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NATURELLE EKONOMIESE KOMMISSIE

Minutes of oral evidence before the Native Economic Commission
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NATIVE ECONOMIC COMMISSION.

KING WILLIAM'S TOWN 26th JANUARY 1931 9.7 a.m.

SIXTYFIFTH PUBLIC SITTING

PRESENT:

Dr. J. E. Holloway, (Chairman)
Major W. H. Anderson, Dr. A. W. Roberts,
Dr. H. C. W. Fourie, Senator P. W. Le Roux van Niekerk,
Mr. F. A. W. Lucas,
Mr. C. Faye (Secretary)


MR. ALEXANDER KERR Principal, South African Native College,
Fort Hare,
REV. ROBERT HENRY WISHART SHEPHERD, Acting Principal,
Lovedale College,
MR. PAUL LEOMOND,
called and examined:

CHAIRMAN: Could you define the position with regard to the demand there is for Natives trained by you, first of all in higher education?— (Mr. Kerr): You mean by the demand the classes of occupation which are open to them?

Yes, and the extent of the demand?— We, At Fort Hare, of course, train mainly for professions. We have a body of teachers and a body of ministers, and then we send men into the Civil Service and into offices, lawyers and commercial offices. Also, we train agricultural demonstrators and we hope to be able to train men who may be employed in agricultural schools.

Is that the full list?— That is the probable extent.

All the directions there are openings?— Except, some people go in for further study; we have quite a number of students at present overseas, studying medicine.

Have you an idea of the exact number?— At the present time we have ten overseas studying medicine and we
have three men who have been overseas and who have qualified as doctors and then come back.

You have Indian and Coloured too? — We have at Fort Hare, Indian, Native and Coloured. I have distinguished these in the memorandum. Two Native men who were formerly students at Fort Hare have returned as doctors; one was Dr. Notebang and one Dr. Gumede.

Where is Dr. Gumede now? — He is in the neighbourhood of Amanzimtoti or Inanda, in that district.

Now, with regard to the extent of the demand for the services of your students? — So far, we have not been able to supply all those that are wanted from us.

Is that fact more or less generally known among the Natives? — I think so, and I think they are beginning to appreciate the position. Natives, as you know, are very conservative and until they see a way opened for them by some members of their own race, they are not men to take up new openings.

Have you gone into the question of what proportion of the Natives who matriculate come to you? — You see, we matriculate them; our entrance qualification is the Junior Certificate and of those who passed the Junior Certificate last year, about fifty percent came to us.

DR. ROBERTS: You are giving up the Matriculation soon, are you not? — It will not be quite soon. It should be ten years before we have a sufficient number of post Matriculation students. At the present moment, our policy will be to increase the numbers beyond Matriculation and diminish those who are preparing for Matriculation, so that at any rate we shall have a post Matriculation college like others. We started at Standard VI as a matter of fact. In 1923 23 cut off two more classes and probably it may be
ten years or less before we shall cut off the Junior Certificate and concentrate only on the post matriculation.

Do you get these students from other institutions training for matriculation? - Yes.

Do you get the bulk of them? - Yes.

So that one could say that the Native who goes to matriculation today, goes there with the intention of going beyond? - That is not quite the case. Up to the present, we have been the only institution training for matriculation and anything that may happen now, of course, would be a projection into the future.

But, at present, have the Natives generally gone beyond matriculation? - No, not all. The present proportions are, in the whole college, 130 last year. Of those, 28 were post matriculation, so that not all would get to the stage of matriculation or beyond. A number of them, for example, are accepted into the Civil Service when they pass or a number may go into teaching or become agricultural demonstrators.

Are they readily absorbed? - Those that we turn out?

Those with matriculation? - Oh, yes, there is a demand for matriculated students.

There is no question of having to wait a considerable time? - No, that may come, of course, but at the present moment the tendency is all the other way.

So that, as with the Europeans, there is always room at the top? - I think that is the case. You see, there has been a big growth in secondary education in the last five or six years and these have been staffed sometimes partially and sometimes entirely by students from us. I believe the policy of the Department is to take these men into the normal training institutions, so that, so
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far as one can see, there will be no flooding of the market by our people.

Now, Mr. Shepherd, I would like you to consider the same points that Principal Kerr has been dealing with, from the point of view of your students at Lovedale?—

(Rev. Shepherd): At Lovedale, we take them up to the J.C., but not beyond, but this year we have taken matriculation. Those who wish to be teachers usually pass Standard VI and then take a three years' teachers training course. Then, of course, at Lovedale we have trades - carpentry —

I want you to deal with it rather from the point of view of what demand there is for students you turn out?—

Well, with regard to the teachers, not all the teachers can obtain employment. In the meantime, I have stated in the memorandum that quite a number of them have a period of unemployment after they have finished.

DR. ROBERTS: Could you give the proportions; could you tell the number you turn out who do not obtain employment for some time?— Well, I am afraid not, because the periods of unemployment vary so much, and, while we try to keep account of all those who pass through our hands it is somewhat difficult. Perhaps it could be done if it is required.

CHAIRMAN: It would require a special investigation?— Yes.

Two years ago I had to put up an investigation like that in regard to the European institutions - University colleges, and I think I appreciate the difficulties of getting the information?— Then, in regard to those who take the J.C.; many of them take it as supplementary to their teacher's training course and also as the preparatory to passing on to Fort Hare for matriculation.
Reverting for a moment to these teachers; is it not the case that some of them take the teacher's course simply to get the educational value out of it without any intention of teaching?—No, sir, I do not think a great number do so. If they wish education in that way, they pass into the J.C. and take the academic course there.

MR. LUCAS: You give both, of course?—Yes.

CHAIRMAN: That is, in regard to your institution. The condition may not be the same where there is not the choice between the two course?—That may be so. (Mr. Kerr):

It was the case a number of years ago, the teacher's course was the only one open to them, but that has been greatly alleviated by these high schools, of which there are twelve throughout the country.

Differentiation is now possible in the training?—(Rev. Shepherd): Then, quite a number of those who take the J.C. pass into clerical work. We also have the clerical J.C.

The clerical and commercial work these boys pass into is that chiefly in areas catering for Native populations?—Yes, although I believe lawyers and others are willing to take them.

Lawyers who have a Native clientele?—Yes.

So that these people's educational training does get brought into immediate contact with their own people?—Yes. I have stated in the memorandum that that is the aim of Lovedale.

Now, with regard to the extent of the demand. You say it is somewhat insufficient now, the extent of the demand for your students?—(Mr. Kerr): Teachers.

You said it was with regard to teachers?—(Rev. Shepherd): Yes, I think it is so principally with regard to teachers.
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The J. C. pupils are still readily absorbed?—
I think so.

Do you notice a tendency to go over from the
teacher's course to the purely cultural course?— Quite a
number, when they have finished the teacher's course take
the academic course, but I should say that a large proportion
of these go later into teaching.

May not that be due to a desire to improve their
qualification and, therefore, to have a better chance of
obtaining such posts as are going?— That may be. I think
it is now felt amongst the Native people that simply to
pass Standard VI and take the three years' course is not
opening up much.

Now, is the system of training so arranged that
they have to go through the three years' course just the
same?— (Mr. Kerr): They can take the Junior Certificate,
pass into the primary higher course.

So you actually have an organization now?— Yes.

SENATOR VAN NIEKERK: If they take the Junior
Certificate, must they go through the three years' course?—
No, sir, the two years' course. (Rev. Shepherd): They
must have the Standard VI qualification before they go
in to the J.C.

CHAIRMAN: So that your experience is again,
as with the Europeans in the last twenty years, the standard
required for various occupations is going to be gradual?—
Yes, that is so.

Now, passing on from that to training in industrial
work, I would like you to look at that again from the point
of view of the demand, Mr. Shepherd?— (Rev. Shepherd): I
mentioned that we train in carpentry, waggon making and
blacksmithing.

Waggon making you are proposing to discontinue?—
Yes. The two go together. The instructor was in charge of both departments. The two are really being classed as forms of training. We still keep a blacksmith's shop, but we are not training apprentices.

Do you think that is altogether a sound step?-Well, that is the considered opinion of the Governing Council.

So far as wagon making is concerned I can see that, because it is a trade that is gradually being substituted by another, but as regards blacksmithing have you considered the point of having blacksmithing alone?—(Mr. Kerr): I think the point was a grant was paid for the double department, and without the continuance of that grant, I hardly see how it is possible to carry on. One does not see why such a basic industry as blacksmithing should not be able to be continued amongst the Natives.

Blacksmithing appeals to me as perhaps the thin end of the wedge—the introduction of a certain amount of industrial work in the reserves, because, as you know yourself, it is one of the oldest trades in the world?—That is, one views the discontinuance of training with a certain amount of anxiety.

Has your Governing Council taken up the question of getting a grant purely for blacksmithing?—(Rev. Shepherd): No, sir, we have not. The other two departments I have to mention are printing, bookbinding and shoemaking. Now, with regard to the demand, I have mentioned the position with regard to wagon making and blacksmithing. In shoemaking there seems to be a fair opening for those who are trained. Evidently a number of them are able to find a living. I have mentioned a case where, after two years' training at Lovedale he is now at Somerset East earning
sixty pounds a year.

DR. ROBERTS: Is he under a White man?—I take it so.

CHAIRMAN: One finds quite a number of places where Natives do shoemaking on their own?—Yes. Then, with regard to printing and bookbinding, the prospects there seem quite good. With the spread of education amongst the Native people, there are more openings. What we find is that quite a number of them go into Native printing offices such as "Imvu" and so on, and then others find employment in small country European offices where they could not afford to have two Europeans, and you will find very often the proprietor of the paper works alongside his assistant.

MR. LUCAS: Has the Industrial Council Agreement affected you very closely?—Well, so far as our own offices at Lovedale are concerned, I do not think so, because we confine ourselves to printing for missionary societies and the vernacular printing; and then, in these small offices I think it is recognised, it is not a case of displacing an European by the employment of a Native.

DR. ROBERTS: I think they did trouble you a little about three years ago?—Yes, but I think they were quite satisfied when they went into the matter.

SENATOR VAN NELDERK: Your scope is limited?—Yes, yet we find at Lovedale our printing is becoming much more extensive. This past year we have thirteen apprentices in printing for the year.

How many journeymen have you?—I think it is something like 14 or 15. We find printing is not a department in which we could have a number of apprentices; the same technique is too difficult.

MR. LUCAS: I was thinking of interference in
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various towns?—I think most of our men who are trained find employment in Native offices or in small country offices. I do not think there is any extensive employment of them in big printing offices in the large towns.

CHAIRMAN: In small country offices, does not the Printing Agreement make it difficult for them to find employment?—I think those who are responsible for that agreement recognise, by the employment of one Native in such an office, there is no prejudice to the position of the European.

MR. LUCAS: It is not so large that you feel the effect seriously?—Quite so.

In Durban, some time ago, the Printing Council had to recognise Indian apprentices. Has there been any question yet of their recognising Native apprentices in the towns?—Not that I know of. In regard to carpentry, there is much more difficulty. We find that many of our carpenters suffer a period of unemployment. I have cited something like seven cases here which are typical and, since preparing this memorandum, I have obtained three particulars, that from 1926 we turned out 32 fully trained carpenters: one has died, one has given up because of illhealth, 2 are at Lovedale, 8 are known to be working at their own trade, and the others appear to be unplaced.

SENATOR VAN NIEKERK: Of the 8 working at their own trade, have they their own shops?—Two are at Lovedale as journeymen, one is working at Piri, one is in King William's Town, one is on his own account at Griqualand East, one is in a box factory at Cape Town; one is in Cape Town on his own account, and two are in partnership in Queenstown, evidently on their own account.
So four have struck out on their own account?—
Yes, at least four.

CHAIRMAN: In carpentry there is practically no scope in the Native locations?—Well, one of the difficulties, as I have mentioned in the memorandum, that many of them trained as carpenters seem to experience, is in finding employment as journeymen, is on account of the type of dwelling house occupied by Native People (reading statement). Building is in pretty much the same position as carpentry; the two go together.

MR. LUCAS: Their chief difficulty, I take it, is in the attitude there of the municipal councils in regard to the building of location houses?—Yes.

Has any general protest been made about that?—Yes.
I know that frequently, in our magazine, "The South African Outlook", we have spoken of that matter. (Mr. Kerr): There has been opposition where Native work was being undertaken from European organizations. That was the case at Fort Cox, I think. It was only secured for Native people by pressure from the Government.

MR. LUCAS: Are your Native builders and carpenters aware that the agreement does not apply to them if they do not themselves have employees?—I am not sure. (Mr. Shepherd): I think they must know that.

CHAIRMAN: I think you would subscribe to the view that the object at Lovedale,—and I think the same applies to Fort Cox,—taking the trades, do you think that carpentry is sufficient to give your students a reasonable opening, say for the next ten years?—(Mr. Kerr): I think the difficulty lies, of course, in the rather low conditions obtaining in Native locations. A man with a full course in carpentry or a man who has been trained for five years as a builder, I am afraid might find a great deal of
difficulty in rural areas.

DR. ROBERTS: They can buy a door cheaper than they can make one?—Yes.

CHAIRMAN: So that it seems as if the continuation of training must also inevitably bring about competition in European areas?—In European areas, perhaps, but probably not in European work.

You think that, if such work as building in Native locations were reserved to Natives, whenever they are available, that that would give you sufficient scope at least for the near future?—(Mr. Kerr): I think so.

What about the printing trade?—With regard to the printing trade, I do not think you will find there is any unemployment for the number of apprentices you train.

I am rather looking at the future now. Are you going in for a deliberate policy of limiting the training, or is the number naturally limited by your facilities for training?—(Rev. Shepherd): I should say by both.

You have a deliberate mix policy of limiting it to what the market is likely to absorb?—Yes. Just as we limit the number of teachers in our training schools to what we know the market will absorb.

Even now you find that a certain number of trained Natives have to go over to European occupation?—Yes.

Is there not a risk that you are close to the margin in printing?—I think so.

DR. ROBERTS: Would you indicate to the Chairman of the Commission how many apply for training as indicating the desire to be printers, as against the number that you take; take this year, for example?—Well, I am afraid I cannot give the numbers who have applied this year, but I do not think that the number is great that applied for
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training. (Mr. Kerr): That is to say, you do not turn away many? (Rev. Shepherd): No.

MR. LUCAS: In printing, is there any sign yet of the Native firms wanting apprentices, the way the Europeans very often did, as cheap labour, and in that way increasing the supply readily?— I do not think we have had any indication of that, although it may be, as Mr. Jabavu said yesterday, they will take the cheapest men.

I take it the same methods will govern a Native employer as an European employer?— Yes.

You have seen no indication of their adopting a cheap method yet?— No.

So far as building, carpentering and blacksmithing are concerned, have many of your students gone to European farms as general handymen?— (Mr. Leomond): In the Victoria East area, it is not so. I have never heard of them being employed in any farms throughout the Union and I have formed, formed in several parts of the Union. I have known of apprentices, trained men, trained industrialists being brought down to the Sundays River Settlements to do farm building work and so on, but these were brought from Basutoland by a missionary's son who had taken a property there and, for two or three years I think he had four or five of these men building most of the outhouses and small houses in the valley. But that is quite exceptional. I may state a few farms do keep handymen in this country.

DR. ROBERTS: With regard to the handyman's course; from your remarks just now, I take it you do not think there is much scope?— The artisan, the carpenter and so on?

The handyman's course, where he learns everything and knows nothing?— What is a handyman; what sort of training would he get?

He learns carpentry and so on?——
MAJOR ANDERSON: If enquiries were addressed to you to find employees of that kind, you would do so?—It would be very difficult to get them.

CHAIRMAN: We have not touched on your agricultural training from the point of view of demand. What sort of work do they go in for?—(Rev. Shepherd): We do not have it. (Mr. Leomond): The demand is there, so far as we have been able to develop the course. I do not know of one of our students who is not engaged.

Engaged in what sort of occupation?—A few of them are engaged on their own; others are the sons of landowners. You understand that we draw right from Rhodesia down, and a number of them have been engaged as demonstrators.

By the Government?—Yes.

Or the Bungas?—By the Government. Basutoland has a number, the various Bungas in this area have a number, and so on.

You have people of various races there?—Yes, and there again some are employed as farm managers and agricultural instructors at various institutions.

Such as?—Inanda, Natal, is one of them. They are doing the same thing in Maseru with a man who left us last year, his main work being teaching elementary agriculture and gardening; and there is one who is employed as a farm manager in Natal, managing an institution farm.

You have an opportunity, I think, of watching Natives working under individual tenure. Can you indicate to the Commission to what extent you think the Native has reacted to individual tenure; has it improved his agriculture as against the communal tenure outside?—It is difficult to generalise there, because we are dealing, at anyrate, with two classes of Native; we have the backward man. It
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does not matter to him, so far as his work is concerned ---

I would be pleased if you would particularise
where you have come across cases of people reacting favour-
sably?— Yes, I have come across a number of cases. The
majority, however, are not in the Victoria East area, but
not far from Gebula, near Burns Hill. There you have a
number of Fingoos who have individual tenure, and these men
— well, you can describe them as progressive small holders.

Have you any idea how long individual tenure
has obtained there?— I think it dates back a good many
years, it is not a new thing with them.

Well, the other cases that you can call to mind?—
Yes, mostly in that valley; Burns Hill, Wolf(?) River,
Gebula Valley.

SENATOR VAN NIEKERK: They are small farmers there,
of course?— Yes, but where do you make the line? Individual
tenure over five acres are you referring to?

CHAIRMAN: Have these people individual tenure
over bigger areas?— They have it over properties ranging
from 30 to 50 acres and, in a few instances, a little more.
Surely that is a smaller holding.

Let us take the group to which Senator Van Niekirk
refers — the man who has anything from 3 to 8 acres; have
you had opportunities of observing them in individual tenure?—
No; personally, I have taken very little interest in the
man who has held such little ground. There is little to
make it worth his while. It is not a full time job.
Whether he has individual tenure or not, he cannot develop
nor can he devote himself to his work; he must go roaming
about the country to supplement his income.

You think, the reason is the head of the family
himself is not regularly there?— Yes, that is the chief
reason.
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But does the head of the family take very much share in agriculture in any case? - Where he has sufficient ground, yes.

Like these Gebula holders? - Yes. And as you get nearer to Alice you will find a number of these heads of families who take an extreme interest in it, but you will find generally they have sufficient ground to make it worth while.

In what direction have you noticed improvement? - First of all, in the direction that they have organized work; in other words, they have their oxen, their implements; they invest in implements, which the others do to a minimum, and they carry their work on throughout the seasons, observe rotations and are usually the first people to make use of the advice of the demonstrators. Their work is organized, whereas otherwise you find no organization at all.

Do these small holders you refer to have grazing or commonage, or do they have to find grazing on their own small holdings? - No, they graze on the commonage.

Is it possible to have improved stock under a system like that? - It is very difficult - I am not talking of Victoria East now, because it does not exist there - but with a few of them they can improve a bit where they are more or less isolated from the more backward people. Those in the valley with perhaps German settlements on one side, confine themselves more or less to a valley, and they can do a little bit more in that way.

So that, generally speaking, these people, if they wanted to breed better animals, would not have the means to do it? - It is very difficult.

Do they have their holdings fenced? - No, not the majority, not yet.

Have they not the difficulty then that during certain
months it is supposed to be open for communal grazing?—That is the general difficulty, but it does not prevail, for instance, here with the Gebula Ḩskâm (Skabula); they have got past that.

How?—First of all, chiefly they have individual tenure and have gone in for crop rotation. You never find their land lying idle with grazing on it; if it is not put to a crop, it is due for the next fallow.

How do these keep the stock of the others off?—There is no bait.

MR. LUCAS: You mean, the Natives keep their cattle away from those lands?—Yes.

Other plotters who do not go in for rotation, keep their cattle away from these plotters?—Yes. Usually people do not live in villages, but you will find their huts dotted about somewhere near their lands.

And they see the cattle are kept off at night time?—Yes.

Is kraaling at night time a general rule?—Yes, but there is not much trespassing of cattle at night time.

An extension of survey then, which would involve a considerable amount of expenditure which the Native would find difficulty in meeting would, in your opinion, not help very much in the case of five acre holdings?—In my opinion, I do not see how it could help much, unless it were eventually possible for the man to extend his five acres somehow or other.

But that involves the right of one man to buy out another?—I do not suggest in what way, but it seems to me that we do not surely expect the bulk of the Native population to remain for ever on the land. It seems to me at some time or other they must realise their land as they take up trades or professions.

Many are doing it now?—Yes.
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But in many parts of the country they are limited to one man each?—Yes. There can be no lasting improvement. If a man has ten acres of ground—I should say it depends on his wants, that is to say, upon his standard of advancement. If he is nearly beginning to rise in the scale of civilization, I take it those ten acres will supply him with his food and possibly a little over, as ready cash, but it cannot last, since his wants must increase from generation to generation. Therefore, while it may alleviate things temporarily, I do not think it will have any lasting effect.

But this point of the limitation of the Native to one field is an exceedingly important one, because, if your view is correct, that no improvement in agriculture can be expected there, it seems to me that it has repercussions right into the very depths of the whole Native policy?—I think it has, sir. I speak now of the Victoria East area. In the first place, it is not an agricultural area; agriculture is very hazardous in the Victoria East area and there is no one European man there who would attempt setting out to do agricultural work in the Victoria East area at the present day, not even on an extensive scale. Now, when you limit a man to intensive agriculture on a small piece of ground in an area which is not agricultural, I do not see that there is any future.

You would not like to make some statement with regard to the areas where the soil is good and the rainfall a more regular thing?—That is a different matter.

There improvement might be possible?—Yes, since small holding highly intensive agriculture may be possible.

MR. LUCAS: That implies a market?—The marketing of the produce?—Yes.
Yes?—Yes, but there is no marketable surplus at the present time.

CHAIRMAN: Does it involve marketing with the people who live largely on their own crops?—Yes, their crops are usually merely the foods that they grow.

Unless they have something in addition to sell, they cannot provide themselves with the other needs, manufactured goods and so forth?—Yes, they have to get some other source of income.

There must be some market, but not necessarily for the whole crop?—No, it would be for the surplus.

Yesterday, we had some evidence with regard to the conditions of labour on European farms for some of the Natives; have you any knowledge of these conditions—rates of pay and privileges given to Natives?—I think you have in your hand a memorandum by Mr. Matthews. I worked with him when he was getting that up and, while I am quite prepared to throw any light on some of these statements, I do not wish to take full responsibility for what he has said, but I do move a great deal amongst the farmers of Victoria East and this is quite a popular topic of conversation, what you pay your Natives and what we pay them in institutions, and I am fully convinced that the average farm employer of Victoria East pays his labour as much in cash as in kind as much as do institutions, and we gauge the amount that we pay to our servants according to whether it is economically sound to go further or not, and Personally I do not find yet that I have been able to rise above £3 a month per labourer.

DR. ROBERTS: Cash?—Cash, not in kind. Most of ours happens to be in cash, with the exception of half a bag of mealies.
MAJOR ANDERSON: You can economically go to £3?—Yes; that is a man who has been with us three or four years, we raise him to that.

CHAIRMAN: But raw labour that you recruit from the road, so to speak?—We do not get it very much, you know; we generally get a farm labourer who has been on farms.

Well, take that type; how much is he worth to the institutions?—Well, eventually he rises to £3.

But when you take him?—When we take him, we start him at £2.1.6.

MR. LUCAS: Plus anything?—Plus nothing.

How are you valuing the kind?—In this instance, there is a very little 'kind'. He will get £1 wages per month; he will get 14/- in cash to buy his meat, coffee, sugar and so on and he will get 100 lbs. of mealies a month.

You value that @ 7/6d?—Yes.

Now the £3 man; does he get 7/6d worth of mealies also?—Yes.

And the balance in cash?—Yes, unless he may get an allowance of milk, which would be valued.

How would you value that?—Separated milk we value at 1d per gallon.

What value do you place on the whole milk?—We ignore the whole milk; it is merely two pints a day.

MAJOR ANDERSON: On these wages, can you show an economic result on your farm?—If the man is worth keeping.

Could you give us accounts of your farming?—(Mr. Kerr): This year, I think the college farm will pay. We bought it in a drought, the drought that you have heard about, and it has not paid up till now, but it will pay this year when we have had a good season.

CHAIRMAN: It has been a bad year for prices?—Yes.

(Mr. Leomond): It was bought in March 1926, and March 1927

was the drought, and it has been working since then. I made here a comparison between the outside farmers and the institution and my point was they paid their labour as handsomely as did the institutions.

MR. LUCAS: Take the first man mentioned in this table here?—He gets 3s lbs. of maize a week; that is three quarters of a bag a month?—It is worked out lower down for you, is it not?

I have not seen that. Anyway, we can take it as 11/3d?—Two gallons of skim milk, 7/6d a month, and the 12/- wages will bring it up to 30/9d. Now, the difference between that and £3 is 29/3d. What he gets is one acre of ground ploughed and sown for him; what do you value that at?—At £4 for the whole year.

Then he is allowed to graze up to ten head of cattle; what do you value that at?—Well, 1/6d is the grazing fee generally charged. Then there are the dipping fees.

Would this type of Native be able to pay at the rate of 1/- per head?—He would not get it below that. You must remember, where they are employed on an European farm they get an increase.

It makes the rent on what he is getting very high for a man on his income?—It depends on what you understand as his income. I pool the lot.

If you look at the position of an employee of this sort, could he, if he had to pay 1/- a head, afford to keep ten head of cattle?—

CHAIRMAN: Should not the point he rather, would the produce of the cattle be worth paying that rent?—Yes, Would they?—At 1/- a head?

Yes?—Yes; I know Europeans who do it with not good animals, who are able to pay 1/6d a head a month, run

them on another man's land, and they shew a little profit.

Could they do it with scrub? — As a rule, you will
find there is little scrub run on these European farms. They
have the free use of the services of the breeding males on
the farm and, within a few generations, these animals have
been far removed from the scrub.

One would conclude from that that the farming
Natives must be a fairly regular class; not people who drift—
That is, a constant employee will remain there a number of years

So their cattle would have some of the quality of
the farmer's cattle? — Yes, in a sense. But the one un-
fortunate part, of course, is that these people very often
move after four or five years, through little differences.
Drink is very often the cause and they will shift on to
another farm where they will not have the same facilities
as regards the keeping of a number of cattle. I know the
case of a farmer in the Victoria East area, who allowed
a man to run up to 20 head of cattle. He merely paid him
10/- a month I think it was; he had 20 head of cattle, as
much separated milk as he could consume; he had land — to
what extent I could not tell you, but when this man's cattle
exceeded the 20 limit, he refused to sell; he preferred
to quit. He crossed over to the reserves and, to this
day, he has not got a beast left.

MR. LUCAS:

Take this instance that I took. The cattle on
this calculation are almost equivalent to the cash wage.
Economically, considering what the Native gets from those
cattle of his, is it sounder for him to have the ten head
of cattle or the £6 a year? — I suppose a great deal
depends on circumstances, does it not?

Yes, but could you deal with the usual case
from the district you are mentioning? — In the usual case,
I think it is sounder for him to have the cattle. You will find they will have the cattle; whether they are paid in cattle or kind, they will spend a good deal of their money on cattle. If they have the cash, it will be turned into cattle. Take Fort Hare, where we do not allow cattle, but horses. Well, we are overrun. It is not an economic asset to themselves.

Senator Van Meekerk: Are you acquainted with the conditions in Adelaide?—No, sir.

Has it come to your knowledge that the Native wages on the farms are lower than they are your way?—That is an old story; we always hear about the low wages paid on farms. I do not know what there is below a cash wage in the way of facilities or rations.

Chairman: A Native told us yesterday they were paid 5/- a month in Adelaide, a pint of measles a day, or a sixpenny bucket of measles a week, with skim milk and meat when an animal dies?—I cannot believe that, not of the progressive farmer. Possibly it is from an employee who has been employed by bywoners or by the backward farmer. Adelaide is a progressive area.

Senator Van Meekerk: How many agricultural students have you?—This past year we have seven who have taken the full, or three years' course. The others are merely part-time agriculturists. They are taking agriculture possibly as a subject for matric, or some other exam. It is higher, so far as fieldhusbandry or animalhusbandry is concerned. Then, the sciences which they take—botany, zoology, physical science, are higher in our agricultural schools. We do not have veterinary science, horticulture and so on.

Is your practical part as sound as in the European schools?—Speaking of the agricultural schools of fifteen
years ago, when they do the two years' course, these people get more practical work.

CHAIRMAN: Which schools?—The Natives at Fort Here. But we have no the facilities which obtain at European institutions.

SENATOR VAN NIEKERK: Do most of the students take the agricultural degrees with a view to getting occupations?—Yes. No students have taken their degree in agriculture as yet. They take a three years' course, you see. (Mr. Kerr): We have two classes of students—three in fact. We have the student who comes under the Junior Certificate and who will take a three years' course in agriculture, and then we have got, you might call him, almost an academic man who takes agriculture for matriculation, and then we have got a class of theological student who also takes agriculture in his course so that he may be able to know something about it when he goes out.

You train a highly qualified man from the beginning?—(Mr. Leomond): Yes.

Now, these people take it with a view to making a profession of it?—Yes, the majority do. One or two come there because they have got land.

There is, of course, still an opening for men like that?—Yes. I know, for instance, Beasoland is ready to replace the present demonstrators with our men, because they find they have more initiative. The distances are great, the professor is absent, and a great deal is left to the demonstrator in his absence.

DR. ROBERTS: The man at Fort Here who followed out an agricultural course of training did so for his own sake; not with the idea of taking it up, but simply because it was a mental training?—If that were the case, I should
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think we would have got many more to take the course.

SENATOR VAN NIKKERK: The agriculturists that you train; of course, in a place like Fort Hare, there is the other side of their training?—(Mr. Kerr): Yes; religious and agricultural. We do not allow a man to take agriculture pure and simple.

What I am getting at is this: in an institution like yours, there is the other side—the forming of his character; he gets a certain amount of religious instruction in order to be of service to his people; is that part of his training?—(Mr. Leomond): Yes, it is part of the training of all the students at Fort Hare.

He must be influence by that?—(Mr. Kerr): Yes.

Have you any experience of Natives farming on a co-operative system?—I have not.

Do you think they would respond to that; if we were to buy, say, some land for them under irrigation and put them there on a co-operative basis—that is to say, having the stock and implements common and the stuff marketed do you think they would take to that?—It seems to me, if you took the right type of man,—everything would depend on that—and gave them conditions which made it possible to make something out of this farming, I do not see why it should fail. After all, they have these irrigation schemes in Natal or Zululand. They are not co-operative, but they are making good use of the land at the present day, are they not? And one would think, of co-operation were instituted, if only for the sake of marketing that produce, it would be well worth its while.

That would, of course, be a sort of co-operation, but you would have your individual farmer in the first place?—Yes, I can cite instances where I have encouraged
a man to go in for poultry. There is a teacher at Middel-

drift who has a nice little flock of Leghorns. He started

sending eggs to East London and, before long, he had to

pay in. In other words his costs were higher than his

receipts; he had to sell out. At the same time, at

the Egg Circle, I went to interview the Director - it is

an exporting body - he told me there was no Colour bar

with him; provided they could give surety of purity, they

would take eggs from anyone. That is where one does

realise co-operation is necessary in some form or other.

MAJOR ANDERSON: The success or failure of such

a scheme would depend on the management?—Yes, and on

the personnel too.

It would be mainly on the management and the

marketing?—Yes.

But marketing is no easy matter?—No, it is a
difficult matter.

How are you going to get the management? Providing

you can get the management, there seems to me not much doubt

that the system would work very well; but you are up

against the difficulty of finding the right manager?—Yes,

but there are always some people capable of managing.

A Native or European?—I should certainly start

with an European. I do not know that we have Natives who

would understand finance sufficiently well, but in a few

years Natives could easily train for such a post. We

have Natives who could manage it as well as a White man.

You do not know of instances of a scheme of

that sort being worked?—No

DR. ROBERTS: You do not think the quality of

mind of the Native would be against co-operative of the

character mentioned by Senator Van Nierkerk?—I have no

reason for thinking so.
It has never been attempted, you say?—Not just that type of thing, but there is a section of the Native agriculturist very keen on co-operation; they want a lead and to understand how it can be done. After all, once you start marketing their stuff for them, you will then gain their confidence to a great extent.

MAJOR ANDERSON: Would it be possible for your institution to organize such a thing like that?—(Mr. Kerr): If we got sufficient Government support for it.

MR. LUCAS: With regard to this wage table; you said an acre of ground ploughed and sowed would be valued at 10/- a month?—Yes, that is a generous valuation.

What do you value the acre of ploughing at?—On these farms?

Yes—5/-?—No. I was working it out; I made a draft statement; ploughing is worth 10/- an acre. We found you could hardly consider it as 10/- and we worked down to 3/6d.

Take the next thing. I take it in this area, Victoria East, the acre would be sown with mealies?—Excuse me; that ploughing is usually done by the servant himself and very often in his spare time, so that would still reduce it.

It is supposed to be; it is done for the labourer, it says?—Well, take it at 5/-.

And sowing?—A shilling's worth of seed over an acre.

And the actual work of sowing it?—That is nil, it is broadcast.

That is 6/-—Now what would you value the acre supposing it were possible for the Native to go and hire that acre?—I rather think the best way of valuing it would be to consider what amount of mealies he would get off it.
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No. He takes a risk with it. He might get a lot or he might get nothing. What is the value of an acre, say, in Victoria East, - an acre of arable land? - £5 is the highest. Well, you would take 5% of that.

Take 10% to be on the safe side? - I was looking at the grain value of it to the labourer.

That brings the wage of this particular farmer from 10/- to 12/- a month below your wage? - You will find all those are not worked from that viewpoint. They are worked from the amount of grain that can reasonably be expected from that land per annum. That is how Mr. Matthews made that calculation.

No, he did not make the calculation; at least I have not seen it? - (No answer):

CHAIRMAN: Can you accept that method of valuing an acre of ground? - I do not think I could look at it that way, because, after all if you are going to do this you might as well turn round and say the farmer may have use of the animal and you are able to value the use of the animal at 3d a day. You will understand, of course, that the £3 is not our starting wage; that is our maximum. Mr. Matthews bases his calculations on that, - how many bags he can reasonably be expected to reap from that acre of ground per annum. I take it he takes 8 bags or so.

To take another point in your paper; what do you mean by 'community breeding'? - Community breeding is where a community will arrange to run one or two sides of known breed and there will be rules passed excluding all other breeding males, and these animals are bred up as though they belonged to one farmer, except that they are contributions from the various individuals.

Then, another point you make is the absence of males
from their homes during the greater part of the year, is reflected in the lands and their resultant low yield; is that the result of your observation?—Yes, that is very noticeable round Victoria East, because there is a great deal of labour that goes out of Victoria East, if not away to the mines, it is absorbed by the institutions. I often have a great deal of building there—and there are other sources; and you will find the work is done very much in a slipshod manner—it is no longer looked upon as the main source of income; it is secondary to the other sources of income. I have been among farm servants who are not yet detribalised, who hold ground and plots in various areas and, in spite of the fact that they may use oxen and implements to do their ploughing, it is usually the end of their work; they will do their ploughing and send the women out to do the hoeing. You will find their interest is no longer there. It is merely an addition or gamble or sideline.

CHAIRMAN: Most of them desire to have lands?—They are very keen on retaining the lands.

They recognise the economic importance to their family budget of the land?—Do you think so? I often wonder whether they recognise the economic importance, or as giving them status.

The desire for land is rather to give them status, than to derive profits?—I think very often it is.

Is not the lack of interest due to some or to a considerable extent to ignorance, and how to get the best out of the land, which makes them accustomed to regard the land as only something which gives a small yield?—You are referring now to those who go and hire themselves out as labourers, or to Native agriculture generally?
I am referring to Natives in reserves?- I do not know. There is a great deal of ignorance. They do not know what their land can do. You will be surprised to hear the views expressed—such as "Oh, that is a White man's way of doing it, and this is ours. The White man can expect his ten bags; we expect three".

MR. LUCAS: Is there much of that attitude in Victoria East?- It is according to localities; you have some villages that are very backward that way.

CHAIRMAN: Following on the same point, have you any data from which the relative yields of land of similar quality worked on the one side according to Native tribal methods and on the other side according to ordinary European methods, not particularly advanced European methods?—No, I have no data. I should think that the supervisor of demonstrators for these areas is the man who could give you some information—Mr. Ross and Mr. Willows.

At Umtata, Mr. Butler gave us some relative figures showing the tribal cultivation on the one side, and cultivation done without manuring by his own demonstrators on the other; have you any similar information from your demonstrators?—We have no demonstrators; they are under the Government; under the Bungas.

The people who have been trained by you have not supplied you with any information of that nature?—No, except for an occasional statement in a letter, "I have obtained from my land 10 bags of maize".

What would you consider the average yield of Native lands in the area with which you are acquainted?—I do not think you can make a guess at that, without differentiating between the good alluvial soil and the residual soils on the hillside. I should put the latter down at a bag and a half
on the average.

A morgen or acre?—An acre. I should imagine on
better soils it would be somewhat higher, but I have never
gone into the matter.

Now, in your areas which are primarily stockholding
areas, would I be correct in concluding from certain remarks
you made that the Native who owns a certain amount of stock
would tend to be better off on the farms than in the reserves?
—Yes.

Because of pasture, better bulls and so on?—Chiefly
because of pasture and then because of better bulls.

Are there any other reasons why his cattle would be
in better condition—why he could breed away from scrubs
on the farm?—You know, within the reserves in some areas,
the increase of stock is very very low. I have known of
if cases where a man reckons he can get a calf to live from a
cow once in three years, he is doing fairly well. You will
find very few old animals amongst their animals. The teeth
wear away quickly, I think, and they push the animals off.
In some areas there will be more, but three calves in the
poorer area is as much as they can expect.

And in other parts?—One in 16 months. Irregular-
ity of breeding is due to lack of vitality; then, after
that, the mortality of the calves. The mortality of the
calves on the European farms is very low. I should think,
on our farm, our calf mortality would be something like 3%.
Then, there is the development of the scrub itself. Once
it gets into good grazing, it appears to be about twice
the size.

The mortality of calves; is that due to lack of
food for the dam?—Yes. The mortality of calves happens,
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usually, at the weaning stage. As far as I can make out, they have a very rough time when they change their teeth. It so happens, if that period coincides with the drought, they lose calves tremendously.

In the Victoria East area, is it the general practice for farmers to allow Natives to run stock on their farms?— It was; it is now on the decrease.

Owing to?— The area is turning from a ranching area to a dairying area and the farmer who takes to dairying is wiser. The veld there is very much more valuable to him. He finds it would pay him to pay higher wages and keep away Native stock.

So that the farming development is really bringing pressure to bear on the Native's local cattle?— Yes.

Have you any idea how the Native reacts to that; does he like his system of cash wages?— No; he likes part cash and part kind. He certainly does not like the exclusion of his cattle, and we have had some who have left us because of that and gone to other areas, where this privilege would be extended to them. I suppose, to the sheep farmer and the beef raiser.

Is it still easy to find such farms?— Yes, larger farms. A great many of the farms in the Victoria East area are small farms, and once they take up a line like dairying, they have to look very closely to their veld. When you have larger farms, it may be dairying is one of its main lines and beef raising is another; you will find that these farmers do not object to cattle.

CHAIRMAN: You are referring to large farms within your area, or other areas?— Victoria East, I am referring to.

At the rate of progress of the European population, the subdivision of these large farms is a matter of one
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generation, is it not?— I should think so. Are you speaking of Victoria East area?

Victoria East and surrounding areas?— It is the highest milk producing area of the Union. If that is the case, I should think these large farms will be cut up as dairy farms.

What kinds of weed are growing in your area as the result of overstocking?— Now, down in the lowlands — I am afraid I could not give you their botanical names — it is a scrub; it is not edible, animals do not eat it.

What is the common name of it; it would probably convey more to me than the botanical name?— We call it the "dog bush". It is a very little known scrub. Then we have what is known as nkngnqa, which you find on the better soils near the river.

Have you got nkngnqa on your grazing?— It is spread particularly in the Native reserves towards Amatola.

Now, you consider that the overstocking has reduced the potentiality of the Victoria East district to carry its population?— Its animal population?

Yes?— Yes, I do undoubtedly, and what has aggravated matters is a severe drought — notably the 1927 drought.

MR. LUCAS: Is there evidence of reduction in the standard of living?— (Mr. Kerr): Dr. Henderson, who made a long study of this, held there was a very serious reduction.

CHAIRMAN: It seems to me a fair deduction from your statement, that cattle do not really help to maintain their own population at all?— (Mr. Leomond): The Native population?

Yes?— No, I do not think they are an asset. Cattle are useful as draught animals, but apart from that where even
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A milking cow is of some use, that is exceptional; she will milk a few months out of the year; the greater part of the year they cannot obtain milk from her, she is impoer-

Once goats are turned loose, they are on the increase, and one wonders what is going to happen to the cattle population.

The goats are beginning to eat up the cattle, and the cattle the Natives?—Yes.

From the figures Mr. Jabavu gave yesterday, one could almost conclude that the value of the cattle is no more than the value of the grazing on which they feed—the credit and debit entries are the same?—I do not know how he gets the value of the grazing.

His point was this, that practically the only value the Native has for his cattle is that he ploughs for him. The milk value is very little. Do you think that is a fair statement?—Yes. I should think he is referring to cattle, because sheep are an asset, or have been up to the present.

Is cattle any economic asset from the point of view of food supply?—Well, they are seldom killed. They kill when necessary, because of custom—feasts and various social formalities. There is no doubt about it, even the dead meat constitutes quite a food supply.

They will allow an animal to die before they eat it?—Yes, except for customary observances.

SENATOR VAN NIEKERK: There must be a certain amount of selling?—There is little selling, the prices are so low. Round Victoria East you can usually get a bullock for £4 or £5. When these animals are in good condition they might be worth something to the butcher, but they are loath to sell. When they are faced with drought and so on, they are willing to sell. They would not sell if they could not help themselves.
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Cattle sales are usually forced by creditors and others. If an ox is worth £7 to the butcher — these beasts that are sold are not sold at their potential value, if you understand what I mean.

They sell in the worst market? — Yes.

Now, you use the term "inherent chief of the cattle of the Native". Do you think that is purely grounded in lobolo and Native custom, or that there is something additional to that? — No, I think it is something deeper than that; I do believe they love them.

Is not lobolo rather the outflow of the fact that cattle is the great thing and that, therefore, to seal the biggest contract, you must pass cattle? — I suppose so.

I have seen European farmers keep entirely worthless animals on veld which was not enough for the good animals, simply because they could not bring themselves to get rid of them. Do you think there is a similar thing among the Natives? — Yes, it is there.

In selling their wool, do they get cash from the trader, or is it barter? — Where there is promise of credit, the sheep owner will arrange to run a little account with his trader and, when the sale of wool is effected, there is usually a little to come off.

But if there is a credit balance, is that paid in cash? — Oh, yes, locally.

That is the usual thing? — Yes.

Does the same thing apply to the sale of other produce, — maize, for example? — The sale of other produce is nil in Victoria East.

DR. ROBERTS: One is very glad to see the substantial rise in wages. Do you know of any farmers who pay 10/- a month in Victoria East? — I have heard it said. I have not got it from the employer himself. I have heard it
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said by other farmers that "So-and-so's actual cash wage is 10/-".

The reason I am saying that is, this is taken as an average and 12/- is the lowest and £1 is the highest. There are none presumably paying 10/-?— Yes.

So that we may take 12/- now as the lowest wage paid in cash at Victoria East?— I think you could accept that.

Mr. Lucas: Where you here five years ago?— Yes.

The Economic and Wage Commission was told by the Farmers' Association here, who sent four representatives, that the wage was 7/6d a month, with the extras you mention, -- the extras being mealies?— For which area?

King William's Town?— I do not know. You have a number of small settlements here -- German settlement and so on ----.

I was just wondering if you knew?— No.

Mr. Shepherd, in your statement you give a number of principal obstacles to further openings being provided for the Native people. I think the first one must be a misconception of the particular Act. Can you tell me what you had in mind, because the Wage Determination Validation Act, was merely an act to validate certain publications?— (Rev. Shepherd): I think it was done by the heads of one of our Departments.

Can you tell us what you think he had in mind?— I think he had in mind Natives in certain areas must be paid as much as an European. That, I think, is what he had in view.

You do not know what he had in mind beyond that?— No. I could supply you with the information.

Who did you say put this in?— One of the heads of our Department.

Could I see him when I come to Alice?— Yes, surely.
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In what way does the substitution of the present block grant for the per capita grant amount to an obstacle or create an obstacle to further openings for Natives?— What I had in view was, so many of our teachers cannot find employment. (Mr. Kerr): There ought really to be more schools, sir. In an investigation we made in the Cape two years ago, we found that there were 200 schools that you had opened in the Cape and our contention was, if Native education in the Cape were properly financed, there would be openings for these teachers.

Do I take it the effect of the block grant has been to limit the number of schools opening in the Cape?— We claim it has acted to its detriment. So far as it has affected the provinces of Natal and the Transvaal, it has acted to their benefit.

Under the per capita system, was it possible to open any number of schools?— I am not sure that it was possible to do that, but we did not feel the restriction upon the opening of schools as we have done since the 1923 Act came in. I think the development that has taken place has undoubtedly taken place in the three northern provinces.

DR. ROBERTS: Do you not see, in capitation grants, a great danger?— Yes.

And when you have Natives in far off places, the danger is increased?— There is the danger of the regular attendance.

You have said, I think, that you prefer per capita grants to block grants?— What we would like to see, sir, is the needs of Native education budgeted for upon the same principle as the needs of Coloured and European education. The particular method of calculating that grant is matter for discussion, I think, but you have got a grant of £5.5.—
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Native Witness

I think, for the Coloured child in the school, and you have a fixed grant for Native education.

Not fixed?—Well, the major portion of it, sir, is fixed. The valuable portion allows a rather small increase.

But, if the Minister becomes merciful and generous—?—Well, yes, we only cry out where it pinches us.

MR. GLADSTONE NJOXWENI, Teacher, of Healdtown,
called and examined:

CHAIRMAN: You are a chief?—No; I belong to the Njokweni clan, but I am teaching at present. I am of the Amazizi tribe.

DR. ROBERTS: You are a chief?—I am working at Healdtown, as a teacher; I am a landowner and teacher at Healdtown.

What class do you teach at Healdtown?—I teach Standard V.

CHAIRMAN: I notice Native education is one of the subjects you wish to speak about?—Yes, sir. I wanted to take the subject of Native education—compulsory education. I think the time is opportune when compulsory education should be started, more especially in the locations surrounding towns.

Is that urban locations?—Yes; also the outside locations where the majority of the people want compulsory education. Poverty with the Natives is on the increase. Ignorance causes a people to be in poverty. There are many Native children who do not attend day school—yet those children are to be citizens. So, sir, I think it is time that compulsory education should be started in urban areas. Children living in towns are exposed to walking about in
Native Witness

the streets because their parents are employed. There is nobody looking after them. That is one of the things that make the children grow up raw; whereas, if they attended school, they would get a training. To have no education will cause such poverty that we shall never rise as a nation; that will always draw us down. Again, sir, you will notice that the majority of people nowadays live in towns, since the Proclamation of the Land Act of 1913; that is, owing to their being driven away from farms, and they are refused at locations. That is one of the causes that makes the children swarm into the towns and that is why I say compulsory education should be started in urban areas.

CHAIRMAN: Are you quite sure that the majority of Natives are now living in towns?—Yes, because, after the Land Act, many people have been driven away from farms into the towns.

At the last census, there were just over four million Natives outside the towns and under six hundred thousand inside the towns?—What I mean is this; I meant to say that, on account of the Land Act, people who used to stay in Crown locations outside, came into urban areas.

That does not make the majority of Natives live in urban areas?—But the number of people living in urban areas has increased from what it was.

Oh, yes. Even now there is only one in eight. You say the Land Act has driven the Natives into towns; how did it drive them into towns?—I think it is the Land Act.

How?—Most of the people used to live on farms as squatters and, after the passing of that Act, they were not allowed to plough land as squatters, and then they sought a place where they could live, and the great majority of them came into town.
Native Witness

Is that in the Cape Province?—Even in other provinces as well.

But is it true of the Cape Province?—I think it is true.

Do you know that the Land Act is not in force in the Cape Province?—Whether it is so or not, there were many people driven away from farms even in the Cape Province.

You say that is due to the Land Act?—Yes. Because that happened after the passing of the Act; many locations in the Peddie district were filled up with people from the farms.

SENATOR VAN NIEKERK: Did they leave all of a sudden after it came into operation?—No, not immediately, but gradually.

CHAIRMAN: Do you not think that these Natives were driven off the land because the farmer found he could farm the land better than the Native could?—The people reported to the chiefs, when they came to the locations, that farmers told them, "Now, if we are to keep you as servants, we have got to pay taxes for you, so we cannot keep you any longer".

Do you know that a large number of White people—byowners—were driven off the farms?—No, I do not.

With regard to your plea for compulsory education for Natives in urban areas, do you think that people in the urban locations would be in favour of compulsory education?—Yes, I think so.

Do you think, when they have compulsory education, they will be better off?—Yes; because, when I say this, I am looking at the children who will then be modelled; they will get better manners as they grow up.

But better manners do not bring you more money?—When one is employed, it is necessary that he be a person
Native Witness

of good conduct, as was the case with Makubala.

But are you not thinking this way, that the Natives who have education now can get better pay? Therefore, if all the Native had education they would all get better pay. Is that what you mean?— No, sir; I am not at that point; I am looking at the upliftment of the minds of the generation in general.

You want to make them better people and not richer people, is that it?— Even with regard to wages, a person with a cultured mind always gets more salary.

Supposing you turned all the Natives into people with cultured minds do you think their level of wages would necessarily improve?— I think so, sir.

SENATOR VAN NIEKERK: But the people living in the urban areas are well supplied with schools. Do you not think they make use of them?— Yes, they use the schools; the schools that are there at present.

Why do you want compulsory education? I think many of the urban Natives go to school?— Yet there are many children who do not attend schools.

Up to what standard would you make it compulsory?— If children would go as far as Standard IV, I think that would be a great help.

DR. ROBERTS: You would have complete compulsion — that is to say, there would be no excuse?— No, sir, I do not say that; there would be exceptions.

Now, with regard to these exceptions, how would you deal with them? Supposing you were a washerwoman, who required a boy to take home her washing, who would settle that?— I would say that children who are permanently employed should have exceptions made for them and also children who are not physically strong.

You agree that it is not possible to make it complete?
Yes. I agree sir.

SENATOR VAN NIEKERK: Do you think there are, in the town locations, children who are not employed, - who have not got to bring the washing for the mothers or look after the children while the mothers are at work? - I think there are.

Are you referring to the children who hang about East London station and the ragamuffins who hang about the station here? - Yes, those are the very children I am worried about.

Mesara, Kerr, Shepherd and Leomond recalled and further examined:

MAJOR ANDERSON: I would like to follow up the question of the wages your institution pays a little further. I understood you to say they are about £2.1.6 to £3 is an economic wage for the district and for the class of farming you are doing? - (Mr. Leomond): The mere fact that we have persisted along that line is sufficient proof that we reckon it is economic. The farm, as a farm, has to pay for itself. We run it as a commercial proposition.

SENATOR VAN NIEKERK: You are in a favourable position, inasmuch as you sell most of your produce to the institute? - No, they take a certain quantity of milk and that is all.

What is your market then, for produce? - We market our produce through the cow; we send it to the dairy, that is the outlet. A few smaller sales that may present themselves, we take advantage of.

Such as surplus animals? - Yes.

MAJOR ANDERSON: If you can prove it is an economic wage, - on these wages you can run your farm at a profit - it might be taken as a standard wage for the district? - It
Native Witness

Messrs. Kerr, Shepherd and Leon mond.

might be, making allowance, of course, for the type of farming and the amount of capital that has been sunk in the proposition at the outset; that, I think, would also influence it.

Before we could accept that as an economic wage, we would have to be satisfied as to the economics of your farm?—Yes.

For that reason, it is rather important that you should put in a statement as to the working of your farm?—I will do so.

DR. ROBERTS: Do you include the interest on the capital which you originally expended, or do you just say for 1950 now?—All the capital expended on this farm, not only in the purchase of land, but animals, implements and so on, is charged up at the rate of 6%, amounting to £470 a year; that is 6% on our money before we show any profit.

So that is included?—Yes.

Is there any irrigation?—Yes.

How much?—Roughly about 45. So that at once gives us an advantage over many farmers.

Do you get any labour from your students?—We get labour from our students. If we did not get that labour, we would have to employ more labour.

Is there any debit passed against that?—No.

That is an actual advantage you have over and above other farmers?—Yes, but student labour is rather expensive labour. I think, very frequently, the amount of labour they give you is offset by some of the losses that you sustain through their work in the training.

What is the attitude of your institution towards training domestic servants for European houses?—(Rev. Shepherd): We have begun by a fairly extended course in that in the last few years.

Have you any feeling with regard to your duty in
Messrs. Kerr, Shepherd and Leomond

that direction? — Certainly.

You feel that your duty is to train domestic servants for Europeans? — Well, I would not say specially for Europeans, but for efficiency in domestic work.

Well, the only domestic work that they could do would be as servants in European homes, not in their own homes? — I do not know, sir, that I would agree that the only work they could do of that kind would be in European homes.

For a number of years, to put it more fairly, there has been a statement that your institution and others should train servants for Europeans. I am just asking what the view of your institute is in that direction? — Well, so far as I know, the institution feels that a higher type of domestic servant is desirable, though it may be that after we have trained them there are no openings in European homes.

Does it not appeal to you that, so long as the Europeans do not contribute to the funds of the institution, you have no real moral obligation to them? — You mean, the general European population do not contribute to the funds of the institution?

Not much? — Of course, within the last few years we have received handsome sums from Europeans and others in the country towards our new buildings.

But for many years Europeans have contributed very little? — Yes.

Then do you see any reason why you should supply them with servants? — Sir, it must come back to what I said before, that we do not train for that particular purpose, that is not our special view.

Supposing there were a demand from Europeans, as I believe there is, that you should train them for service in European homes, what attitude would the European take?
Mr. Jabavu
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If we thought they were good homes and that the conditions would be good, I do not know that we would discourage them. Your first aim is that they should go back to their own people and endeavour to elevate the villagers?—Yes.

And you think they do?—Yes, I think so.

Mr. Alexander Magauley Jabavu, Editor of "Imvo Zabantsundu", called and examined:

Chairman: You are the Editor of "Imvo Zabantsundu"?—Yes.

I understand you wish to speak about the disproportionately heavy court fines?—Yes. Preparatory to that, sir, I have a statement written out here. I have only a limited number of copies. I think I have one available for the Chairman. I do not know whether it is necessary to read it to you.

We have not had an opportunity of reading it, of course?—With your permission, I will read it?—

"The following statement is hereby humbly submitted on behalf of the Ciskei Native Convention, for the information of the Commission.

"The proportionately heavy nature of court fines upon Natives with straightened economic means. It is a well known fact that the law recognises a form of discrimination by race in the matter of payment of witnesses fees for service in court cases. Europeans are paid the highest remuneration of from 3/- to 8/- per day; Coloureds a medium fee of from 1/3 to 2/6, and the Natives the rock bottom rate of 9d to 1/6d. Presumably the earning capacity per hour or per day of the European is taken into account as being the greatest and that of the Native the lowest. One would
naturally expect that the law would be consistent and take
cognisance of the varying capacities of the three races when
fines are imposed for offences and breaches of law by members
of the respective races mentioned. Crime, in the eye of the
law, is the same no matter by whom committed, but judges
have often laid down that in punishing a White man with a
term of imprisonment, the sentence of a White man for a
given offence need not necessarily be the same as that of a
Native. The former, it has been argued, by reason of a
higher social status, suffers immense social degradation
and consequent ostracism, which a Native similarly sentenced
is not necessarily subject to among his fellow men.

"Economically, under the same premise, a Native
suffers abnormal financial embarrassment or even ruin by
being sentenced to pay a fine of, say, £20 for a given
offence, compared to a European whose proportionate income
enables him to pay the fine without undue inconvenience.
To cite a few cases out of scores, to show the disparity
of sentences:—

(a) At the King William's Town Magistrate's Court,
(Case No. 1098) 28 Native boys were fined £6 each or six weeks,
- total £168; and 22 others £10 each or two months — total
£220, in a charge of public violence. This aggregates
£338 and an amount it would take the 50 boys implicated,
(workin in the mines on Dr. Robert's calculation of £32
per annum) three months to earn. Additional to this
are the defending attorney's fees of £1 per head, adding
another £50. To make an European feel the same pinch
economically, it would be adequate to fine him £75 for the
same offence, working on an average European income of
£300 a year.
Mr. Jabavu

(b) At the Durban trials for charges of public violence on Dingoan's Day last, against a number of Natives, a batch of them were fined £25 each or six months. Against this we have the fine of a paltry £15 or six weeks imposed on Johannes G. Louw (39), a farmer of Schoomdraai, in the Harrismith district, for shooting at the two feet of Jim Mpele, a Native, incapacitating him for the rest of his life, (according to the doctor's evidence). The following words are ascribed to the Assistant Magistrate who delivered judgment:- "He would take into consideration the fact that accused was a married man with children and in poor circumstances."

"(c) On the 23rd January 1931, a Native boy (19) Douglas Mbutuma was charged in the local magistrate's court with robbery, the sum involved being a penny!! The complainant was Mathys van Wyk (11). Accused, who pleaded 'not guilty' was sentenced to two months imprisonment with hard labour.

The evidence submitted herewith is not intended to be disregardful of the necessity of the prevention of crime by the imposition of exemplary sentences; but it is tendered with the object of drawing attention to the overwhelmingly heavy sentences which lose sight of the 'poor circumstances' under which Natives live. Such sentences have the grave effect of undermining the already meagre economic resources of the Bantu, ultimately shattering the hope and ambition of many a Native from making himself a useful citizen in the future."

DR. ROBERTS: What would you do in the case of murder?—I am more concerned about the fines.

SENATOR VAN NIEKERK: That case you mentioned, where the Natives were fined £10; was it not a very serious crime?
Mr. Jabavu

I quite admit it is a serious case, but my contention is that the European in similar circumstances is fined the same amount. Considering the earning capacity of the Native, he should be considered.

Do you not think, on the whole, the magistrate takes the capacity of the Native to pay into consideration?—It is not always the case, I think it is generally the other way. The Natives are usually fined more heavily than Europeans for given crimes. I think the Natives, being economically lower than the European, this should be taken into consideration.

DR. ROBERTS: Where did the case of one penny occur?—Here.

MR. LUCAS: Were there previous convictions in that case?—No, not that I am aware of. My bringing forward this case, is more to prevent Native children being put in gaol for trivial offences.

DR. ROBERTS: Do you think, from your knowledge, that the law could discriminate between races in that way?—The law has discriminated between the races in the matter of fees already. In that Harrismith case, the magistrate took into consideration the poor circumstances of the farmer. I consider the same should be done in the case of Natives.

MAJOR ANDERSON: You compare that case with the punishment imposed on Natives in Durban in connection with the Dingaan's Bay riot.

The circumstances are totally different, are they not?—Yes.

The one may lead to wholesale deaths and trouble, and the other is a single individual. The comparison of the two is not on all fours?—Yes. I am not minimizing the gravity of the crime by any means, but I say Natives as against Europeans, in the matter of fines, should be
considered - the circumstances and the wage.

DR. ROBERTS: Do you not think that would be a very difficult thing, because we pride ourselves on the fact that the law takes no cognisance of whether a man is rich or poor or Black or White?—The law has set a standard already in the matter of messenger's fees. It is a very serious matter with Natives. I submit, sir, once that principle has been laid down in law, of discrimination, I think the Natives in a measure are entitled to claim discrimination in the matter of fines as well, because the same principle is involved, the principle being that the European has a bigger salary.

CHAIRMAN: I see, in this case of the penny, he was found guilty of assault and robbery. Have you considered a different type of case, where the accused or the convicted parties are Natives in both cases, where, in the one case, the man is fined a few shillings for a particular offence and, in another case, for the same offence, the circumstances not differing, the man is fined a few pounds because the case happens to be tried by a different magistrate. You have come across cases like that?—Yes, I have.

Do you not think the difference here may be partly due to the temper of the magistrate or the judge; the one being more severe and the other much more lenient?—Yes, I admit that.

I think, in connection with people charged with different offences, you will find a good deal more disparity than you have down here with people of the same race?—Some way should be devised whereby, generally, Natives should be considered as being of a lower economic capacity or earning power.

DR. ROBERTS: I am rather surprised at your
contending that, you being such an active opponent of the
segregation and separation of the races?— I do not know
if that counts in the present case; we are not segregated
so far, anyhow.

Because of that, I was hoping you would change
your mind?— How does that affect my point?

You are anxious that Natives should be dealt with
differently from Europeans, because they are a different
people?— In view of the fact that the principle has been
laid down already in law, as I have shewn in connection
with the question of witnesses fees— how do you account for
that, sir?

Do you think it is sound that there should be dis-
crimination of any kind between the races?— No, certainly not.

In connection with liquor, for example?— It all
depends. Everything is governed by the circumstances.

In principle you say there should be no discrimination
?— Yes, where men are of an equal standard.

Very few men are of equal standard. But let us
get back to the question of principle. You say, in principle,
there should be no discrimination, but in answer to the next
question, you say there are circumstances which admit of
differentiation?— Yes, because it has been introduced; we
have got it.

Therefore, your principle is subject to exceptions,
such as liquor, for example?— My point is governed by the
position of things at present obtaining.

Supposing that the thing is wrong and that this
Commission wants to recommend a way of putting it right; it
is surely a fair question to ask you?— I think men of equal
standard and culture should be treated alike.

With regard to liquor, there should be a limitation
when people fall below a certain standard; but as soon as they
Mr. Jabavu

go above that standard -- ? - They should be able to look after themselves.

Would you be in favour of a modified form of allowing Natives to have European liquor? - They should be able to look after themselves; they should have the same opportunity, once they come up to a given standard - the European standard say.

With regard to land tenure; the principle of the Native Land Act differentially protects the land tenure of the two races against one another. Now, do you think any particular class of Natives might be put in a position that they could sell their land to whomsoever they liked, irrespective of race? - Yes, a certain class of Natives should be able to guard themselves in that respect; they should know what to do with their land and how to treat it beneficially.

Taking the matters I have mentioned - liquor and land; as soon as you have a group of Natives who can have that, a very large number of other Natives will want to get those same rights? - Yes, when they come to the standard; but they should not be allowed to until they come to the standard.

You know, persons can come to a standard and drop below it immediately? - The same with any other race; an European can drop from his standard.

Supposing a considerable number of Natives qualify for getting liquor and the right to do with their land what they like, do you not think the tendency will rather be that liquor will get the better of them and that Europeans will get the better of their land? - No; with a certain class of Native, once they get to a certain standard, I do not think there would be any fear of nursing them.

Do you think there is any large body now which
Mr. Jabavu

can be given those two rights?—I would not say a large body, but a certain percentage.

Do you think there should be some license now?—Yes, I think there should be some license given to Natives capable of looking after themselves in the matter of land and drink.

DR. ROBERTS: You are making a very artificial division there, when you seek to divide the Natives into two parts?—Yes, but I think that is what civilisation and European development is aiming at. What does civilisation mean?

CHAIRMAN: But a civilisation which will not necessarily make them secondhand Europeans, but, in order to get away from or discriminate between Native and European, you want to discriminate between Native and Native. You are not against discrimination in principle; you are quite prepared to discriminate between Native and Native but not between Native and European?-----

MR. LUCAS: Not on racial lines?—No.

DR. ROBERTS: To my mind, it is on worse lines. You are seeking to put a barrier between two races and no race will submit to that?—Well, what is the object of our education and development and what is the object of the development of the Native race, then?

Making him a better and more helpful Native?—By what means? What means are you using to making him a better man?

Education?—Whose education? Who brought the education?

From the Greeks down to the present day, education is the property of no particular nation?—Who brought the education? The one who brought education must expect that the Native is going to emulate it. How can you expect
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European civilisation to develop on Western civilisation; how can you expect the Natives to develop on Eastern civilisation, when Western civilisation has been developed?

CHAIRMAN: Getting back to the question of discrimination. Have you heard of the system the Spaniards pursued with regard to the Native Indians in South America?—The Red Indians?

The Incas, for example. As soon as one of the Indians developed sufficiently to become a potential leader of the Indians, they gave him a paper by which he was given all the rights of the Spaniard. The result was the Natives never had any leaders, the Natives were always incorporated in the Spaniards?—It was a mistake on the Indian's part to be detached from the rest of his race. He should be the lever to bring up his race.

You are asking for discrimination on the same lines for educated men like yourself, so that they can gradually pull you away from your race?—Not necessarily, but opening the avenues, not necessarily to pull one away from one's race. I think many of our intellectuals are connected with the race. At the same time, they are being developed educationally and culturally; they are able to keep in touch with the rest of the backward race. It does not necessarily follow that one has to leave one's race.

SENATOR VAN NIEKERK: You say some of the Natives should have special privileges as regards land. If you gave the educated Natives the right to sell land, the result would be you would have very rich men and you would deprive the poorer classes of the land. Today they cannot sell that land to the White man?—Are you finding fault with the rich Native because he is rich?

No, but I think the Native has a great advantage
over the poorer class of European, in that you cannot alienate his land and that whatever happens he remains a landowner and that is the difficulty with the European?—You force the Native to be a landowner by virtue of the law in force in the past; but why cannot a Native be a landowner by his own liking?

If you were to give the Native the same privileges as the White man, you would find that the majority of Europeans would own your land or a few rich Natives?—I subject they have to learn by experience.

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MR. WILLIAM FORBES LAURIE, Attorney at Law and Notary Public and Conveyancer,

called and examined:

Witness Mr. Chairman and gentlemen, in connection with Native estates, we have found that the 1927 Act works very well, but I think it is possible to improve it. This I have found out: A small Native landowner dies, he has a little farm with perhaps a small bond on it; we will say his eldest son goes up to the mines to work there or elsewhere and leaves the widow off the rest of the family on the property. They take no steps to administer that estate, and the holder of the small bond is left in the air. There is no means of forcing the people to properly administer the estate, as do Europeans, and the holder of the bond, who has assisted these people by lending them a small sum of money, finds himself high and dry in the air with no means of compelling these people, if they do not do it voluntarily, to wind up their estate and see to the payment of the estate's just liabilities—just debts.

CHAIRMAN: Are you referring now to the European creditor?—Yes, it is practically in all cases an European
Mr. Laurie

There are a few instances where I have noticed Natives having saved a little money - having invested their money on mortgage of properties, but that would be exceptional.

SENATOR VAN NIEKERK: He cannot foreclose on the bond? - No. He cannot sue. There is no executor appointed.

DR. ROBERTS: Would you allow him to foreclose? - No, I would suggest some means whereby the matter could perhaps be put in the hands of the nearest Native Commissioner to compel these people to carry out the administration of these little estates, according to law.

SENATOR VAN NIEKERK: But even if you had that, that bond is not really legal; he cannot sell the property? - The bond is quite legal; it has been passed and registered in the Deeds Office.

CHAIRMAN: You mean now freehold titles? - Well, they are either freehold or quitrent, but they are out and out grants, and there are numbers of them in this district.

But the servitude limits them very considerably? - Well, of course, the trend of legislation has been to limit the owner's rights in the way of alienation and so on very much.

"Only a Native can purchase" is a very large proportion of the practice? - Yes, but not in all cases.

In the case of the freehold titles, or titles not contained in that clause, surely there is nothing to prevent the bondholder from taking action? - No, there is no means of his taking action, because there is nobody he can take action against.

MR. LUCAS: That is a question of the administration of the estate? - Yes, there is no executor and you cannot get these people to come to a Native Commission to have an executor.
Mr. Laurie

appointed. So the holder of the bond has nobody to sue. Not that he wants to sue probably, because, if the estate were taken in hand the matter would be administered and there would be no necessity to sue.

Have you raised this point with the Native Commissioner?

I have mentioned it to the local Native Commissioner.

Mr. Ord.

Because it is a matter for the Department and, if it is of sufficient importance they could deal with it straight away? - I have in my own office perhaps half a dozen matters like that that are just standing over, because of this difficulty. The property is still registered in the deceased's name. The bond is still in the deceased's name, and so it just goes on.

CHAIRMAN: Now let us take the case of an European estate, to get a parallel, in which the creditor is really the only person interested? - Yes.

There are no known heirs; what steps would the creditor take there? - He would probably report the matter to the Master of the Supreme Court.

Supposing the Native reports the matter to the Native Commissioner, if he were invested with some similar functions; under the Native Administrations Act. is not that necessary? - It might be; I do not know what powers the Native Commissioners have to call these people to them, and administer their estates, sort of willy-nilly.

It seems to me this is a matter of administration rather than of principle? - It is.

Therefore, the Native Commissioner, instead of this Commission, is the party to whom it should be taken? - But, if he has not the powers under that Act to compel these people? Anyhow, another matter is the question of property owners who endeavour to sell their properties, who are faced with
Mr. Laurie

this condition, they cannot secure Native purchasers and
they cannot deal with their property and they cannot pay
their debts because, we will say, the consent of the
Government is not granted to an European. We cannot find
a Native, and that leaves hundreds of these properties
lying high and dry there too.

DR. ROBERTS: What would you suggest there?- Well,
if it is absolutely impossible to find a Native purchaser,
then, in the owner's own interest, who is a Native, let him
sell to an European. Otherwise, you would get this Native
not being able to pay his debts and not being able to
dispose of his property; it is useless to him.

But you are breaking in there, surely, to a vital
principle in land matters in the property passing from a
Native to an European?- Yes, that is so, but yet you are
causing great hardship to the small Native farm owners.

In what way?- Because he cannot find a Native to
buy. He has got something which is absolutely useless to
him from the point of view of turning it into money.

SENATOR VAN NIEKERK: Is it not a very great
advantage to the Native to know that he cannot touch his
land?- Not in the instances I am thinking of. These are
matters which started years ago, before the present policy
of the Government was initiated. The Government has given
consent to these Natives raising money on their properties
and consent to the passing of the bond, but what is the
position today? When the bond holder wishes to obtain a
purchaser, the Government will not let him acquire that
property.

CHAIRMAN: The bondholder knew what sort of security
he was getting, and he has no grouse if the security is no
better than he took?- Yes, but I think in these cases, where
the consent of the Government has been obtained to the passing
of a particular bond, now the Government says "No". When it gave its consent it was tantamount to the sale to an European.

No, surely? He got a bond in which that was specifically defined. Surely such an important clause would have to be specifically withdrawn before it could have any effect?—Yes, of course, the land is subject to that condition; it is a condition of title.

Do you not realise your remedy is in conflict with the very cornerstone of Native land policy?—Now, yes, but not formerly.

MR. LUCAS: You are dealing only with cases where bonds were passed before the present policy was introduced?—Oh, yes.

You are not applying to anything subsequent?—No.

SENATOR VAN NIKKERK: Is not that clause, "He cannot sell to an European", subject to the consent of the Government?—The condition that he could only sell after having obtained the consent of the Government was in then. In view of that, the Government was approached and told, "This man wants to borrow money; so, and so, an European, is willing to lend it." "It may be that, in execution, you may have to sell to an European or to anybody. Will you give us your consent to the passing of that bond under these circumstances?" And they said "Yes." And now people are faced with the fact that they cannot sell because they cannot get a buyer from the class of persons the Government says must be purchasers.

It seems to me that what you recommend would simply mean that you want to improve the security which has turned out to be bad, in the interests of a very small number of bondholders, which we consider is in conflict with the
whole principle of Native land policy. You cannot expect us to recommend that?—It seems to me, the bondholders should be safeguarded.

Yes, at the outset, but he should not come and ask for better security now?—His security was quite allright but, in view of the trend of legislation —

He thought it was good. Supposing a man takes security on a piece of land that happens to depreciate in value much below what he lent on it, his security has depreciated but he has no legal right to come and ask the Government to appreciate that security again?—No, but I only mention these facts in case anything should be done or was wanted to be done to assist the Natives themselves.

Do you think that sacrificing the valuable privilege the Native has that his land cannot be alienated to an European is worth doing in the interests of a few people?—I should say no, but I should say there is some other way of approaching this matter and to consider each of these old matters by themselves, because I think, in a way, it is a kind of breach of faith.

DR. ROBERTS: On the part of whom?—The Government.

If they did not explicitly make that promise that they would allow you to pass to the Europeans?—Yes, they have given their consent to the passing of a mortgage bond to an European —

You may, of course, take that inference from it, but I do not?——

CHAIRMAN: Let us take it from the point of view that each of these cases could be considered by itself; then the effect of your remedy would be to make the European chew little bits out of Native territories when, on the other hand, the Government is doing its best at very
considerable expense, to round off Native areas by buying out Europeans. It is not a reasonable thing to ask the Government to do, is it?— I do not think these are purely Native areas; they are mixed areas.

You reckon they have made them a little more mixed?— Was it not contemplated by the Government at one time, in order to put these Native small holders in order, to raise a fund to pay out these debts?

That is a different proposition. If the Government takes over the bond that does not impinge on the principle of the Native land policy. That might be more worthy of consideration. Have you anything else you wish to say?— No, It was merely on the question of administration of Native estate that I thought I could point out where difficulties arise. That was my main point.

CHAIRMAN: You heard what the Natives said yesterday, that the Native Affairs Department classify chiefs into first, second and third class, irrespective of whether those were the classes they would have according to Native ideas. Would you express an opinion on that?— (Major Apthorp): I do not think, Mr. Chairman, that is correct. I take it he was speaking of in the Ciskei. In the Ciskei there is only one class of chief. Those are chiefs who are recognised under the Native Administration Act. There are seven of those. I have the Gazette here. Five of those are in King William's Town district and two in Middeldrift area. They are all on exactly the same footing as far as their status is concerned. The witness, I think, held that the
list purported to be in order of seniority; I understood
that to be one of his grievances. That is not so. It
might have been better to have printed it alphabetically.
It is not in any particular order at all. One or two
have come to me and said, "We want the Department to determine
the status of chiefs according to rank and blood". I said,
"No, and that I did not think that was the function of the
Department". That they should rather go to their own
paramount Chief and submit it to him for determination,
and those who have seen me agreed that that was the best
step to take, and they are going themselves, in this particular
instance, to interview Ngangomhlaba.

SENATOR VAN NIEKERK: The complaint was that
headmen in certain instances are superior to chiefs in this
district and that headmen were consulted instead of the
chiefs; is that so?—Headmen, of course, have their
distinct scales of salaries, ranging from £12 upwards.
They have their duties laid down by the regulations, their
administrative duties. The chief's duties are also laid
down by regulation, but they are more in the nature of social
and ceremonial rather than administrative. It is true,
the chiefs draw salaries; that is in recognition of the
status they have to keep us, which the Government does not
wish to destroy; unless the chief happens to be a headman —
and there are none of these, as far as I know, in this area
at all. Unless the chief happens to be a headman he does
no administrative work; he is not called in to assist the
Administration. There may be a titular chief over
15 or 20 headmen. There is one chief with 40 headmen over
him.

DR. ROBERTS: Have you an order of precedence —
if they came into a room or sat down? They are very particular about that?— We have our own ideas of precedence, but would not like to lay them down as against Native opinion. If the Paramount Chief thought otherwise, I would accept his ruling.

SENATOR VAN NIEKERK: We have had some complaints here that the magistrates are hard on the Natives as regards the question of exemption from local tax. What is the general policy you people lay down?— (Mr. Ord): I heard what Prof. Jabaumu had to say yesterday and his remarking that the attitude of certain commissioners was rather scandalous in regard to that, and I have proceeded to get out the figures of exemptions granted in this district during the year 1930. This Act came into force on the 1st January 1926 and the grounds for exemption which were laid down in the Act were as follow:—

"(a) Any Native who satisfies he is indigent, and is prevented from working by reason of age, chronic disease or other sufficient cause, or that he is in necessitous circumstances and is prevented by causes not within his own control from earning sufficient to enable him to pay the tax.

"(b) Any Native whose permanent home is outside the Union but who is residing within the Union to perform labour therein and produces proof that he has discharged his liability to pay the current taxes imposed under the law of the territory of his permanent home.

"(c) Any Native who satisfies the Receiver that, in consequence of his regular attendance at an educational institution approved by the Native Affairs Commission, he has been precluded from earning wages which would enable him to pay the tax."
Thereafter it says, "It shall be in the discretion of the Receiver to determine what exemption can be given". Under the amending Act of 1926, the Receiver was authorised to grant permanent exemptions to Natives where he thought it necessary - before that they had been temporary.

I may say, for the year 1930, the number of tax payers for this district was 16,912, and during the year 1930 the following exemptions were granted by this office: old age and poverty 140; medical grounds 102; blindness 18; mental cases 3; leper 1; scholar 1; prison 1; making a total of 266 exemptions granted permanently throughout the district.

DR. ROBERTS: In the one year? - Yes, 1930.

MR. LUCAS: Were these fresh exemptions? - Yes. Permanent exemptions for the year 1930 and to continue as such for all time.

And the scholar? - That is whilst he was at school; that is a different exemption. I wish to say that the law specially provides that the Receiver of Revenue himself shall deal with these applications for exemption. I may not pass them on to any member of the staff or, if I do, I have to give my authority in writing for a member of the staff to grant that exemption. I wish to say that, frequently I find myself in difficulty, by sitting in two capacities. I meet the Native as Native Commissioner and have to meet him at the same time as the Receiver of Revenue. I frequently found that my sympathies for the Native side of development, especially during the years 1927 and 1928, were inclined to outweight my strict sense of duty to the State. I mean to say, I am more lenient to the Native than perhaps fair to the State, and in no case has a man of 70 years of age gone away with nothing.
Messrs. Apthorp and Ord.

There are many rich Natives who have lots of stock, or money in the bank, who are over 70 years of age; they are well able to pay it, but in the case of a man, we will say, with five head of stock, an old man, he gets exemption almost automatically, by going up in front of the Native Commissioner with his headman. If the headman verifies what he states, the exemption will follow as a matter of course.

DR. ROBERTS: What would be your attitude towards exempting Natives over sixty years of age?

Well, I have not thought of that. You would require an amendment of the conditions - the Act itself. You see, the difficulty would begin at once; first of all we have no register of Native births going back as far as that.

The majority of the Natives would be over 60?

Yes, for that purpose.

THE COMMISSION ADJOURNED AT 1 p.m. UNTIL 2 p.m.
On the Commission resuming at 2 p.m.,

MR. JAMES WILSON ORD, Additional Native Commissioner, King William's Town,

was called and examined:

CHAIRMAN: What is your position, Mr. Ord?—I am Additional Native Commissioner for King William's Town, Tamara. That is the Native name for the district.

I understand that you have some information about vital statistics, mortality among Natives, which you wish to place before us?—I have really no information, I have merely come to put certain points before you as a Commission and to ask you to consider the question of putting into force Chapter 4 of the Birth and Death Registration Act in regard to Natives living in rural areas. At the present time, as you know, there is nothing compulsory about the registration of Native births and deaths, except in urban areas, and the consequence is that, for many years, I have felt, from the administrative point of view, that we were very much handicapped because it was almost impossible to tell whether, from a census point of view, your population was increasing or decreasing, and it has always been a source of wonder to me that the differentiation should be made between Natives living in town and in the country.

Take this town, for instance. The Natives coming into the town are the same Natives who live in the country and who come in from the country. They come into the towns for labour purposes and, if a Native lives in an urban location, he is subject to all these obligations with regard to registration, but when he goes back, perhaps three miles out of the town, all these obligations fall away.

Another reason is that if we should have a compulsory registration of deaths especially, or even a
registration of births, it would help us enormously in the detection of crime.

It has happened and it did actually happen today, that a headman reported to me that a child had been drowned before Christmas and that that child's body had been recovered and had been buried, but he only heard about it the day before yesterday. Now we have to start an enquiry as to the date of death and the cause of death and all sorts of difficulties crop up. Had there been compulsory registration, enquiry would have been made immediately.

Another important point is this, that registration would assist us tremendously in regard to Native taxation and in estimating the amount to be received. We would know what the amount would be which we could expect, and we should be able to see whether the amount actually received was the correct amount or not.

Also, from an administrative point of view, matters such as the allotment of land, the administration of estates, the registration of transfer, the questions of succession to the ownership of land, would be very materially facilitated. If a Native died, we would know to whom his land should go. We should be able to administer his estate properly and we should be able to see that transfer was effected. Today, we see many people in possession of lands whose titles have not been recorded for fifty years. No transfer has taken place and we do not know how things stand.

If a registration of death were made compulsory, we would at once be able to tell people to do certain things in regard to questions of succession and so on, but we have nothing like that today. From every point of view
it seems essential to me that some steps should be taken. There is a further point and it seems almost cynical to me that, if an animal dies in a location of any disease, except perhaps from old age or from poverty, the Native owner of that animal has to report that death, and if he fails to report it he has committed an offence and he is prosecuted. But when it comes to the death of a human being, there is no compulsion on him to report it and no notice is taken.

Perhaps about forty percent of Native deaths are today registered, but I doubt whether more than five percent of Native births are registered, because the registration of births is a voluntary matter so far as Natives are concerned in the rural areas. I understand that the registration of deaths dates back to the days of the chiefs who had to be notified of any man dying. That is the reason why they register deaths rather than births.

CHAIRMAN: When you refer to Chapter 4 of the Births and Deaths Registration Act, what have you in mind?—What I have in mind is this, that provision should be made for the compulsory registration of births and deaths. That chapter in reference to Natives only deals with urban Natives and then it goes on to say, in Chapter 5, "Chapter 4 shall apply only at such time as the Governor General had declared it compulsory to refer to Native births and deaths, ---". I have not got the actual wording here, but that is the effect.

Is your idea that a proclamation should be issued making that chapter compulsory in its application to Natives?—Yes, I have held that view for a long time, but I am afraid that we shall not get it for a long time. Now, in 1931, - in a few months time, - we are to get a census of the
Mr. Ord

Native population in 1931 - in a few months' time.

Would you recommend that that should be made compulsory for the country as a whole, or would you recommend only that areas should be selected in which it should be made compulsory? - Do you mean areas such as Native areas, locations and reserves?

You take your administrative entities? - I would take it for the whole of the district.

For the whole Union? - I am afraid I cannot say. I can only speak for the whole district. In regard to Natives residing on farms or reserves or locations, I do not think that it would be any hardship for farmers to see that deaths are reported, and I think that we have the machinery in Native reserves to have that done.

Let us take the case of a birth taking place on the other side of Kudu's Rand. Would you consider the Act to be any more than a dead letter there? - I cannot say, I have no experience there. I can only speak of this area.

Do you think it is perfectly feasible in this district? - I am certain of it.

The Act might have to be modified, but it is in the same way as jackal-proof fencing and ordinary fencing. That Act can be made compulsory in certain scheduled areas and the same thing might be done with this. If you were to proclaim it for the whole Union, it will be very difficult to have it enforced? - Yes, I see that.

In a municipal location like Queenstown in 1930, 102 Native births were registered, and of these 102, 154 died. So, obviously, the registration was not complete so far as births were concerned. But the registration
men cannot afford to pay for the number of wives which they used to have.

CHAIRMAN: Have you got a number of Native old maids today?-- Undoubtedly.

DR. ROBERTS: Have you really met them?-- Yes, I have.

CHAIRMAN: They are somewhat exceptional, are they not?-- No, in this area I know quite a number of unmarried Native women.

In this area?-- Yes.

That is in conflict with the experience which we have had elsewhere?-- That may be.

MR. LUCAS: Quite a number of people say that polygamy takes place a great deal less, so that something must have happened?-- Yes.

Either the number of men must have increased, or the number of women decreased?-- Then, I think this too.

The soil reached saturation point some time ago and it has not got the carrying capacity which it used to have. Overstocking is one of the causes.

CHAIRMAN: Would you not rather say that it has gone down?-- The carrying capacity of the soil has gone down. They have taken practically everything out of the soil and not put anything back.

Improved methods have not proceeded very far?-- No, but they are going ahead. And then overstocking has a great deal to do with it. The Native is changing over from the Native method of clothing and he is adopting European methods of dress and he is not able to afford more than one suit of clothes.

MR. LUCAS: Do you come across many cases of undernourishment?-- Up to the end of 1928, we had a very
Mr. Ord

Long drought here and the cases of undernourishment were appalling, they were heartbreaking, but in the last two years I must say that I have seen very little of it indeed.

CHAIRMAN: When there is a drought, it is felt particularly severely?—Yes.

Owing to the fact that people are living against the margins of the potentiality of the district?—Yes.

Would it be possible, through your office, to get what might serve as a sort of substitute for vital statistics, namely, records from a large number of Native women, showing the number of children they have born and the number who are still alive?—Throughout the district?

Well, if you could get a random sample?—I should try.

It would be very useful if we could have a number of women giving these figures—women who have completed fertility?—Yes, I shall try to give you that.

It would be helpful if we could get a random sample of a number of women who have completed fertility so that one could base some calculation on that?—Would you suggest that I should take a typical portion of the area?

Say a random sample of 500 women from various parts of the district?—I shall try to give you that. I may say that the Joint Welfare Society's representative could not attend, but I have been asked to hand in a statement regarding the rates of pay by responsible merchants of the town to their boys, and I put that statement in now.

THE COMMITTEE ADJOURNED AT 2.30 P.M. SINE DIE, MEMBERS SUBSEQUENTLY PROCEEDING BY TRAIN TO VARIOUS PARTS OF THE COUNTRY, TO RESUME AGAIN AT KROONSTAD.