any regulation as may in the future be provided for. Today we may know where we are, but we know nothing about what the future may bring. There is no security for the future and that is a serious stumbling block. That also applies in King William's Town.

DR. ROBERTS: You seem to be in favour of allowing him to sell his property to whom he likes so long as it is kept in the family? - No, I do not say that. I would say that, if a man is a civilised man, he should have the right to will his property to any other civilised person.

The conditions of holding property among Natives are slightly different from what they are among Europeans, is not that so? - As a rule, a man would will the property to his relations.

Well, why not confine it to someone in the family? - Yes, I would agree to that.

And not go outside the family? - In practise, they would not go outside the family.

MR. MOSTERT: Surely, if you give an educated Native that opportunity, you must also give that same opportunity to the red Native? - No. My point is this. The red Native keeps to his custom and I should say let him be kept under that custom. But the other Native, the civilised man, breaks away from Native custom, he becomes civilised, and he should, therefore, be allowed to advance and have civilised customs applied to him.

Surely they must have the same privileges so far as the soil is concerned? - (No answer):

CHAIRMAN: Well, what is your next point, please? - I have some figures here which may perhaps interest you. I tried to get from the traders what the indebtedness of

the Natives is to them - the extent to which the Natives owe money to the traders and what monies the traders have outstanding in that way. I wrote to all the traders here, asking them for statements, but unfortunately, only 18 of the traders replied. I may say that there are 73 traders in this district, and I have had to take these 18 who replied as a basis for my calculation. Among the 73 traders are included those whom are in the town. Calculating matters on that basis, I come to the condition that the average would be that each trader would have £433 on his books as owing to him by the Natives. I have also reckoned out that each trader has on his books an average of 138 families.

How do you arrive at that? - Well, there are roughly 10,000 families in this district, and on that basis it would mean that each family would be owing £4 to the trader. In all, in I reckon, also on that basis, that the Natives would be owing the traders about £40,000 at any one time during the year.

CHAIRMAN: Working on an average of the families, it is possible that the same family may owe money to two traders? - Yes, but as a rule they do not. They deal almost exclusively with one.

Multiplying your £433, it would give you a total of £372,000? - Yes.

Do you know whether these traders are representative? - Yes, they are fairly representative. I may say that there is only one very big man among them, and he has an amount of £1700 shewn on his books as outstanding due by the Natives. The other amounts are very much smaller.

MR. LUCAS: We were told that there were two periods in the year when the Natives received money and when they paid their debts. Now, is it in between these two periods when this large amount is outstanding? This was taken up to the end of December last.

Can you tell us when the paying periods are? - Yes, March and September. This would be in between. Mr. Ashworth told you that a Native pays off £10 and then immediately runs up a fresh £10 of debt. I believe that that is the general experience in these parts.

CHAIRMAN: Is there any particular reason why two of the traders have such very high amounts due to them on this list of yours? - Well, this one man does a lot of speculating and a very great deal of this money would be for cattle, not only for shop goods. It is the cattle which they sell for lobolo.

MR. LUCAS: Do the traders give credit for cattle? - Yes.

MR. MOSTERT: Do you think that list is fairly accurate? - I should think it would be. These figures were given to me in reply to a circular which I sent to all the traders in which I asked for all the particulars as I have explained.

These figures are very much smaller than they are in the Transkeian Territories? - Is that so. Of course, the people here are very much poorer than what they are in the Transkei and I can say that there are no rich traders here, except, perhaps, one or two. There is no doubt that there is a marked difference in the position of the trader here and in the Transkei and the same applies to the Native as well.

MR. LUCAS: Would you say that the Native here is going back, or do you think that he is remaining where he was? - Well, I should say that he is remaining practically where he was. You have these terrible droughts which periodically come and act as a setback. As they recover, they get on and then another drought again puts them where they were.

MAJOR ANDERSON: How does the proportion of Natives who go out to work here compare with the proportion who go out in the Transkei? - I could not say. (Mr. Smith): 4,300 went out last year.

MR. MOSTERT: Out of what possible number? - We have 19,000 taxpayers here. But, of course, you must remember that a very large number of our Natives get their passes at Queenstown. This is at the extreme end of the district, so they go where they can catch a train and take out their passes there. I take it that you can pretty well double that figure of 4,300.

Is it safe to say, then that about half of your possibles go out? - Yes, I should say that half of the eligible boys go out of this district.

MR. LUCAS: That is putting it very low? - Yes, probably it is.

Because, out of your 19,000, I do not think that 16,000 would be possibles? - No, but the 19,000 are taxpayers and that excludes old men.

Yes, quite so, but you cannot say the 16,000 are possibles. It must be much more than half of your possibles that go out? - Yes, I am sure it is. I should say that about three quarters are driven out by droughts.

MR. MOSTERT: What is your rainfall? - 22 inches.

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MR. LUCAS: Would you describe this as a poor district? - (Mr. Harries): Yes, it is. The rainfall is really much lower because we get it all in February and March and during the rest of the year you get very little. I would just like to refer again to your questionnaire. You ask among other things whether there is any increased tendency on the part of Natives to migrate from European-owned farms to Native areas and from Native areas to European-owned farms. During the last two years this migration has been very marked. I should say there has been an average of about 200 families which have come in from the European farms to this district.

What would you say is the reason for that? - I think the reason is that the farmers with better fencing require less herdboys and less Natives. Farmers today are going in for better fencing. The land, through being fenced, is more valuable and the moment a Native has amassed any stock, he is told at once either to go away from the farm or, otherwise, to get rid of his stock.

And does he go, generally? - Yes, as a rule the Native goes with his stock and then they find their way back here. Many of them have probably lived here as boys and when they come back here they come back to an uncle or to some relative and, if they come with stock, it is not a difficult thing to get an allotment in a location, or rather to get a headman in the location to agree to their being registered and being granted a kraal site. It has been our experience lately that that is going on.

MR. LUCAS: For how long would you say that that migration of 200 families has been marked? - Say

for the last three years.

Would you say that it was an average of 200 families per year? - Yes.

Can we take it as an average of 200 families per year? - Yes.

And is that met by anything like a corresponding number of families going out? - No, there are very few going out permanently. Of course, they do go out temporarily. In 1918 we had a bad drought and you can generally say that in times of bad drought they do go away, they are compelled to get out. Large numbers went out during those droughts, but when we had rain they came back again.

CHAIRMAN: Has this year been the same? - No, this year has not been too bad.

In the Transkei, we were told that very large numbers went out? - Yes, that is so, but we have not had such bad conditions here. We have had intermittent rains here.

In the Transkei they ascribe it to the difficulty of getting money. Maize was very low in price and so on, and wool went down? - Yes, they have been going to work much more this year, that is to say, the young men have, but that is generally due to the drop in the price of wool. This district depends very largely on wool money, but since wool has gone down these men have had to go out to work so as to make it up.

DR. ROBERTS: You have never tried to estimate the periodicity of drought? - No.

MR. MOSTERT: What is the lowest rainfall that you have had in this district? - Do you mean in any particular year?

Yes, has it gone as low as, say, ten inches? -

I could not tell you that offhand, but I can look it up and let you know.

CHAIRMAN: Have you any more points which you wish to place before us? - Yes, there is one rather important point - what measures, if any, should be adopted to deal with the surplus Native population in urban areas and to prevent the increase in migration of Natives to such areas. There is no doubt that a good many of these Natives go away to these urban areas and eventually stop there altogether. There is great need to keep control of them and to induce them at anyrate to come back and the only thing that I can see which will help, and help materially, is to give them land. It is impossible, of course, to give arable lands to large numbers but there are many places in the district where you could give a man, if it were only one morgen or possibly even less, so that he would have his kraal site and his gardens, which he could work, where his wife could work and he could go away to work for a period to augment his income. During that time, he could leave his wife and family behind on that piece of land. They would then at least be able to grow some mealies and pumpkins and things like that.

Would that man return? - That would act as an inducement for him to return. The woman would be satisfied with a few sheep and a piece of land on which she could grow vegetables and she could in that way augment her food supply while her husband was away working and, while he was away, he could send her some money with which to buy other things which she required. I feel

that, if that sort of thing could be done, if men could be given small pieces of land, it would provide a solution and it would tend to keep the Natives out of the towns.

Another thing that struck me is this. Many towns have large commonages which are now falling under the management of the village. The commonage is the property of that town. People who live in the locations there, in the town locations, have no opportunity of keeping cows. Dairies are not kept there. The ordinary people living in the town do not want the commonage and it is largely the speculator who uses the commonages for his own purposes of keeping cattle. Now, why should not these towns look further ahead and give up some of these parts of the commonage as garden lots instead of herding these Natives in the locations. If garden lots were laid out on these commonages, very great use would be made of them. Why not give these Natives a certain area which they could use for residential and arable sites?

Which Natives would you give such sites to?— I would give those sites to Natives working in the towns, to storeboys. If they could have a little land to cultivate, I feel sure that it would make conditions much better for the towns and you would get a better class of Native and you would not have conditions of Natives floating about as they are doing now.

DR. ROBERTS: YOU are in favour of Native villages instead of locations?— Yes.

CHAIRMAN: It has been put to us that that would be in conflict with the principle of segregation which was laid down by the Land Act?— Well, you would segregate them, because they would be put in a distinct community as apart from the European community. They

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would not own land in the European area, they would simply be allowed to rent this land on the commonage.

They would become permanent residents there, would they not? - Yes, but are they not permanent residents today?

Ultimately, at the back of the idea of segregation, is the idea of grouping Natives in areas where they shall have some say in the government of their own conditions. I do not see that, under your proposal, that principle is carried out? - I think it could be done.

Could they be given scope so far as local government is concerned in those villages? - Yes, you could have some local village management board in control of the other villages. I do not see that that is in conflict with the principle.

SENATOR VAN NIEKERK: That would mean attracting extra numbers to the towns? - Yes, I suppose it would, but I want to provide for these people who are already detribalised and who are already permanent dwellers in the towns.

MR. LUCAS: Do you find that many Natives go away from this district to the towns and do not come back - Natives who become permanent dwellers in the towns? - Yes, there are quite a number who have permanently left the district.

As far as I can gather from the figures of the Queenstown Superintendent and from the location missionaries there, there are only forty people who have come in to reside in the location, to reside there permanently, in the last two years? - Well, it all depends on what one would call reside permanently.

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They have come to work in the town as ordinary Native workers in the town. Would you not regard that as being in conflict with the principles of the Act ?- No, it is not in conflict with the Act. You must remember that, after all, they have a large location in Queenstown and they have to cater for the needs of the town. There is another question on your questionnaire which I should like to say a few words about.

"What industries could, in your opinion, be established for Natives in Native areas". Well, that is a very difficult matter. The Natives do not take to industry. One knows that at Lovedale, at Fort Hare and at other places, they were trained as carpenters, blacksmiths, and in other trades. The question is, how many old Natives do you see working as carpenters or as blacksmiths. So far as I know, none. True, they may get the training, but after a short period they drop out.

DR. ROBERTS: Where do you think that they have gone? - I shall tell you, they have gone back as ordinary agriculturists.

Why should that be so? - For one reason, the Trade Unions have laid it down that they shall not compete with the White man.

But they could carry on an industry in their own villages? - Yes, probably they could, but they do not do so.

CHAIRMAN: But is there any demand for their services? - Yes, there is a little, but not much. You see, the fact is that every Native is his own carpenter and the result is that a trained man is not wanted.

MR. MOSTERT: Do you find in the locations that their particular skill is being used? - Sometimes. It is only now and again, though, that they are wanted for the

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making of doors and windows and things like that.

In the location, people build their own houses, do they not? - Yes, but sometimes they call in the services of these people.

CHAIRMAN: What about smithing? - The Natives do not take to it.

Do not the Natives do the work? - Sometimes you will see that they go to work for an ordinary blacksmith in the village and work for him. The Coloured man takes to that class of work particularly.

DR. ROBERTS: At one time you were a great enthusiast for cotton growing? - That is so.

Would there be no opening there for making an industry of that? - No, cotton growing is hopelessly out of it. The bottom is knocked out of the market.

And spinning? - Well, they are showing a little aptitude for spinning and weaving. Here we have four girls for whom the District Council paid to have them taught spinning and weaving. They are at present at St. Cuthberts where they are being taught. We tried to get a station established here, but the cost was too great and we could not get anything from the Government for the instructor. Then, with a view to getting something done, we sent four girls away. Well, perhaps that may help a little. There are other things which they might turn their hands to, such as tanning, for instance, and wool washery. That is a branch of industry which is capable of being developed very considerably. The Natives own wool could be washed and it might answer very well. He might do that in his own institution. And basket making, they have a great aptitude for that. Their baskets are very good and if

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they could only find a way of putting handles on to their baskets, it would certainly develop into a good industry. I, myself, have succeeded in fixing on handles. Then there is bootmaking and that is one of the few things in which you find some of the old Natives still engaged. Here, in this village, for instance, there are two or three quite elderly men who do bootmaking.

MAJOR ANDERSON: Do they sell what they make? - No, they do not make any boots, it is only repairs they go in for. They have learnt to make boots, but they never do, and that you find, not only here, but in other districts as well.

MR. MOSTERT: They are rather good at boot repairs, half soling and heelings? - Yes, and they are good at general repairing. And work of that kind.

CHAIRMAN: Have you any further point that you wish to bring forward? - Yes, I have another point about the marketing of Native produce and that is a thing which I have for a long time been trying to make them take up properly. We want to get Native co-operative societies established. I tried here to get a co-operative society going, but I found that I had to come under the ordinary Co-Operative Societies Act and that Act does not suit Native conditions at all. First of all, you have to have a register and a set of books and you have to have an office with a signboard out and all sorts of different things. Well, I very soon found that that was hopeless. You could not possibly run a Native co-operative society on those lines. I daresay that you have read in the papers about Father Hüss.

Mr. Harries

Yes, we have had a good deal of evidence about his work? - Well, he had the same difficulty. He went to Pretoria and he spent a week there. First of all, they sent him to the Department of Lands and they sent him to the Department of Agriculture. Then, from the Department of Agriculture he was sent to the Department of Justice and, in the end, he came back without having accomplished anything. He had to register his society and go through all these formalities. In the end he evolved an intricate sort of scheme which is nearly as involved as the scheme laid down under the Act. In that scheme he has to provide for the registration of co-operative societies. Still, he is working today, but all his societies are illegal. At the same time, he has been told that they will not be prosecuted. Well, I am very anxious to go in for societies for the Natives, but I am not going to start a society which is illegal.

It could not be done in any other way, could it? - Yes, it could be done under the Native Administration Act. What I mean is this. You could deproclaim the Co-Operative Societies Act and say it shall not be in force here and then, by a Proclamation, you could give us a simple version which would be applicable to the Natives. We should then be able to do quite a lot. There is another point which I made a little time ago and which might be of general use. You take markets like Queenstown and East London. Natives are not allowed on the market. There is no rule prohibiting them but they cannot get in. They have to buy their market

products from Indians or Europeans. Well, what I should like to see is that we should have a special Native market, a market in the Native location where, for instance, Natives could bring their own products and where they would be able to sell in their own locations. For instance, women could easily bring in a basketful of green mealies and they could sell those mealies on the Native market; or they could bring in a waggon load of pumpkins and things like that.

MR. LUCAS: At present, that is not possible at Queenstown? - No, it is not possible at Queenstown, nor is it at East London.

DR. ROBERTS: Why should that be so, because, at the Cape, there is not that segregation idea? - That is so, it is simply that a White man will not have a Kaffer crowding round him in the marketplace.

Nor at the Post Office? - Well, they have separate post offices for the Natives, but the Indian can crowd in all the same.

MR. LUCAS: Have you got any Natives doing work in the post offices in this area? - There is only one telegraph messenger boy.

The selling of stamps or doing counter work, - is that not done by Natives here? - There is only one post office here. We have one postmaster and a telephone girl and a messenger boy.

CHAIRMAN:  
Have you any other points to raise? - Whenever you want to get vital statistics about Natives, you have nothing to work on. There is no compulsory registration of births and I think it should be made compulsory. It would not be very difficult to do so and the information that would be supplied in that way would be of great value

Mr. Harries

especially to Commissions like this. Take, for instance, infantile mortality. One knows that, among the Natives, it is very high, but one cannot get any figures.

CHAIRMAN: DO you think compulsory registration is at all feasible for the Natives in their own areas? - Yes, in the Cape it is. I do not know about Natal, but here it could be quite easily done. At one time it was generally done in the Transkei.

Do you say that it was compulsory at one time? - Yes, it was.

And you think it could be done here again? - Yes, I think so, and it would be of great value in finding out what the position of the Natives really is.

MR. MOSTERT: Will you give us your views on the pass system? - I have never had very much to do with the pass system. It is only in the labour centres where it strictly operates and here we only have a system of passes when they are driving stock.

There is no hardship on the Native? - Not that I know of, but I cannot speak from actual personal experience.

CHAIRMAN: Have you any other points you wish to make? - There is one other small point. The Private Locations Act was, of course, mainly intended for European areas, but they insisted on enforcing it for this area. We have a few Natives on farms with labour tenants and they have to pay taxes for them. Well, I do not think that that was ever intended and it is a distinct hardship which should be removed. That could easily be done.

How many farms are affected? - Four Native-owned farms.

What is the size? - 300 or 400 morgen each.

Mr. Harries

(Mr. Smith): These people who come to live on the farms are really relatives of the owners. This Act was brought in to stop Europeans farming with Natives, but today the hardship is being caused through Natives having to pay under this Act and one feels that something should be done to amend it.

MR. LUCAS: Is there any power to grant exemption?— No, there is no such power given under the Act.

CHAIRMAN: I understand you wish to raise a few other points?— Yes. In the first place, it has been suggested that the price of mealies should be regulated in times of necessity. In times of drought, the Government never issued any proclamation about the prices of food for Natives, but I think something should be done to stop these enormous high prices which the traders put on in times of drought and need. The traders will buy mealies for 12/- or 13/- a bag and they will hold up those supplies until the price has gone as high as 30/- and then the Natives have to pay that. I think it would be a very good thing if the Government could see its way to step in and put a stop to this. It certainly would be of tremendous advantage to these people. This, I think, should not be made to apply to mealies only, but to many other things as well.

There is just one other point too. I happened casually to be speaking to a trader and I said to him, "Say a Native comes to you and he wants a particular early mealie to plant. He gives you the name of that mealie and I take it you supply him." The trader's reply was, "Well, we give it to him, but not the mealie which he wants."

Mr. Harries

"We say, 'This is the mealie'". Surely, that is not what is wanted. The Native will never progress if he is to be subject to that kind of thing and I hope that that can be altered. A co-operative society could help the Native and could instruct him in all these matters in regard to farming. The society could help the Native in regard to the improvement of his crops and in regard to the marketing of his produce. (Mr. Harries): When I came here, I started a Native Farmers' Association. It is still in existence and it has a large number of members. We held five large shows and we have a little over £80 in the bank and most of that money is spent on shows. Well, I tried to get the Natives to buy their agricultural implements through the Farmers' Association, acting as a sort of co-operative society. I was fairly successful and I then got into communication with some of the merchants and succeeded in getting some of the trade discounts. Immediately the traders heard of this, they were up in arms. They said to the merchants, "If you are going to do that sort of thing, we are going to stop dealing with you". Well, the ~~traders~~ had to stop giving us our discounts.

MR. MOSTERT: With the small rainfall which you have here in this area, do you ever produce sufficient maize, for instance, to meet all your requirements, or are you obliged every year to import some of your requirements? - Yes, we have to import practically every year.

Does that apply to maize only - it does not apply to kaffer corn, I take it? - No, not kaffer corn.

Mr. Harries

We get sufficient mealies only once in five years and the other years we have to import.

CHAIRMAN: I understand you have some other points, Mr. Smith, which you wish to raise? - (Mr. Smith): Yes, I have a point here about the employers of labour. You notice that a person employs a Native but does not bother his head about the way he houses his employees. It is of no concern to the employer. Any hovel seems good enough for the Native and I do think there should be some inspector or some person to see to it that people do not engage Native labour unless they have some proper place where to house that Native. It does not matter whether it is your kitchen boy or your girl, it should be provided for. I do think that people should be made to house their servants decently and that they should be compelled to make it their definite concern to see to it that their servants are housed in a proper condition. Today, one hears people complain about a boy or a girl being dirty and then mixing with the people in the house. But these people who complain do nothing to help us and they do not provide facilities to keep their servants clean.

MR. MOSTERT: You are not now referring to the large employers of labour? - No, sir, I am referring particularly to the smaller villages and to the conditions prevailing there.

DR. ROBERTS: But the Urban Areas Act makes provision in that respect? - Yes, but it is not enforced. Here, for instance, we have a thing which they call a location. It is an absolute disgrace, - just a lot of little hovels in which no human being can be and should be expected to live.

Mr. Harries

CHAIRMAN: You also want to say something about education, I believe? - Yes, on the question of education, the class of teacher here is not of a high enough standard for the teaching of the children. In fact, I think that some of the children could teach the teachers. I feel that the standard should be at least Standard VII - that is the standard of the teachers should be at least Standard VII. What I should like to see is that, before a teacher is taken on at any school, the school inspector should pass that man.

DR. ROBERTS: But he does pass him? - No, he is appointed by the Missionary and all the arrangements are made by the management.

Then there was another question which I was asked to bring up and that is in regard to Government bursaries. If there is an outstanding Native child in the district, I was asked to put before the Commission the question whether, in such a case, a Government bursary could be given to send such a child to school.

DR. ROBERTS: Your Council here should deal with that? - Yes, I think they do deal with it. (Mr. Harries): We do deal with it and we have two children at Fort Hare now.

CHAIRMAN: You also wish to deal with the question of agricultural demonstrations? - (Mr. Smith): Yes, they have appointed a certain number of agricultural demonstrators to this district. I am sorry to say it, but my opinion is that they are of no use at all. Three Natives are appointed and they are brought under certain supervision. With the money which is spent today for Native demonstrators, I think greater results could be obtained if it were used to have an efficient European and also to have an efficient

Mr. Harries

Native to go around and hold proper meetings in the locations and demonstrate there how and what should be done and shew the Natives the different seeds and the different methods properly. Today, these men are sent out to the location and nobody really knows what they do, whereas, if you had a man, a fully qualified man to go around to meet people and shew them the benefits of up-to-date methods and hold meetings all through the areas, I think it would be of great benefit.

MR. MOSTERT: Under whose supervision do the demonstrators fall? - (Mr. Harries): I may say that I do not quite agree with Mr. Smith. The position was as he stated it to be in the past, but matters have now been entirely reorganized and today we have four fully qualified Natives as demonstrators. The farm manager is in charge of these demonstrators and he supervises them in their work and that manager falls under the Assistant Director of Native Agriculture. I must say that these demonstrators are moving towards improving the position of the Native and I do feel that we must give them a little time to work out their problem.

CHAIRMAN: We have had evidence that the work which they are doing is very useful and of a very progressive nature, although the progress may be somewhat slow? - Yes, I feel that they are doing good work. In the past they had not too well here for lack of supervision but they have got that supervision now.

I understand there is another point you wish to raise, Mr. Smith? - (Mr. Smith): Yes, there is the question of the educated Natives. Would it not be possible, in Native areas, for European storekeepers to

Mr. Harries

employ educated Natives in the stores. There would be an opening there for employment to be given to these men for which their education fits them. (Mr. Harries): They do, as a matter of fact, employ a few, but there are very few of them. The trouble, of course, is that there are so very few you can trust, you cannot let them handle cash. That is the whole difficulty.

MR. LUCAS: IN the Transvaal there are men left in charge of shops? - Well, you cannot trust them here. Mr. Smith has a few who are helping him with the collection of taxes, and he will tell you that he has been obliged to keep a very strict hand on them.

CHAIRMAN: I understand that you have a system here of storekeepers financing men for beer parties? - Yes, but it is mostly the women who are responsible for that. They get a bag of sprouted grain from the storekeeper and then they make beer and sell it and the storekeeper gets his share. Of course, it is an infringement of the liquor law, but they are not very often caught. I understand that they go half and half with the storekeeper in the profits which they make.

Who runs the risk? - Oh, the women run the risk, the storekeepers do not.

MAJOR ANDERSON: Does the storekeeper get nothing if they are caught? - No, the storekeeper gets off scot free. All he has done is to sell the bag of grain, but it is the women who are punished if they are caught. The storekeeper does not enter into the matter at all.

CHAIRMAN: DO they really go fifty-fifty. Is it not a fact that, in reality, it is the storekeeper who gets the lion's share? - No, I understand that they go

fifty-fifty, but, of course, I cannot tell you exactly what the arrangements are that are entered into.

I have heard it said that the women bring all the money which they collect and take that to the store-keeper and then the storekeeper gives the women what he thinks fit? - I do not know, but I have heard it said that he first takes off the price of the grain and then they share the balance.

DR. ROBERTS: It seems a very evil system? - Yes, but you cannot do very much to stop it.

CHAIRMAN: I understand that you have been spending certain money here on anti-soil-erosion work? - Yes, I have the figures, which I shall send to you.

Can you tell us exactly how much has been spent on that work? - Yes, in 1929 we spent £194 on anti-soil erosion and in 1930 we spent £41.

Can you tell me what area was reclaimed? - Approximately nine morgen. I may say that, in 1929, the cost of the stock dam is included in the £194 as part of the anti-soil-erosion scheme.

Can you let us have any further details shewing how much was reclaimed in 1929 and how much in 1930? - Yes, I shall look up these details and forward them to you.

THE COMMISSION ADJOURNED AT 3.50 P.M. AND SUBSEQUENTLY RETURNED TO QUEENSTOWN, LATER ON PROCEEDING ON INSPECTION TO MIDDLEDRIFT AND KEISKAMA HOEK; TO RESUME SITTING AT KINGWILLIAM'S TOWN ON MONDAY, JANUARY 26th.

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