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MR. JOHN ISMAEL LLOYD, called and examined:

CHAIRMAN: You are a farmer in this district, Mr. Lloyd?

MR. LLOYD: Yes.

CHAIRMAN: What type of farming do you go in for?

MR. LLOYD: I go in for general farming, stock, agriculture, all sorts.

CHAIRMAN: Could you give us some information of the kind of terms on which Native labour is generally engaged for farming operations?

MR. LLOYD: Are you just referring to the bona fide servants?

CHAIRMAN: Yes. Well, the bona fide servant is engaged at 10/- per month and he is provided with his food, he is given lands equivalent, I suppose, to an average of about five morgen. Those lands are ploughed for him and planted for him. Of course, he cultivates the land and a certain amount of stock is grazed for him and his dipped free on the farm.

CHAIRMAN: Does he provide his own seed?

MR. LLOYD: In some instances he may provide the seed, but if he goes to his master and asks for it, he usually gets it. He may have a special seed which he may want to put in himself, which he may have saved or selected. Of course, when reaping time comes, the family are expected to work as well and the women receive 6d per day and their food.

CHAIRMAN: Is the head of the family fed while he is in employ?

MR. LLOYD: Yes.
Is there any definite ration which is normally given? - There are various types of issue. Some farmers issue the rations per year, such as grain, so many bags of grain per year, four, five or six bags. It all depends what type of Native you are dealing with.

You say from four to six bags of grain per year? - Yes, and in between he gets separated milk and I personally occasionally give my boys some meat, an old ewe or something like that to slaughter.

Is that a general practise among the farmers of this district? - I would not say that it is a general practise, it is difficult to say.

Do they get milk? - Yes, they get milk. That is not a regular practise though. They get skimmed milk and then, of course, they milk their own cattle as well, but they get skimmed milk from us.

MR. LUCAS: You said that it was not the general practise to give them an old ewe occasionally. Are there many who give no meat at all? - Yes, some of them have no small stock to give. There are different types of farming. You have mixed farming here and market gardeners and so on. Of course, there are people who pay their boys a different scale of wage. In fact, I think they do so here nearer to the towns.

I missed what you said about the payment of wages? - I said in the circumstances which I mentioned, about 10/- per month, but nearer to the town they give them about £1 to £1.10. - per month. I used to live nearer the town myself and in those days I paid my boys £1.10. - per month.

MR. MOSTERT: How many head of cattle are they allowed to run? - Anything up to ten.

CHAIRMAN: You indicated various types? - Yes. Then you have the labour tenant on the farm. Well, he, to my mind,
is more or less retained on the farm for the purpose of gain. They charge him rent. They rent him a certain piece of land and some of these people are expected to provide labour. They may get pay or perhaps something else for a boy. That is in lieu of a certain amount of rent. That is agreed upon. When it comes to June, which is the end of the year, which is the time to pay, they are expected right on the last day of the month, to pay and, if the money is not there, a lot of these farmers take the law into their own hands and walk into the kraal and say, "So many head of cattle are mine, unless the rent is there."

You mean that they seize the cattle in lieu of rent?—Yes.

Is that a common thing?—I would not say it is a common thing, but it does occur.

Has the Native any redress in such a case?—Yes, he has redress and I think they are becoming wise to it now.

MR. LUCAS: In what way?—Well, they know that it is not legal.

You mean the Native knows that?—Yes, he does.

CHAIRMAN: Is this system on the increase or on the decrease?—It is on the decrease now.

Why would that be?—Well, farmers are beginning to realise that it is better to farm themselves than to have kaffer-farming. We had some farms which were entirely let to Natives on these terms.

Have you not got that still?—No, in fact I do not think that there are any farms in the eastern district, European-owned farms, let entirely to Natives. There are Native-owned farms.

The value of the land is increasing and the farmer can get a better return by farming it himself than by renting it to Natives?—Yes, the Native does not improve the farm,
after all is said and done, when he is farming on these lines.

Is there behind it also a feeling that, when the Native farms the ground, it deteriorates? Yes, he does not plough it properly, he is content to scrape it a bit and he certainly deteriorates the land. He does not drain it and he does not worry whether he ruins the land or not. He never puts anything into the soil, he never puts any fertilizer in.

Could you indicate any time from which this sort of farming is going back? Do you mean, since when they have been abandoning this sort of farming — I should say, the last five or six years.

And is it going fairly fast now? Well, we are certainly seeing some improvement. Except in private Native locations, they have to have licenses now. Where you have old farmers who have held the land for a long time, you still do find cases where Natives are in possession of the land on a rent basis, but no sooner does a new owner come on to that farm than these old conditions automatically fall away and new conditions are introduced. You know, of course, that they have to apply to the Divisional Council for the labour tenant system and the Divisional Council are largely turning it down.

Do you think that it is the pressure of the Divisional Council rather than the desire of the individual farmer to get the best out of his land, which is responsible for the change? No. In most cases the individual farmer realises that it pays him better to farm the land himself.

Particularly when a new man comes in? Yes, the new man will not have it.

Are there any other types of labour on farms? No, those are the only types which are in existence in this district — the bona fide servants and the labour tenants.
Mr. Lloyd

DR. ROBERTS: Have you not got the daily labourers here ?— No, we do not use them. You may get about two per cent or something like that, but not more.

MAJOR ANDERSON: How much labour is a labour tenant supposed to give free ?— It depends on the agreement, usually about one boy.

Is that for the whole year ?— Yes, for the whole year

But do they not have a system of having to work so many months in the year ?— No.

MR. MOSTERT: Is that one man an adult or a youngster ?— It may be a pickanin or an able-bodied man.

According to the size of the family ?— Yes, and the number of the stock which the man owns and the size of the ground which he is given to cultivate.

DR. FOURIE: And domestic servants, are they boys or girls ?— Here in this area they are girls.

Are they paid any wages ?— Yes.

What do you pay them ?— 10/- per month, or 15/- per month, it all depends on the type of girl. If she is a good outstanding girl, she may even get £1 a month.

And her food ?— Yes.

DR. ROBERTS: If she is a good cook she would get a £1 and more ?— Yes.

DR. FOURIE: You do not use the boys here at all as domestic servants ?— No; in this area we only use the girls for domestic service. The boys only work on the lands.

And they get their food while they are working ?— Yes, almost invariably they do.
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Mr. R. H. GODLO was recalled and further examined:

MR. LUCAS: In your statement, you said that the Municipality had requested the Natives to get the regulation amended about children above the age of eighteen to be treated as lodgers? - Yes.

Why was that turned down? - As far as I know, the reason given by the Native Affairs Department was that the section as it was proposed to be amended would give the Location Superintendent very wide powers.

But then, when the Municipality was willing to help you, why could you not get this carried; why could they not do as you wanted? - Do you mean the Municipality?

Yes? - The Municipality wanted the regulation to be amended and, of course, it was duly sent forward to the Native Affairs Department and it was the Native Affairs Department which turned it down.

That is all you know about it, you do not know what the reasons were? - Those were the reasons. A copy of the letter from the Department of Native Affairs was sent to the Advisory Board and read to us.

Now, dealing with your suggested remedies for the influx of Natives to the towns, you spoke about the establishment of a land board to regulate and supervise the acquisition of land. I did not understand what it was that you meant by that? - By that I mean this, I considered, of course, that the Native Affairs Department which deals with all the matters relating to the Natives, has quite a lot to do and I thought that, if a board were appointed to deal with land matters, it would perhaps be of assistance to the Native Affairs Department.

DR. ROBERTS: Have you the idea of a village in your mind and not a location? - I do not favour the system of a
location for certain classes of Natives.

MR. LUCAS: That, I thought, was a separate thing. This is to deal with the acquisition of additional land for Native occupation?—Yes, that is so.

What did you have in mind when you suggested setting up a board for that purpose; why would a board be necessary?—I thought personally that, owing to the enormous amount of work of the Native Affairs Department, it would facilitate matters if one could have a board to deal with purely land matters.

It is a matter of administration?—Yes.

Then, when you speak about the modification of restrictions against squatting and labour tenancy, what sort of modification did you have in mind?—I thought it would be better if farmers who were willing to keep labour tenants should not be forced to do away by law with such labour tenants.

Is this in reference to the 1913 Act?—Yes.

I do not know whether you hear what Mr. Lloyd said this morning on this matter. Apparently, the labour tenancy system is disappearing in this district, although the 1913 Act does not apply here. The farmers themselves are finding that it is not profitable?—I was not aware of that fact; I thought that it was a matter to be left between the farmers and the Natives. If the farmers did not think it a good thing, then it should be done away with, but my idea is that that should not be done by legislation.

If Mr. Lloyd's evidence is correct and it could be applied generally, then this would only be a temporary measure anyway?—Yes.

MR. MORSTERT: Do you mean that a contract made between the farmers and the Natives should be left to themselves?—Yes, it should be left to these people to arrange that themselves.

DR. ROBERTS: You do not think that that would be a
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dangerous position for the Native? - No, I do not think so. Although I have no experience of the conditions of these labour tenants and of the farmers who have labour tenants, from what I hear of the Natives in the olden days, they used to work well.

MR. LUCAS: Do you know anything about the conditions of Natives on quitrent land. You suggest the redemption of quitrent? - Yes.

What are the reasons on which you advocate that? - As far as I understand, quitrent land has no value and, of course, what helps the Europeans is that they are allowed by law to redeem their quitrent property into freehold.

Now, you yourself, I understand, are a trader? - Yes, Have you got a general dealer's license? - No, I have only a fresh produce license.

Has any attempt been made by Natives to get general dealer's licenses? - Yes.

And can you tell us what is the obstacle in the way? - Well, as far as we can judge, we are of opinion that the obstacles are the vested interests of the European traders in this town, of the small European traders in the towns.

I say that for this reason - about a year ago, it was reported in the paper that one of the local councillors had a notice of motion on the order paper repealing, for the revision of a previous resolution of the council against general trading in the location and, before the meeting of the council took place, the traders in the north and the small traders, signed a petition against it; and, after that, when the matter came before the Council, they again decided against the Natives being allowed to trade.

Is there any law applicable here, any Act of Parliament or ordinance, or bye-law, which prevents a Native from getting a general dealer's license? - There is no law
to prevent that but, according to the Urban Areas Act, the Municipality may allow trading in the location but, of course, the amended Act goes further and makes provision for the Natives to appeal to the Minister of Native Affairs if the Municipality should refuse to give such permission.

DR. ROBERTS: And then the Minister can insist upon the license being granted?—Provided the Minister is satisfied that a genuine need for a trading license exists.

MR. LUCAS: Has any attempt been made here to make use of that?—No, not yet.

MAJOR ANDERSON: If it were allowed for licenses to be granted, even then a license would only be granted or could only be granted at the discretion of the Licensing Board?—Yes.

And it would not necessarily follow that Natives would be granted licenses?—No.

SENIOR VAN NIEKERK: Of course, an European cannot trade in the location?—No, that is so. He cannot.

DR. ROBERTS: But if the Minister were to insist, then a trading license would have to be granted?—Yes, if the Minister insisted it would have to be granted.

If the Minister says a license has to be given, then it has to be given?—Yes.

MR. LUCAS: Have you any experience of Natives trading with a general dealer's license in any other town?—Yes, in Fort Elizabeth, at Korsten, or rather, at New Brighton.

How are they doing?—Oh, they are doing well there.

Do you know how many?—No, I do not know the number.

Your people have fresh produce dealer's licenses and also eating house licenses?—Yes.

Are they making a financial success of them?—Well, they are not a success, of course, but I hope they are able to keep them going. They are just enough to keep them going.
but we do think that the charges made by the municipalities are rather excessive.

That is the ten guineas for the eating-house license in addition to the ordinary license?—Yes, and we think that Native eating-house keepers pay more than the general dealers.

You said, when I asked you whether they were a success, "They are not a success, of course". What do you mean by that?—We think that they are overcharged in the matter of license fee.

You think the license fees are too heavy?—Yes, and otherwise they would be a success.

Is that ten guinea fee applicable to an European restaurant or to tea rooms as well?—Not as far as I know.

Now, one of the things which the European urban areas advertise, is to restrict the free movement of Natives and to prevent Natives from coming into the towns if the towns consider that they have enough Natives. Do you think that that is sound?—If there were land available for Natives, I would say that it is sound.

Is not the tendency in European countries to remove obstacles in the way of free movement of people, for economic reasons?—I have no experience of other countries.

SENATOR VAN NIEKERK: Why do you say it is a sound policy; Do you think the town natives should be protected?—I think so and I do not think it would be reasonable to expect the Municipality to go in for elaborate housing schemes at the expense of the rate-payers for people who are non residents of the location of the town.

CHAIRMAN: Do you find that the influx of natives from the areas makes it more difficult for the natives in town to get work— that is for the natives who permanently reside in the town?—Yes, I certainly think it does.

Has it any effect on the range of wages paid?—Well, I
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think it has. Of course, I would not like to be sure about it, but I think it has.

Have you noticed that employers are more apt to take on a Native, a raw Native from the country, at a lower rate of wage, than a Native who is permanently resident at a higher wage? I would not say that the majority do that, but a good number are apt to prefer a raw Native at a low wage. But that is not so with the majority of the mercantile community.

Do you think it is only because of the lower wage? I think that is the reason.

But would you say that that is the chief reason? Yes, that.

It is not the Native from the country is fitter and better prepared to do the hard work? No, just the same.

Now your Natives here who are working in the docks, are they chiefly permanent residents of East London, or are they largely Natives who have come in from elsewhere? Most of them are more or less permanent residents, because, although some of them have houses and own houses in the location, their homes are in the country districts, in the reserves.

Round about East London? Yes, round about Kongo and East London.

SENATOR VAN NIEKERK: But they are not town Natives? Yes, some of them are. They have been here for 20 or 30 years and they own houses and they have plots of ground in the reserves.

CHAIRMAN: Do the majority of the dock labourers work there all the year round, or do they just stay for a while and then go back to the reserves? No, the majority of them stay here.

Is there a considerable number who come in and work for six or nine months and then go back to the reserves again? No, I think it is a very small percentage who do that.

So it is more or less permanent labour now at the Docks? Yes.
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DR. ROBERTS: Your winch boys, for instance, cannot go away for a time; their work is of a very special nature?—Yes, the casual labourers. They have to be there.

No, I am not referring to the casual labourers, but the winch boys who shift the goods?—Yes, that is so.

MR. LUCAS: Do you know how these dock labourers are paid?—I do not know.

Have you any idea what they can reckon to average in a month, how many days work?—No, I am afraid I do not know much about their conditions and about their pay.

Is there any way in which we could find that out?—I think some of the other people here who are going to give evidence might be able to enlighten you on the matter. With regard to the matter of the movement of these Natives, I also refer to the restriction of females entering a location. According to the amended Act, that is the Native Urban Areas Act, even married women are not allowed to enter proclaimed areas unless their husbands have resided in those areas for two years. The Natives are very much against that.

MR. LUCAS: That means that a man has to leave his family for two years before they can join him?—Yes. The objection to that provision by the Natives is that if such a regulation is put into force, it will shake the moral stability of the Natives residing in those proclaimed areas, and it is also looked upon as an unnecessary interference with the liberty of the subject.

SENATOR VAN NIEKERK: That may be so, but do you not think that, after all, it is a very risky thing to allow just any Native to come to town before he has a permanent job and to bring his wife and family here with him?—I think there should be some discrimination allowed and I do not see why womenfolk should be debarred from accompanying their husbands.
MR. MOSTERT: You do not want the period actually to be fixed, you want it so that when the Native has permanent employment he should be able to apply to get his family in? - That is so.

MR. LUCAS: I want to put a few questions to you about your Advisory Board. First of all, in what way could improvements be made to the system as far as it applies to East London? - I said yesterday that I was in favour of the Bloemfontein system.

Yes, that is additional to the Advisory Board? - Before the Native Urban Areas Act came into force here, we had another system, quite different from the system which is in vogue now; that was the ward system. The members elected certain people to represent a certain ward, but according to the new regulations that system was done away with. I think, though, that the old system worked better than the present one, because, as things are now, we are not able to get into touch with the people and we do not know their wants and requirements. In fact, they are taking no interest at all even in the election of members of the Advisory Board. It is, therefore, that I say that if the Bloemfontein system with those wards and ward committees were adopted, we would be in a better position to deal with the location. I am in favour of the appointment of a Native Affairs Committee which would have to keep in touch with the Native-Advisory Board.

Do you mean a Committee of the Town Council? - Yes.

Do you think that there should be frequent meetings between the members of the Council and the member of the Advisory Board? - Yes, there should be meetings at least once every three months.

Do you think there are enough questions of interest affecting the location warranting a meeting every three months? - Yes, I certainly think so.
SENIOR VAN NIEKERK: Would a system of appointing a general location superintendent under the supervision of the Government, a man who is not in the pay of the Municipality, assist the Natives in any way?—Well, I do not know whether such a system would work well, because I am afraid that the Council might lose all interest in Native affairs. Of course, that is my own personal opinion.

I do not want to do away with the present Superintendent of Locations. My suggestion is to appoint a Government man to go about the country to visit these locations and, if necessary, try and solve disputes, to receive complaints and make improvements?—Yes, in that case I would favour the appointment of such an officer.

MR. LUCAS: There is just one item in your budget which I want to refer to again. I see you put down tinned milk there. Do the Natives in the location not use fresh milk?—Yes, they do use fresh milk, but I think condensed milk is more economical and they use more condensed milk than fresh milk.

What do they have to pay for fresh milk?—Threepence a bottle I think, a small bottle.

Is that a pint bottle or a quart bottle?—A pint bottle.

And have the Natives in the location any grazing facilities, are they allowed to keep cattle there?—Yes.

On what conditions?—I think they pay 2/- per head per month for each beast.

Now, in East London, has there been any substitution of Europeans for Natives in any occupations?—Yes.

In what occupations, can you tell us?—The only occupations which I can remember are those of bakers. When the determinations of the Wage Board were put into force, there
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was one baker who reckoned he had to do away with his Native servants.

Did any of the bakers keep on their Natives and pay them the wages of the determination?—Yes, I think some of them did.

Now, you have a sweet factory here, in which some of the Natives are getting a good deal higher wages under the determination than the usual wage paid to Natives. Do you know of any people getting these higher wages?—Of course, I am not quite certain, but I was told that there are. The firm did not do away with their old Native servants.

That is not meeting my question. The point is this, that some Natives who were getting wages such as are ordinarily paid to Natives, were engaged in occupations which, under the determination, had to be paid much higher wages and Natives were kept on at that higher wage. Do you know of such Natives and do you know what the effect on them has been of these higher wages; do you know anything about it personally?—No, I know only of very few and I only know of it casually. I have never had any discussion and I do not know whether they are worse off or better off.

One point which you made in this statement is about the wages being inadequate. Now, how would you propose to deal with the question of wages?—Personally, I suggested an entrance wage of 5/- per day for a raw worker.

How do you suggest getting that carried into effect, or anything like it?—How do you mean, carrying it into effect?

It was not accepted. There has not been any increase in wages for East London for a long time?—No.

If it is necessary to have an increase in wages, what machinery should be applied, have you thought of that?—No, I have not.
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DR. ROBERTS: Do you think it will be possible for merchants and bakers and sweet factories to pay 5/- per day for raw Natives?—Yes, I think it will be possible.

You think it will?—Yes. As a matter of fact, these suggestions were put to the merchants through the Magistrate and we expected that they would object, but no objection was raised to the figure; they only said that times were bad and they would consider the matter when business improved.

They would consider the 5/- per day?—Yes.

CHAIRMAN: The amount was never considered at all, was it; the question whether 5/- was too much or not enough was never considered at all?—No, I do not think so. The idea of an increase, they said, was not possible at the present time. That is all they answered.

Now, supposing a minimum wage of 5/- could be enforced from tomorrow for all Natives in East London, do you think that the same number of Natives would get work?—No.

You do not want to spread the butter rather thickly on one part of the bread and leave the rest without?—I think it would work well if the other centres would follow suit.

DR. ROBERTS: Why do you think that, if you gave 5/-, fewer would get work? Work is a stationary thing and it does not increase or decrease?—My idea is that it would have the effect of drawing Natives from other centres to East London and quite a lot of them would not be able to find work unless, of course, the other centres would also grant an increase in their wages. That is all.

MR. LUCAS: So your point is not that fewer Natives will be employed than today, but that more Natives would come from outside to get the higher wages?—Yes.

And more would be unemployed?—Yes.
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CHAIRMAN: Very well, lock up the entrances and do not let a single one in. Do you think the same number of Natives will get work as are today getting it at 3/- and 2/6 per day? I do not know. Some employers may think that, if the wages are increasing, they will have to decrease the number of people employed.

MR. MOSTERT: Is that not a natural sequence? If a man cannot afford to pay that, he will not employ a Native? Well, that is why I mention it. If he cannot pay the increased wage, he will do away with a number.

MR. LUCAS: How do the Natives get into town from the location to their work? Some of them come in on foot and some come in by taxi.

Would you say that the majority use the taxis or that the majority come in on foot? The majority come in on foot.

MR. MOSTERT: Do they not use bicycles? Very few use bicycles, but, of course, that is on account of the road. You see, there is a steep hill just before you get to the location. That is what makes it difficult.

DR. ROBERTS: What do they charge for a taxi from town? From the Market Square to the Location, they charge sixpence, but from the Location to the Station, to the two Stations, the fare is a shilling.

MR. LUCAS: Why is it that in the location most of the privately owned houses are made of iron? Because iron is much cheaper than brick.

Do you know the Bloemfontein location? Yes, I do.

If you had the same privileges here of a housing loan and plans had to be passed by the Municipality so that a decent type of house had to be put up, do you think you would get the same results here and do you think you would get the same type of house here as they have in Bloemfontein? I think
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that it would improve our houses, and I think that others would perhaps go in for bricks as well.

Do you think much use will be made of housing loans, if they were available?—Yes. In fact, the Advisory Board insisted that the housing loan should be made available to assist Natives to build their own houses.

DR. ROBERTS: Do you like these rondavels on the West Bank?—No, I do not.

And do the Natives like them?—No, I do not think they do, but they use them when there are no other buildings available, but otherwise they would not.

CHAIRMAN: Why do they not like them?—Well, they say that these buildings are not healthy.

DR. ROBERTS: Is that because of the amount of concrete everywhere?—Yes.

CHAIRMAN: They are too cold in winter and too hot in summer?—Yes, that is so.

MR. LUCAS: Supposing the Natives built their own houses, as they do in Bloemfontein, would you be able to get enough Native builders?—Yes, I think so. There is another matter which I want to refer to, it is an old complaint of our Advisory Board and that is that there are too many European employees in the Location office. At present, there are nine Europeans in the Location office, as against five Native clerks. According to our estimates for 1930, the European staff cost us in wages alone £1924.8., and, in addition to that, we have to pay locomotion allowances amounting to £94.10. and also pension contributions totalling £87.5.2. That figure increases every year as these pensions increase. I could not lay my hands on the estimate for 1931, but I know it is much higher this year.
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MR. LUCAS: Have you got the cost for the Natives employed in the Native location office, the amount paid to Native employees ?- Yes, two Native clerks at £90 each per year; two at £34 per annum and one @ £72, making a total of £420 for the five.

MAJOR ANDERSON: How are these Europeans employed ?- Some of them are employed as clerks and others in other capacities. They are employed as revenue clerks, overseers of labour and then there is a health inspector. Of course, the Health Department contributes towards the payment of the health inspector and he is not paid purely from Native revenue.

Which of these posts do you think suitable Native employees could be found for ?- The clerks, the revenue clerks. I know of Natives who have qualified in bookkeeping and typewriting and I think they are always available and we can get a good number of them from such institutions as Lovedale and Fort Hare at a much lower cost.

MR. LUCAS: Are these Native clerks entitled to a pension ?- No, they are not.

Is there any pension system at all for Native employees in the Council ?- None at all.

And is there any scale of increases for Native employees ?- No, the only increases that have been granted have been granted on the recommendation of the Native Advisory Board and I might mention that, for the last two years, the Council decided to pay these men daily, these Native clerks, so that they are not permanent employees at all. They used to be employed permanently and they were classed as Municipal servants, but not now.

MR. LUCAS: Why was that change made ?- The reason for it has not been given us by the Council; we do not know.

Have you asked for it ?- Yes, we did ask and we
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protested and we thought it would be right and proper that they should be allowed also to contribute to these pensions funds and that they should be allowed to participate in the pensions.

Are those the accounts for last year which you have there?—Yes, for 1930.

Are the revenue and expenditure accounts?—Yes. I shall be pleased to show them to you.

Are there any other points which you wish to draw attention to?—No, I do not think so.

DR. ROBERTS: Would your Advisory Board desire to be consulted in the appointment of any of these location officers?—Yes, as a matter of fact we have always pressed that point to the Council, that the least thing that could be done was to consult us. We know that they have the final say, but we do feel that we should be consulted.

And are you not consulted?—No.

SENATOR VAN NIEKERK: You mean, that you should be consulted whether a Native or an European should be appointed, or do you mean that you should be consulted as to which Native should be appointed?—We think that, where an European is employed, it would be fair on the part of the Council to consult us. There is another matter which I wish to raise in regard to these Municipal buildings. We objected to the scheme from the very outset and thought it would be expensive. They are, of course, building these rondavels departmentally and the cost works out at about £75 per room, but if the Natives were allowed to build their own wood and iron buildings, we contend the cost would amount to not more than approximately £40 per room. That was a matter which we raised. I am speaking from practical experience. Not very long ago, I had to put up a wood and iron building myself for my own use.
and it did not cost me more than £275 for an 8-roomed building.

MR. LUCAS: What material was that made of? - Made of wood and iron.

MR. MOSTERT: All Native labour? - Yes.

SENATOR VAN NIEKERK: Was it lined inside? - Yes.

Lined with wood? - Yes, with wood.

MR. LUCAS: We were told yesterday that the Municipality loses money on water which it supplies in the location.

Will you tell us what the Municipality charges you at present for water? - I am sorry, but I have forgotten the figure.

(Mr. Lucas refers to statement:) You have 3/4d written here. Is that what they charge at present? - No.

They told us that they would charge that figure, but the amount was found to be too much for the Native Revenue account so the Council decided to charge a globular sum and I think it was about £4,000, but I am not sure of that figure.

Do you know what they charge the Europeans per thousand gallons for water? - No, I have forgotten the figure.

They lose about £4,000. Do you know how the loss was made up? Mr. Lloyd told us yesterday that for a certain period they lost £4,000? - No, we were not supplied with the details as to how the loss was made up, but we could not understand the position because, for a number of years, we were told that there was a big surplus of revenue over expenditure in the location but, later on, we were told that the expenditure could not balance the income. All along, we thought that the Council would then utilise the surplus which they had had before I am afraid I cannot give you any further details.
Mr. Ndikane Kadali

MRSRS. CLEMENTS KADALIE
BENNET HOMANA
WILLIAM SIYO
ALFRED MNIKA

Representing the Independent
Industrial and Commercial Workers
Union of South Africa,

called and examined:

CHAIRMAN: I understand you have prepared a statement
which you wish to put before the Commission?— (Mr. Kadali):

Yes, sir. I want, at the outset, to state that I did not
intend dealing with local matters at all. In my statement
I deal with the position of the Native workers throughout the
Union. But, in the evidence yesterday, questions regarding
conditions in East London were raised and I shall, therefore,
at the end of my statement, also have to deal with East London.

I shall deal with the whole position of the Natives
throughout the Union, but I shall probably want to refer to
wage determinations in the sweet factories.

The Independent Industrial and Commercial Workers
Union of Africa came into being in 1929 as a left wing of the
I.C.U., and it represents active membership in almost every
town of the Union of South Africa. First of all, I shall
deal with the position of the urban industrial workers.

According to statistics, the Bantu population of the
Union was, in 1929, Cape Province 1,802,052, Natal 1,503,262,
Transvaal, 1,745,099 and Orange Free State, 507,428, and of
the number of Natives resident in the urban and the rural
areas, there were, in 1921, 889,289 detribalised Natives in
the urban areas and 4,526,805 Natives residing in the rural
areas.

Native labour forces in the urban areas are generally
governed by the Master and Servants Act, whose application
varies according to convictions obtaining in each Province.
It has been admitted that the whole of the industrial and commercial, as well as agricultural development of the country has been built up and has prospered magnificently on the basis of Native cheap labour. It is, therefore, not unreasonable to assume that the very national economic system of South Africa was built up like a pyramid on the rock foundation of sweated Native labour, who, owing to their undeveloped tribal conditions, are constantly driven out of their natural surroundings to be employed in the industrial, commercial and agricultural development of the country, where it is impossible for the average Native to accommodate himself as he should out of his meagre earnings. The considered opinion of the Native public of South Africa, acting on the existing stringent economic conditions affecting the workers throughout the country is that the operation of the provision of the Master and Servants Act are extremely derogatory and humiliating.

The general effect of the existing industrial laws is to destroy all possible hope for the Natives to advance beyond menial labour, whatever their capacity may be, and to discourage the training of Native labourers by employers to become skilled. In the opinion of our Union, the declared object and aim of the Colour Bar Act of 1926 is to deprive the Native workers of their natural rights to skilled occupations of whatever form or shape. The enactment of this humiliating law, which so much militates against the economic welfare of the Native of the Union is the result of the fear complex of Native competition which is so much exploited by the existing political parties. Therefore, our Union is justified in asserting that the present industrial legislation can have no other purpose but to keep the millions of advancing Bantu proletariat in the background in the interest of what
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is styled "White South Africa". The fear of the black competition on the part of those who bear the responsibility of government, is the root cause of existing misunderstanding and Native maladministration.

Now I come to the Wages Act. Notwithstanding the existence of the Wages Act which, to all intents and purposes, was enacted by Parliament to determine what the living wage should be for every subject of the State, Natives were still excluded from enjoying the benefits of Industrial Council's agreement. According to Mr. F. A. W. Lucas, K.C., Chairman of the Wages Board, "The disparity between what is termed a civilized wage and the customary wage given Native employees, the Wage Board was powerless to make any amelioration in the lot of the Native employee". Mr. Lucas went on to state, "That the Board has been invoked by Native employees to aid them in improving their conditions, which in many places were becoming intolerable. If the Government does not allow the Wage Act to operate for their protection, strong support will be given to the allegations that the Act is intended only to benefit Europeans. The Natives who apply to the Board are trying to make use of constitutional means. If such means are not open to them, large numbers of them will believe that it is useless to look to the law for redress and that recourse must be had to more direct and unconstitutional if not violent means".

None in the authority of Mr. Lucas could have delved so deeply into the root cause of Native unrest as he did. There is no doubt that the choice before the country lies between the use of the machinery of the Wages Act or some form of direct action by the Natives themselves. The current anti-Native legislation has confirmed our suspicion that, in South
Africa there is one law for the European and another for the Natives. A case in point is that Native industrial organizations are refused legal recognition according to European trade unions under the provisions of the Industrial Conciliation Act of 1924, and their exclusion from the beneficial provisions of the Wages Act. The present Prussian 'jack boot policy' of treating the Bantu people of this country with contempt and scorn and the reckless disregard of their legitimate rights and interests has only served to augment the feeling of unrest and distrust. The principles of democracy, we maintain, are conspicuously lacking in the White man's dealing with the Native. The spirit of justice and sympathy, sympathy with the lower orders of the society, who have to support the precarious existence, devoid of all the social amenities of modern life, and the difficult task of adjusting themselves to unfamiliar economic conditions, should be legally asserted.

Now, let us come to the question of a living wage. The general acceptance of the Wages Act has been both desirable and beneficial, is an admission of the principle of a living wage for all workers, skilled and unskilled. It is an admission of the right of the workers to enjoy reasonable conditions under the protection of Parliament. But for the last twenty years, the trend of all industrial and social legislation has been in the direction of improving only the lot of the White workers, disregarding millions of Native workers who laid down the foundation of the economic system of South Africa. In so far as the Natives are concerned, the State has done practically nothing to secure a living standard by enforcement of a minimum or a living wage. Every industrial country in the civilised world, has recognised the
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need of some kind of legislation for dealing with industrial disputes; but in South Africa, while European workers are protected by Parliament by some kind of form of legislation, the millions of Native workers are left entirely to the mercy of the unscrupulous employers who look upon the Natives as a means to an end. Consequently, the only means of dealing with Native labour disputes, it would appear, it by way of suppressed by military forces.

Native industrial organizations have been brought into being by two motives. To advocate for a living wage, based on the natural rights of a human being to live in this world; and living necessitates the command of the things which keep a human being alive and to raise the social standard of the workers from the aqualar or degradation through the insufficiency of the low rates of wages paid them. Our idea is that every Native worker shall have a fixed wage which will maintain him and his dependents in the highest state of industrial efficiency and which will enable him to provide his family with all the materials which are needed for their health and physical wellbeing, enough to enable him to qualify to discharge his duties as a citizen of the State.

If the employer pays the Native a wage which does not enable him to recoup his wasted energies, it is clear that the Native worker is being deprived by the State of the satisfaction of his personal rights. This view of the right of the worker to be paid a living wage, was accepted by the Christian Church through long ages, and it has never been abandoned by theologians and moralists.

Now, I would like to deal with the question of the average wage rates for Native and Coloured. To prove our statement that Natives are underpaid, we give here the official statistics of the Union showing the average scale of wage rates
paid to non-European workers throughout the Union:—

Footwear industry 25/- per week throughout the Union,
Harness making 22/-
Tanning 22/-
Furniture 21/-
Sweets 20/- and 22/- Cape Province, Natal and Orange Free State; 24/- Transvaal.

Bakery and Confectionery, 20/- all industrial towns except Durban and Maritzburg.

Tailoring 22/- per week, nine industrial areas.
Biscuits 221/2 per week, nine industrial areas.

Cleaning, dyeing and laundry, 22/- per week nine industrial areas.

Average wage rates of unskilled workers, per month:
Cape Town 50/-; Port Elizabeth 63/-; East London 50/-;
Kimberley 49/-; Maritzburg 48/2; Durban 50/-; Pretoria 41/2;
Witwatersrand 42/-; and Bloemfontein 43/2. Per week:
26/1d, 23/9d, 20/6, 19/11/7, 19/1, 21/1, 19/4 respectively,
and for Coloured workers, Cape Town 30/6, Port Elizabeth 28/2,
East London 24/2 and Kimberley 28/4 per week.

In regard to the average earnings on the mines, the average wage rates in the mining industry were, according to evidence before the Government Commission Select Committee in 1928, £2.10.- in the Transvaal Gold Mines; Cape Province, £2.17.4 per month and Orange Free State £3.5.-. With regard to the coal mining industry, the conditions obtaining there are worse than those obtaining in both gold and diamond industries. It is generally admitted that Native wages in the urban and rural areas are determined by the scale of wages paid by the mining industry.

Then in regard to the average earning on farms, wages in the agricultural areas in the Union, the average rates paid by farmers to their Native employees are from 5/- to 20/-
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per month.

In regard to the recruiting system, the independent I.C.U. of Africa is uncompromisingly opposed to the legalizing of recruiting of Natives for labour under a form of contract which deprives the labourer of his liberty. The Native Labour Regulation Act of 1911 is a piece of bad legislation which was designed for the specific purpose of bringing Native labourers within the antiquated laws of chattel slavery. Under the provisions of this Act, no Native labourer need move ten yards from his master's place without a written pass from his master to do so. To show how harshly this barbaric law operates against Native workers of the Union, European workers are excluded from the operation of this law. We contend that, if the Native Labour Regulation Act of 1911 is essential to the good Government of the country, the scope of its operation should include all workers, irrespective of colour or race. We protest that we should be discriminated against because of the colour of our skin. South Africa is the home of the Bantu races and no authority is justified to impose humiliating laws for the purpose of retarding the progressive development of the Natives of the country.

If pass laws are good enough for the aborigines, they are equally good enough for foreigners who come here to rob the Native of their natural right to live. Where would South Africa be without the sweated labour of the aboriginal Natives, yet we are still compelled, under a form of legislation that aims at the enslavement of the Bantu people to carry badges of slavery in the name of God. We submit that, if Christianity cannot, at this stage, give humanity better legislators and better administrators with an eye to the principles of its Founder, then the Black man can rightly say goodbye to Christianity as preached and practised by the ruling
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race in Africa.

Now let me say a few words about Native farm labour. Statistics will shew the enormous number of Natives employed on the farms and sugar estates. Just as much as the mining industry, the farmer and the sugar planter are the backbone of the country and produce the food (through Native cheap labour) which the whole of the South African community exists on. It is admitted that, without Native labour, the mining and the agricultural development of this country would receive a serious setback from which it would be difficult to recover. And yet, there is no class of labourers in the country that suffers considerably as a result of the many existing laws as the farm labourer who more often than not gets very little sympathy and redress from the powers that be.

The situation is very grave indeed on the farms, and loudly claims the attention of our legislators as never before.

In a memorandum on Native disabilities, the Johannesburg Joint Council of Europeans and Natives gives the following summary: "Urban industrial Natives are governed by the Master and Servants Act which, in the Transvaal, is 50 years old. Under this law, breach of contract of service is a criminal offence for the Native servant, but not for the European employer. We are informed of cases where the farmers, when they need labour, offer liberal terms of employment, but when the Natives have engaged themselves, then they turn round and say that the law does not allow them to make such terms and they totally refuse to give effect to them. This often leads to criminal action, with the result that Natives are either imprisoned or evicted from the farms. The tendency is for these out-of-date laws to be stiffened in their action against the Natives. For instance:

(1) In 1926, the squatter was brought under even more
under 'control' by being made a servant.

(2) A new bill, designed by the Minister for Justice, proposes to add the possibility of lashes to fine or imprisonment as a punishment for breach of contract by Natives.

Dealing, first, with recruited farm labourer, he leaves his home because he must find money to pay his debts and to meet his taxes. He obtains a small advance from the labour agent and his fare and food on route. He is attested before the Magistrate or his deputy, and duly arrives at the compound belonging to the organization or company to whom he is sent. There he is allocated to whatever farm or employer may be requiring labour and here again he is attested to the employer.

The labourer then proceeds to the farmer or planter and his employer may be a good, fair minded man, if he is lucky, but more often than not, it happens to be otherwise and the simple-minded labourer has no opportunity of voicing his complaint. The ultimate result is that the labourer deserts from the service of his cruel employer. And it is human nature that the next labourer bears a certain amount of the faults of the deserter; and so the grievance keeps on growing and the losses to both employer and the employed become greater and greater and the farm labourer is branded as a bad class of labour. Hence the aversion of Native labourers to go voluntarily to farmers and to sugar estates.

One other reason is that the wages paid by farmers as I have shown above, are miserably low in view of the fact that, under the Land Act of 1913, Natives are prohibited from taking advantage of the sharing system which so much supplemented their meagre earnings. We consider that a reasonable living wage for farm labourers would be 12/- per week. Further, we suggest that farm labourers should be paid weekly instead of monthly. Our principal reason for
advancing this suggestion to the Commission is that monthly wages have had a tendency to keep wages down. In view of the fact that a large number of Natives are employed in the agricultural areas of the country and seeing that such labour is of vital importance to all industries, it is desirable expedient that the Government should consider the appointment of Government inspectors, as is the case in the mining industry, to keep in touch with and visit the various agricultural areas in all provinces where Native labour is employed.

Surely, we have sheep inspectors, stock inspectors, societies for the prevention of cruelty to animals, and yet the farm labourer has none to rectify his legitimate grievances and misunderstandings which often arise between employers and himself, through ignorance on the part of the employer, through his not being conversant with the conditions under which Natives live and his way of reasoning and hence gets very little sympathy.

Now, I come to the question of the employment of youths. In the Pondoland General Council, Paramount Chief Popo Ndamase was responsible for a report published in the Territorial News, in which he said that their children are being taken away in lorries and disappear until such times as by accident the parents happen to hear of their whereabouts, and sometimes hear of their death or illness. Where a parent would be very wrath indeed at the fact that his child had been kidnapped and would have insisted upon an enquiry being held, he realises that, to get sympathy and help, the only way is to come and beg the agent to do what he can to bring the lad home or, at the best, in the case of death, the amount of the lad’s earnings, and there the matter ends. And yet, under the Labour Regulation Act of 1911, no lad under the age of 18 years may be employed by any mine, and any lad between
the ages of 16 and 18, must have his parents' consent in writing before he can be attested and proceed on a contract to any agricultural employment. The lad under 16 years cannot be attested, but under the Recruiting Act and certain other regulations, he may be sent to any agricultural employment under a form of apprenticeship which he enters into with his parents or guardians giving their consent, and the lad goes under a system of deferred pay, receiving a small amount monthly and the balance is paid to him in the presence of his parents or his guardians.

After all, the great question is to train the future man and woman of the country in scientific methods of agricultural development and to be straightforward and truthful and to value the dignity of labour. In our humble opinion, the present Native apprenticeship is nothing more than a farce to enable the farmer to obtain an ample supply of that class of labour which, under the Labour Regulations Act may not be recruited for the mines.

The pseudo apprenticeship system for Native lads, was designed merely as a panorama to deceive the public and, as we have said before, to circumvent the provisions of the Native Labour Regulations Act, which prohibits the employment of Native lads under 16 years of age.

In view hereof, the Government should consider the immediate necessity of introducing legislation for the establishment of a genuine apprenticeship system for farm labourers to include both lads and adults over the age of 16 years. Adults should be apprenticed to farmers for a period of three years and more, and lads for a period of five years and more, after which a farm labourer so apprenticed should receive a Government certificate of efficiency in agricultural
work. Under this form of apprenticeship, the farmer should be compelled to instruct his labourers on all subjects supplied to him by the Department of Agriculture. Failing that, Government instructors may be appointed to visit agricultural areas where a Native apprenticeship obtains. The training of Natives for agricultural work, would naturally raise their standard of efficiency, and the revolting idea of regarding the Native farm labourer as a 'mere servant' would fast disappear as gradually farmers would become more conscious of the great but glorious responsibility in the economic uplift of the Native races of this country. This, sir, is a form of apprenticeship which the Independent I.C.U. of Africa is prepared to support.

Now may I say a few words about medical treatment for farm labourers. There is enough evidence to prove the gravity of the situation in the country districts, in regard to cases of illness or incapacity in any shape or form. In the majority of cases, Native farm labourers suffer death because of the dire lack of medical treatment through the stupidity of the position set up by the State in not making proper provisions for adequate medical service whenever desirable. Dr. Neville Talbot, Bishop of Pretoria, addressing the Johannesburg Rotary Club, said, "Many of us in South Africa have been content to come here among the Natives and not bother ourselves about whether they are sick or poor or how they live or how they die, but this attitude is unsound, even from a purely business point of view. I think there is a kind of insanity in South Africa that we waste so much Native life. Because of the sheer lack of reasonable medical services, the mortality is terrific." This is the state of affairs existing in the country with regard to medical
service and we appeal to the Commission to consider the necessity of establishing medical depots for the large number of Native families serving on farms. I-now-k

I now have a subject here under the heading of shooting of Native labourers. Bad legislation begets ill-treatment. ill-treatment begets unrest, and unrest begets general revolt. These are lessons of human history that often repeat themselves in the career of nations. The shooting of Native farm labourers has become quite common, more so in the agricultural areas in the Union. Not a month passes without a shooting tragedy —— simple minded Native labourers knocked into eternity for the slightest provocation or for no provocation at all. Farm labourers have as much right to protection as other workers in industrial centres and no commonsense Government would disclaim responsibility of regulating farm conditions, yet here we persistently ignore the worst instances of human degradation that exists for long in the farming districts of the Union. It stands without contradiction that on the farms a network of terrorism still exists. This, of course, is the work of the unscrupulous farmer, who, after perpetuating these shameful monstrosities, runs to the Government for protection and mercy.

How often have we read of reports in the public press of Native labourers and squatters who have been fraudulently cheated of their hard earnings and stock by unscrupulous farmers. This is a state of affairs which has given support to the allegation that, in South Africa, there is one law for Black and another for White. We submit rightly that the Government should put a heavy premium on the loss of life of any farm labourer through reckless shooting. In our humble opinion, this may act as a deterrent to farmers
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who play with a gun at the expense of Native lives.

The abolition of the pass laws is my next heading. The Native workers of South Africa feel that the time has arrived when the Government should consider favourably the volume of Native public opinion for the modification of the existing pass laws. We humbly submit that the administration of the law is at fault where, in practical operation, it bears more harshly on the honest than on the dishonest Native. The Independent I.C.U. of Africa would welcome any system which would reduce these many documents of slavery to one for the purpose of identification. We, therefore, urge the Government to consider the withdrawal of the whole pass law system with all the expense and friction attending to it, for the well being of both White and Black of this country.

To show how iniquitously the pass law operates against honest Native, we present the following incident, from the "Sjambok", the Johannesburg weekly:

"That the monstrous administration of the pass laws will, in the end, drive all law-abiding Natives into the criminal ranks, was shewn last Friday night at Yeoville, when a most respectable Native cook was arrested, manacled to another offender and hauled off to the police station, there to pass the night in a verminous filthy cell ...... for the crime of being found in the streets before his master's house, saying 'Goodnight' to a brother who had been spending the evening with him at these premises.

This, in the eyes of the Law and in the stern view of Constable Jacobs, constituted a crime of being out at night without a pass; though the prisoner's employers were at the theatre and the one lady remaining in the house certified to the facts above stated. She offered to give bail for the
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cook, who had been so unfairly taken at her door, but no justice could be satisfied by the offender's being handcuffed and marched a mile to gaol. When he got there with the money to pay for his release, it was found that the Sergeant had gone home; and as, in the Police Force, nobody less than a Sergeant, can apparently be entrusted with the sum of 10/-, the cook who went to the gate was locked up until next day when the Sergeant came on duty again.

What, may we ask, would have happened had an attorney that night been arrested for burglary or a doctor for murder? Would he have joined the cook upon the inhospitable floor of the Yeoville Police Station, or would some means have been found to give him relief?

This whole scandalous episode throws a vivid light upon the maladministration of the pass laws and, in a flash, permits us to see the system in operation. Natives have long complained bitterly of the way they are treated by the police, but we all inclined to discount the stories they tell of needless official brutality and gratuitous insult. Here the whole stupid thing passes before our eyes and an unimpeachable White witness is able to certify to the "stand-back-there and shut-up-you-Black-swine" attitude of Jacobs. As for the 'offender' — he is an unusually mild-mannered, silent and well-conducted man, without a black mark to his name through long years of service in Johannesburg. He was fully vouched for by the lady of the house and, at the most, could have been allowed to walk to the police station beside the constable. But no, that was not good enough. The Native on every occasion must presumably be given a taste of prison life and taught to hate law and order, turned into a beast of resentment and fury, like a caged baboon
that has been teased by the dogs and children.

An ex-magistrate was visiting the house in which the above event took place, and he said, "I am not surprised, I can tell you a worse episode than that which came under my notice at Kimberley. A Coloured woman was helping her mistress to nurse a very sick member of the family. They watched in turn over a dying patient, long spells of duty that wore both out. Seeing that the Coloured woman was nearly at the end of her strength, the mistress told her to go outside and get a breath of fresh air in the street. A constable hauled her off to gaol for being without a pass."

Iniquities of this kind are simply creating a future load of mischief for the White people and those responsible for them are not friends of their own race, but enemies. The sooner they are curbed, the better. Constable Jacobs deserves to be wrapped sharply over the knuckles."

Now, I come to the Riotous Assemblies Act. Under this Act the powers of the Minister are to be used to persecute political opponents, as is the position today. In modern civilisation, accepted that there is no liberty without freedom of speech and that no child could be deprived of education that another might receive it. In our considered opinion, the enactment of the Riotous Assemblies Act is purely and simply a rigid denial of those rights of human society which are the very foundation of our present Government. Because of the colour of our skin, the Union Government has seen fit to construct barriers against our freedom of speech, while Europeans are privileged to say what they think about the Natives and against the security of their natural rights. Everyone who takes the trouble to consider the relation of our liberties to the principle of the Union Government, will find
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it difficult to resist the conclusion that, insofar as the Natives are concerned, reaction against democratic ideals is a fashion. In this country, the Natives are denied almost all the minority rights to develop themselves in the economic world, while the tendency is to give Europeans the lion's share of almost everything. European trade unions do not come under this rigorous provision of the Act which aims at the enslavement of the Native working classes of the country and to regard them as nonentities in the administration of their affairs. We feel that if this law is not repealed, it will serve only as a live wire to prevent co-operation and mutual understanding, between the White and Black people of South Africa. We submit that without freedom of the mind and of association, a Black man has no means of self-protection under the existing laws of the Union.

He may speak wrongly or foolishly, he may associate with others for purposes which are abhorrent to the welfare of his rulers, yet a denial of his right to do these things, is a denial of his happiness. He becomes therefore an instrument of the other peoples' ends, not himself an end. To prohibit freedom of speech is to prohibit criticism of social institutions. On these grounds we, unhappily, take up this position that unless this Act is repealed agitation will never cease among the natives. We therefore appeal to the Commission to take a broader view of this matter and appreciate the gravity of the situation as affecting the natives under provisions of the Riotous Assemblies Act.

Since this Act came into force, I was banished from certain parts of the country and not allowed to address public meetings for three months, and another man was also banished and was not even allowed to go and see his dying child. That
is not justive, surely. A man was banished from Natal for three months; we say that if natives are banished under this Act, Europeans should be banished as well; they should be stopped from expressing any opinions against the natives.

I now have something to say on the educational facilities for workers. To begin at the right end of the natural order of evolution, education is the means of imparting that useful knowledge to a people emerging from primitive life. It is often said that the native is indolent and must be taught the dignity of labour. Gradually, however, it is being recognised that the true cause of the difficulty is to be found, not in any inherent defect in the character of the native, but in the absence of the useful educational knowledge to value the dignity of labour. An uneducated native can satisfy his primitive needs with little exertion, but the influence of education, as it is admitted, tends inevitably to raise the standard of living and efficiency and to create fresh needs and supplies a powerful incentive to labour. Natives are today needed for many kinds of work, particularly among their own people, for which education is essential.

In our humble opinion, the time is fast approaching when the mining industry as well as agricultural development of the country will be undertaken by educated Natives. Therefore, to meet this contingency, we venture to suggest that schools should be started in the mines and in the agricultural areas for the purpose of extending educational facilities to Native workers who are thirsting for it. Farmers could be grouped together to afford the children of Native farm labourers the opportunity of attending school and every large employer of Native labour in the Union should be urged to make similar provisions.
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Now I come to the question of unemployment amongst Natives. It is generally contended that there is no unemployment among the Natives, but this statement is not supported by facts. Since the introduction of the civilised labour policy, some 20,000 Natives were thrown out of employment by the Railway Administration and other Government Departments. The agitation of the White unemployed has, in a large degree, accentuated the position. If much publicity were given to Native unemployed in the same measure as to the White unemployed, startling figures could be revealed. It is further suggested that the reason why there is no unemployment among Natives is because Natives do not want to work, as they live on the hospitality of their friends.

We submit that this is positively untrue. This communal tradition of the Bantu race - which Western civilisation is trying to wreck - is helping the Native unemployed immensely to pull through in the present depression. This traditional hospitality of the Native does not, however, justify those in authority to disclaim responsibility for the Native unemployed.

I have a few remarks to make under the heading of "Miscellaneous". Taking, generally, the position of the advanced Natives and in view of the fact that very little scope is given them in the civil service of the country, a position is created which has placed civilised in the background. For instance, Coloured teachers receive a higher wage than is paid to Native teachers and, in the name of justice, there is no justification in differentiating between Coloured and Native teachers, because they both have to pass the same examination. Further, there is the position of the Native and Coloured police and Court interpreters in the
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Civil Service, whose scale of pay is so irregular. We view with great dissatisfaction the Colour Bar policy in His Majesty's Civil Service in the Union of South Africa. This differentiation, initiated by the Government is manifested even in the treatment of prisoners, of Natives and Coloured in gaol.

After the appointment of the Wages Board under the provisions of the Wages Act, the Independent I.C.U. was the first to invoke the assistance of the Wage Board to determine a minimum wage for Native workers in the industrial centres of the Union. Negotiations submitted by the Independent I.C.U. to the Wages Board had to be suspended on the authoritative understanding that the whole survey of the Native's economic position was entrusted in the hands of the present Commission.

We then held, as we do now, that 6/6d per day is a reasonable minimum wage for all Native workers in the Union. This is taken from the family budgets compiled by different bodies interested in Native economic and social improvements.

The Independent I.C.U., therefore, looks forward with great confidence to the findings of this Commission. Termination of Native agitation for better conditions of living will depend entirely upon the report of this Commission. We wish it to be understood that the present Native Economic Commission is timely appointed, and we hope, therefore, that it will bridge the gulf of racial misunderstanding between White and Black. The White man, we submit, can never reach a higher plane of civilisation than what he has attained, nor can he maintain his supremacy over the darker races of this country by selfish means. It is only by clinging to the simple law of justice - the law of the Almighty God, - that he can attain his position of supremacy.

In South Africa, we see a great change in the attitude of the European races towards the dark races. We see them
throwing godly principles to the air, principles which, in the ages past, have been the guide of their ancestors. Why should men, through their political dogmas differ from their religious principles? Why should our statesmen substitute golden principles for political humbug. Our present — we regret to state, is now resolving to develish means in order to maintain the supremacy of the Europeans. Every privilege enjoyed long by us is to be taken away in order to win over South Africa to the Europeans.

In regard to this budget, we placed details before the Native Commission of 1925, showing that the total expenditure for a Native family was £7.13.10. We are asking now that we should be paid 6/6d per day, which will work out at £1.19. - per week.

DR. ROBERTS: Your bill of fare comes to how much? - Roughly, 6/6d per day.

I want briefly now to say a few words about local conditions of the workers in East London. In the sweet factories, there is a determination of the Wages Board for a minimum wage for all workers. Here in East London, we had Wilson's Factory and it was even proved in court and admitted by the employers, that the Natives there were not paid the wages of the determination made by the Board and we have the same thing in Port Elizabeth. We had to correspond with the Department of Labour, with the Inspector of Labour, both at Port Elizabeth and here, with regard to these wages, and we had to point out that these wages were not paid to Natives. A few yards from this very office, there is a laundry, the Express Laundry, employing the Native. The Inspector came there a few weeks ago or less and asked what the Native got. This Native is a member of our Union and his employer had to beg him not to tell the Inspector that
Mr. Kadalie

He was underpaid. They have Natives and Coloured women working in the same factory and none of the wages determined by the Board are paid. You find that in most of the towns of South Africa.

MR. MOSTERT: What is the wage determination in this particular case of Wilsons? I have not got the figures here, but I can let you know.

MR. LUCAS: £2.14.-

MR. MOSTERT: What are the wages which they are getting? (Mr. Kadalie): £1.5.- The casual labourer in the docks at East London is paid 3/4d per day and a foreman, that is a Native foreman, is paid 4/6d per day and they work about 25 days per month.

DR. ROBERTS: If a man works on Saturday afternoon, is that not counted as a whole day? Yes, he would get full rates for that.

And if he works on a Sunday, then he gets paid for two days? Yes. I may say that at Wilsons they pay £1.2.- per week.

MR. LUCAS: That is for unskilled work, that is correct? Yes. These wages of 3/4 for casual labour and 4/6d for a foreman are paid in Port Elizabeth and in Cape Town, but people employed by the Natal and a foreman 12/6d. We had negotiations in 1920 between the employers of labour and my union.

Has there not been a new agreement in Cape Town? There is no agreement, but what I want to add is this, when the civilised labour policy was introduced, the Railways retrenched large numbers of Natives and put Coloured men into their places, giving the Coloured men 4/6d per day. Those are the wages which are now paid by the Railways at Cape Town. So far as the other towns are concerned, Durban, of course,
is the worst paid as regards dock work and most of the labour is done by Indians, but they are very badly paid.

Do you know what the wages are in Durban? - They are not more than 2/6d per day at the docks. In the older establishments in Durban, some of the people get even 10/- for work on the ships.

10/- per what? - 10/- per week.

CHAIRMAN: Does that conclude all you wish to say about local conditions? - Yes. I would also just add that the attitude of the employers here is quite different from that of many employers in other towns. In other towns, like Bloemfontein, the attitude of employers is quite different. The Municipality of Bloemfontein are very reasonable towards the Natives. In Bloemfontein they get a reasonable wage, the minimum wage is 3/6d per day and that was initiated by the Town Council. They are very reasonable. The people there are very sympathetic.

How can 3/6d be reasonable at Bloemfontein, when 6/6d is the lowest that can be reasonable here? - We do not say it is reasonable at Bloemfontein.

You said it, I did not say it? - It was determined by the Wages Board. When I was there in January, there was another agitation that the Wages Board should be called in again and that it should try to raise the earnings of the Natives from 3/6d to, say, 4/- per day.

You say, at Bloemfontein, 3/6d is quite reasonable, but now you do not agree that it is reasonable? - At the time it was reasonable, that was in 1928.

But now you think that it is no longer reasonable? - The wages are very bad in Bloemfontein.

You say it was reasonable in 1928? - Yes.

And now it is no longer reasonable? - No.
Mr. Kadalie

You are perhaps aware that prices have generally gone down a good deal since 1929? - Yes.

Now, in view of the fall in prices, why do you consider that the wage which was reasonable then is no longer reasonable now? - If it were reasonable then, less should be reasonable now? - Why it was reasonable then is because wages were very low in Bloemfontein then. Some were getting even 9d per day.

Adult Natives? - Yes. We submitted a request for 6/6d per day. After negotiations with the employers, the Town Council wanted to submit 3/-a. We asked for 3/6d and the wages were fixed at that. It was reasonable at that time, but now they want to have an increase.

If it is reasonable when things are more expensive, it cannot be unreasonable when things are less expensive. You were satisfied with it because you thought that you could not get anything better, but it was not reasonable? - It was a compromise.

It was not reasonable? - No, it was not reasonable.

It fits in with your last statement, whatever its value may be. Now, let us come back to your main statement. What makes you think that 888,000 Natives living in urban areas are detrivalised? - (Mr. Mowana): These are figures which come from the Blue Book of the Union. They are there described as detrivalised.

Which Blue Book are you referring to? - It was in 1929.

Yes, but which Blue Book? - This book (Witness indicates Union Year Book).

Will you show me where that figure is given as the figure for detrivalised Natives. I do not remember seeing it before. (Union Year Book handed to Mr. Mowana): On page 2 of your statement you say that millions of Native workers laid down the foundation of the economic system of South Africa.
Mr. Kadalie

(Mr. Kadalie): What we mean is that when the Europeans came here, the Europeans had the brain power and millions of Natives as unskilled workers helped to build up the cities and helped to develop the mines.

It is not so much laying down a system as carrying out a system which the Europeans laid down for them?—Yes. What we wanted to say was that the Natives helped.

Quite so. That is putting it more accurately. Now, I want to come to another statement which you make. You say there, on page 3, "to prove our statement that the Natives are underpaid". Where do you prove it, where is your proof? You give certain figures then you leave it at that?—We give the wages there, 25/- per week and so on.

Yes, but you say that you are going to prove there that the Native is underpaid?—Yes. We consider that 25/- is too low a wage.

You consider that that is underpaid. You say you are going to prove it. The Commission wants proofs if you can give them?—We are giving you these figures and we are quoting from the Union Year Book. We consider that these wages which we have shewn you here are insufficient.

Yes, you consider that that is not enough?—That is so.

You cannot prove it very well, but that is your opinion—that is all it amounts to?—No; we can prove it by submitting our budget for a Native family, and we have done so. That is our proof.

MR. LUCAS: Where did you get these figures from for the average wage rate for unskilled workers?—We got that from the Union Year Book, too.

On the same page, page 3 of your statement, from what source do you derive the figures for these average earnings on farms?—From practical experience. I even got a letter
to-day about that sort of thing. I have a statement here about
one farm at Petrus Steyn most of the workers employed in the
store are paid an average wage of £2.5.0 per month.

What has that to do with the farm?—I am coming to
that. On the farms they are paying the natives from 5/- up to
20/- per 4/ month; I have had a good deal of practical experi-
ence of these things. I have been on the farms myself.

You mean that is what they get in cash?—Yes; that is
their wage on these farms.

Yes, but they do occasionally get something else in
addition— I suppose you will admit that?—Yes, sometimes
they do get something else from good farmers.

Only occasionally, is that what you say?—Yes.

MR. MOSTERT: Have you yourself had any experience of
the conditions on the farms?—Yes, I have had experience.

Have you had experience of the High Veld?—Yes.

What are the wages paid there?—On the High Veld—
there they pay from 5/- up to 20/- per month.

Will you believe me when I tell you that I pay my
natives from £2 per month?—There are very good farmers, I
know that very well; I admit that....

But you make an emphatic statement with regard to the
agricultural areas in the Union; you say that the average
wage paid by farmers to their native employees is from 5/-
to 20/- per month?—Yes, the average wage.

You are very emphatic on that point?—Yes.

And if I say that I pay my boys £2 per month, what
do you say to that?—I know that, but I am dealing with the
general position in the country.

SENATOR VAN NIEKERK: Then what is an average?—I
say the average is from 5/- to 20/- per month; that is the
general average wage which is paid to native employees on
farms, but I admit that there are very good employers who
do pay more than that. I am not dealing with one man, but
with the position of the natives on the farms generally.

Why did not you say in your statement "and more"?—
I am giving the average; there are good farmers too, of
course, and I have dealt with them on another page.

Why do not you say there are exceptional cases where
they pay more?—I have submitted that.

You are wrong to make these general statements and
assertions; you should not.....?(No answer)

MAJOR ANDERSON: Do you know what the average wage is
that is paid on the sugar estates; in the sugar industry the
employers are large employers of labour; the average wage
there is £2 per month and many are paid even more; do you
know that?—(MR.NCWAHA) Yes, I know that; of course they
differ from the ordinary farmers. There is no doubt about it.

You do not mention that here?—We are merely point-
ing out what is taking place actually.

SENATOR VAN NIEKERK: We want to know why you say
that the wages ranges from 5/- to 20/-; if there is one man
who pays 5/- then that does not go into the average?—
We say there are employers who pay reasonable wages such as
£1 per month; on the other hand there are employers who do
not pay reasonable wages. I know of farmers, particularly
in the Tarkastad district, where you have a large number
of English as well as Dutch farmers, who are very reason-
able to their natives and they even pay more, but we are
dealing now with general cases; we are dealing particu-
larly with the case of the unscrupulous employer.

CHAIRMAN: Must we read this to mean that the
average paid by unscrupulous employers is from 5/- to
20/-?—We are commenting on the unscrupulous farmer, the man who is paying his native employees from 5/- to 20/- per month; the man who is victimising his farm labourers; that is the unscrupulous man.

A fair way of striking an average does not simply deal with the unscrupulous person only?—Evidently not, but anyone who is a little acquainted with the farms and with conditions on the farms, knows that the average is 10/-, but there are farmers who only pay 5/-. 

SENATOR Van NIEKERK: Then why do not you say that the average is 10/-; that would at any rate be nearer the truth?—Well, we know that there are farmers who pay 5/- per month; that is our experience.

CHAIRMAN: There are farmers who pay less than 5/- per month?—I do not know of any who pay less than 5/-.

Well, then surely your average must be more than 5/-; do you know how to arrive at an average?—I could not say that—I do not know......

Do you know how to do the arithmetic to get a plain average?—Yes, I think I know.

How many different cases did you have of wages that you know were actually paid before you added them up and struck your average?—Well, we did not really do any arithmetic work to get at this average, but we do know as an actual fact that these are conditions which are prevailing in the country and that is what we went on.

Then this is not an average at all; you mean to say really that there are farmers who pay 5/- per month and other farmers who pay 10/- and others again who pay 15/- and up to £1, and possibly there may also be farmers who pay even more than £1...is that what you meant to say when you spoke about an average?—Yes.
Very well; let us try to get at what you mean; you use the word "unscrupulous" and you say "the unscrupulous farmers pay from 5/- to 20/- per month"?— No; the man who pays a reasonable wage, I would not bring him under the category of unscrupulous farmers at all.

If a farmer pays 20/-, is that a reasonable wage?—
No, it is not. (MR.KADALIE: We have advanced the point of 12/- per week which we regard as a reasonable wage on a farm; 20/- is not a reasonable wage.

MAJOR ANDERSON: Your 12/- per week, is that with or without food?— (MR.NGWANA) Without food.
Without food?—Yes.

MR.MOSTERT: How does that coincide with your 6/6 per day?—The 6/6 per day is in urban areas; the 12/- per week is for farm labourers; in England the wages paid to farm labourers are 25/- per week; that is laid down by Act of Parliament, but I think 12/- per week would be reasonable for farm labourers here; we do not ask for 6/6 per day for the farm labourers.

SENATOR VAN NIEKERK: I want to put this to you—have you ever asked any of your fellow native farmers whether they are able to pay their native labourers 12/- per week?—We want them to pay that as well.

Yes, that may be, but can they pay it?—We as a Trade Union are not only dealing with the employer because he is white or black, we include everyone, whether he be white or black; they must all pay that.

MR.MOSTERT: Now just let us say this; if he gets 12/- per week from a farmer and he has to provide for himself; he has a family probably of two or three children; do you think that a native would be able to come out on that 12/- per week without anything else?—
Yes, I think he will be able to come out.

Have you got a budget for him at all?—No, we have not prepared one for the farm labourer.

Why not; surely he had a wife and children who must eat; they must be provided for in food, coffee, sugar and clothes; even on a farm you cannot do without clothes; have you gone into that at all?—No, we have not.

Well, you do that; I want to see how the 2/- per day works out?—Yes, I shall do so. (MR. NOWANA): I know personally of farmers in the Moltamo district who are only giving their farm labourers one bucket of mealie meal and meilies; they get no meat given to them at all; yet these people are not paid more than 10/- per week on that they have to come out in some way or another.

DR. ROBERTS: You say they get a bucket of mealie meal and a bag of mealies?—Yes, that is all.

MR. LUCAS: Is that what they get a month or a week?—That is per month. They are only paid 10/- per month; I had to question these people; I had to deal with these people and I asked some of their employers whether they could not give them a little more food, or whether they could not give them meat at least once a month. There are farmers who do not give them anything at all; no meat at all; they only get their ration of mealies; they get a tin, about a gallon tin per week. Mealies and meal. Yet these people get only 10/- per week and on that they have to come out. Taking that into consideration we think, and we believe very strongly that, at least for the present a sum of 10/- per week would put these farm labourers in a better position than what they are in today.

Did you say 10/- per week?—No, 12/- per week.
CHAIRMAN: If your farm labourer gets 12/- per week and your town labourers get 6/6 per day, you consider that the two of them will be equally well off?—Yes, we think so. It may be necessary to give the native a little privilege which he always enjoys. The good farmer gives his employee a nice piece of land, say two or three acres, to plough and then, when he has no stock, the farmer gives him his own stock to plough with and to use for the tilling of the land; good employers do that, and we do think that if these privileges were extended to the farm labourers with their salaries at 12/- per week, that would be very reasonable indeed. We think that they would then be in a better position than the man who lives in the urban areas and who gets 6/6 per day.

MR. MOSTERT: What about the recruited native labour on the farms; you are speaking now about men with their families?—(MR. KADALIE) We are submitting this point....

Your difficulty would be that your recruited native labourer on the farm would have to feed himself; are not you referring only to men with families when you suggest this wage of 12/- per week without food?—(MR. NOWANA) We have gone into that point and the position is this; the ground on which we stand as a labour union is this: our predicament is this that we are totally against the recruiting system so far as the farms are concerned.

DR. ROBERTS: And so far as the mines are concerned?—Yes, so far as the mines are concerned we are also against it.

MR. LUCAS. Let us just deal with the farms for the moment. You say you are opposed to the recruiting system for the farms?—Yes. (MR. KADALIE): We are submitting in our statement that the recruiting system should be abolished
altogether. The Mandates Commission of the League of Nations have suggested that the recruiting of natives should be abolished either on farms or in towns.

MR. MOSTERT: Well, deal with that?— We say that the recruiting of native labour for the farms should be abolished because it has a tendency to keep the wages down. That is our contention. A farmer knows, no matter how cruel he may be, no matter how bad a name he may have in a particular locality, that in some parts of the country he is not known, and he knows that he can get his labour at any time from the labour agent; and another reason why we object to the system is this: why we should insist on the abolition of the recruiting system is because there are no facilities whatever of giving the labourer a chance of learning agricultural work; no facilities whatever. The farmer is responsible, and he does not care so long as that man does his work; that is all he worries about; we are strongly of opinion that a system should be instituted under which the farm labourer could be instructed by the farmer in some way or another, approved of by the Department of Agriculture, with the result that he would improve his efficiency as a farm labourer. We do feel that steps in that direction would prove to the advantage of the native as well as of the farmer himself.

MR. MOSTERT: Yes, but it may be interesting to you to learn that there are natives on farms who have learned all about agriculture and about our methods; they are taught the methods of the white man; how to plough the land, how to cultivate it and so on; but they go back to their own homes and the moment they go back they fall into their old ways and do not carry out the new methods
which they have learned?—Personally I do not know of any cases of that sort.

That is our experience?—I have never seen a certificate or a testimonial issued by a farmer to his native employee that he is competent in this or that class of farm work; that should be done.

Yes, now you are coming to another point; even if you were to grant him a certificate it would not make him any better or any worse; he knows, he has been taught all about proper farming; he has been shown that he must plough deeply; he has learned about harrowing, planting and everything; he is a farmer, but the moment he gets back to his own reserve, he forgets all about it and simply uses his own old fashioned ways?—I don't know. When he is with the farmer he should be properly taught these things.

He is taught these things, but when he goes back to his own home he does not put into practice what he has learned from the farmer?—There are very few natives who will not utilise the knowledge which they have got from the farmer while they were with him.

SENIOR VAN NIEKERK: That has not been our experience so far?—Well, I don't know....

DR. ROBERTS: Would you have the farmer teach the children as well as the parents?—Do you mean in agricultural work, or in ....

Yes, in agricultural work?—If there are male servants in a family they should be taught, and with them the children as well, because we have made the statement here that children over 16 years of age should be apprenticed under a proper apprenticeship system.

Over 16 years of age?—Yes, over 16 years of age,
and I think it would be a fair thing to undertake that system and stick to it if it can be done. Let the farmers educate the children and teach them while they are young. As the position is to-day in the Transkei and in the other Territories the parents themselves do not even have to go to work, they send their children, and it is for the sake of the children that we are advocating this system so strongly; it will benefit the natives as well as the Europeans.

SENIOR VAN NIEKERK: I want to draw your attention to this; you advocate for the towns a rate of 6/6 per day?—Yes, that is the rate for the towns; not for the farms.

I think we may take it that the average wage in the towns to-day is 3/3 per day— if you take the whole of the Union?—Yes, I think so.

Now you say that you want 12/- per week for native labourers on the farms, without food?—Yes.

If we had to compare that with the wages which the towns people are paying to-day, which amount to 3/3 per day, the true ratio in which the farmer would have to pay would be 6/3 per week; now you are demanding 6/6 for the town native?—Yes.

Where you are to-day getting an average of 3/3 per day for the town natives?—Yes.

And you are demanding 12/- per week for the farm labourers, although to-day, according to your own reckoning he is getting 6/3 per week, without food; therefore it would be 24/- per month for a farm labourer without food. That is on the present basis?—(no answer)

That is for farmers who to-day pay their labourers 24/- per month. Now I wonder whether you have
gone into the figures. Can you draw up a fair average of what the farmers are paying to-day; I am speaking as a practical farmer; if we could get native labour on our farms for 24/- without food, we would jump right over this window. That is very much lower than what we pay to-day; if your statement about 3/3 is correct and you think 3/3 per day is equal to 6/3 per week on the farm, then we are paying better to-day than the towns people are?—(MR. KADALIE) We are very grateful to the Commission; we can prepare a budget for the farm labourer on this 12/- per week basis.

MR. LUCAS: I think you have worked out your figures in the light of figures for the Eastern Provinces where the wages are very much lower than what they are in the Transvaal or on the sugar estates?—That is so.

The point is made that the wages paid there are better than what you ask for here?—Yes, I understand that.

Take this 12/- per week which you ask for for farm labourers; that is 52/- per month; they are to-day paying £2 per month plus food; not just a bucket of milies, but much more; so actually they are paying at least as much as what you are asking for, and perhaps even more; you must take into consideration that the country is not the same right through; some districts pay much more than other districts do?—Yes, I know that.

CHAIRMAN: Have you found that statement yet about there being 888,000 detribalised natives; I am sure that you will not find it in the Union Year Book?—(MR. NGWANA) I am sure that I did find it in the Union Year Book; that is where I got the figures from.

Why do you maintain that all these people are detribalised; you know perfectly well that they are not?—
(Mr. KADALIE) I submitted a similar statement in 1927 when I went to Geneva.

You give the number of natives in the towns as 888,000, but you know quite well that not every native in the towns is detrbralised; there are a couple of hundred thousand on the Rand Mines alone, the majority of whom are certainly not detrbralised?—Yes, that is true.

Well, you will have to subtract these from your 888,000; your statement is that there are 888,000 detrbralised natives; you are wrong; there are only 880,000 natives in the towns and you know quite well that they are not all detrbralised?—(Mr. NGWANA) You are in a position to correct us then; I think we are wrong; we have always said that there are half a million detrbralised natives in the Union.

That is probably nearer the truth, but not 880,000. Now, would you consider that the majority of the farmers in the Union are not good, fair-minded men?—(Mr. KADALIE) That is a very difficult question for us to answer, but in the Free State I can say this, and in the Northern Transvaal I would say that the majority of the farmers are fair-minded men. I am speaking from personal experience when I say that.

Now let us take the Union as a whole; would you consider that the majority of the farmers in the Union are not fair-minded men?—No, in the Union as a whole I say that they are not.

To what extent have you been in touch with the farming community of this country?—I generally visit the rural areas in the Transvaal and the Free State and I speak to farmers, and I can say that I have some
good personal friends among them. I have practical experience. In Natal too. I know many of the farmers in person.

That is your impression?—Yes; they allow me to visit their farms and to talk to their natives.

Your average would be more than 50 percent in this case?— (No reply).

Now you say that the farm labourer has no-one to rectify his legitimate grievances?—Yes, that is so.

On what ground do you say that?—(MR.NGWANA) Because, dealing first with the recruited labour; the man leaves his home for any destination and when he gets there he is handed over to the employer, and the organisation which is responsible for his transportation and so on, has nothing more to do with him; the man goes to his employer...

SENATOR VAN NIEKERK: Are you speaking now of recruited labour?—Yes; the men is employed and after a while disagreements arise between the man and his employer. The result is that in the end the man deserts; he leaves his work and goes away; there has been great agitation, particularly in the Transvaal in regard to desertion of natives and it has been urged repeatedly that the pass Law should be stiffened up so as to protect the farmers. Well, as I was explaining, the man leaves his employer because of disagreements and he sacrifices everything. Perhaps he may go to some other centre; he may go to an urban area; he gets a pass there and finds work; our grievance is that he has no way, if he disagrees with his employer, to go back to the labour agent and to say to him "I cannot agree with my master". Perhaps he cannot get his wages; generally the type of natives who go to work on the farms are illiterate and inarticulate and they simply do not know what to do, or how to set about things to get what is due to them or what they think is due to them.
You go further and say "he has no-one to rectify his legitimate grievances"?—That is so.

Have you ever heard of native Commissioners?—Yes. They do exist.

And do you know that charges can be laid before them?—Yes, charges can be laid.

And do you know that there are magistrates too in the Union?—Yes.

How then can you maintain that there is no-one to rectify their grievances?—There are no inspectors in the rural areas, whereas in the mining areas you have inspectors to look after the natives.

So instead of saying "no-one to rectify his grievances" you want the record to read "no inspectors"?—

(MR. KADALIE): No, we do not want to say that at all. Here is East London things may be different, but the men on the farms cannot go to the Magistrate; that is the point which we want to make.

DR. ROBERTS: Why cannot they go to a Magistrate, these people on the farms?—They cannot go. Take Chalumna. Here is a case in point. There was a native who stayed on the farm and he had his cattle and everything there. Then all of a sudden the farmer said that he did not want him any more. Well, what was that man to do? He could not go to a Magistrate; no magistrate will attend to a matter like that; he could not go to the lawyers; here in town a man in a position like that would be able to go to the Native Affairs Department. In the country he cannot do that.

CHAIRMAN: Why cannot a country native go to the Native Affairs Department?—(MR. NWANA) The trouble is that in cases of difficulty, a servant cannot leave the farm unless he gets a pass from his master, and the master
MR. KADALIE: 5619.

will not give him one. I know of cases where natives went to town for the purpose of reporting certain grievances were arrested by their master for having left the farm without first having obtained a permit.

You are making statements before us with a view to getting changes in the laws, but if the law already provides for what you ask for, surely then one cannot do anything but say "see that the law is carried out"; you can take a horse to water, but you cannot make it drink?—(MR. KADALIE) Yes, the laws are there, but they are not administered, in many instances, to the benefit of the natives.

MR. LUCAS; You are quarrelling with the administration of the law?—Yes.

CHAIRMAN: Do you say that in a Court of the Native Commissioners the natives do not get justice?—In many cases the natives do not get justice.

Because they are natives?—No, not because of that; it has been found to be so all over history. I would like to point out....

If you would just answer the questions put to you we would get on better; you have made a statement and we would like to ask you some questions on it now?—Very well, Sir.

MR. MOSTERT: You are quoting the case of a native, who has been recruited, quarrelling with his master?—(Mr. NGWANA) Yes.

I just want to put the farmer's point of view to you; it may be interesting to you; your native is recruited and gets an advance, and when he comes to the farm, especially if it is within easy reach of Johannesburg, he absconds. There has been no quarrel at all; he simply goes and the farmer not only loses the recruiting fee, but the advance which has been made to the native as well. I have had cases
where gangs of natives have come to my farm after having been recruited to work for me; they have gone off the same night and I have never had their services at all; do you know of such cases?— (MR. NOWANA) I have some information and it may be news to some members of this Commission to hear this. In the Cape here you have labour agents, and they recruit labour for the Transvaal and for Natal and for some parts of the Free State too; they recruit for the mines too and also for other people. Now, when they take a boy to the Magistrate to be attested, first of all they tell that boy "you must tell the magistrate that you have already got your cash advance"— but it is not so. The boy is attested by the Magistrate and then goes to the office of the labour recruiter and says "now, give me my cash advance I want it"; the labour agent says "no, I cannot give it to you until I get notice from the other end that you have arrived safely; when I get that I shall give the cash to your people here". The boy has to be satisfied with that. He goes away on the understanding that the agent will give the cash to his relatives who are left behind. In many cases these advances are not handed over at all.

CHAIRMAN: Have these matters ever been reported to the Native Commissioners?— I do not think that they have been reported, because if they had been, I am sure that they would have been rectified.

Well, if there is machinery for dealing with injustices of that kind and you do not avail yourself of that machinery, then it is no use complaining now; what can one do; surely you do not expect the Government to go round and say to every native "has anyone been ill-treating you; has anyone done you down"?— I am only
trying to show the Commission that there are anomalies on both sides. (MR. KADALIE) My experience of native commissioners is this. I shall show you what the position is in three centres. First let us take Johannesburg. When I got to Johannesburg in 1924, natives were not receiving any attention at all at the Native Affairs Department. A native could go to the office there and wait from 9 o'clock in the morning till 1 o'clock, but nobody would attend to him or look after him. But when the employer comes, that native is simply charged and arrested. I took this matter up and brought it before the Wages Commission of 1925; I had a lot of trouble and the Director of Native Labour went around, following the Commission to tell that I was telling stories. Well, the result of it was this: Johannesburg had to report to Pretoria and the position has changed altogether; but now, through our agitation they do attend to the natives there.

SENATOR VAN NIEKERK: That proves the point which the Chairman made that if you bring matters to the notice of the Government they rectify them?—Yes, quite so.

CHAIRMAN: I do not think the Commission can be expected to go into all the cases where you have fallen foul of the law; we are dealing with the general question; now you have a paragraph in your statement dealing with the shooting of native labourers; will you tell the Commission of specific instances of such shooting that you know of?—There have been many such cases.

Just mention some of the "many" instances that you know of?—Well, we can first of all give the case of Naphte in the Transvaal; that is the first instance which comes to my mind.

As a matter of fact that was not an instance of
shooting at all, as you know quite well. . . . ?— There have been many other cases too which are well known.

Don't get away from the question please; I am asking you to mention some specific cases which you yourself know of?— (MR. NGWANA) I know of a case at Bloemhof where a native farm labourer was shot by a farmer.

Do you know of any other cases justifying your statement that this was a common occurrence?— Yes, I know of another case which occurred at Louis Trichardt, where a native farm labourer was shot; and there are other cases too which happened at several other centres.

Do you think that you know, say of 50 such cases?— Yes, in my own knowledge, I think, I have 10 cases where natives have been shot . . . . last year.

You may know of ten such cases that have occurred?— Yes, I do; last year those cases happened . . . it was . . . .

Now in your statement occurs the following phrase: "it stands without contradiction that on the farms a network of terrorism still exists"; that is simply hyperbolical. ?— We feel strongly on this; it may be that the wording is too strong, but if there is even only one case, if there is only a single case of a native knocked into eternity, the fact is that it is still very bad; that is what we tried to indicate in the statement by these words.

Naturally, every fair-minded man condemns anything of that kind; but we are trying to take an objective view. Do you think that the cases known to you are of such a nature as to warrant special provision having to be made to prevent farmers from carrying out this, what you call "system of terrorism"?— I do feel that it is absolutely necessary that something should be done in that regard.
MR. KADLIE: 5623.

Well, what remedies would you suggest?—In the first place I should suggest that a heavy premium should be placed on every farmer who shoots at a native, anyhow.

What do you mean by that?—I mean that a farmer should be made to compensate the parents of these people who are shot in that way.

These things generally come before the Courts, don't they?—Yes, but the Government can make a provision in the Law; as it is now the Minister of Justice has introduced a law legalising lashing in lieu of fines.......

You are running away from the question again; let us stick to this point; We are talking about the shooting of natives which has nothing to do with the point you are bringing in?—I suggest that the only way in which the farmers could be prevented from playing with the gun at the expense of the lives of the natives would be to have a premium on every native life that is lost.

I take it that you have also heard of cases where farmers have shot each other?—No, I have not.

Not accidentally either; you know that happens?—You mean civil war....

No, no, two farmers have had a difference of opinion and the one has shot at the other; I think I could mention as many cases of that kind having occurred as you can mention of natives having been shot at by farmers — and there are fewer white farmers to be shot at?—We are trying to point out that a man is entirely at the mercy of the farmer and that he is quite helpless to protect himself; that is the complaint which we are making, and we want some protection given to the native who is exposed to that danger.

SENATOR VAN HUMPHERK: And some farmers are killed
by natives —what about that?— That is the way of life...

Yes, if a native kills a white farmer, then you say "it is the way of life", but if the white farmer kills you then it is not the way of life and you want special legislation passed...?— You go for me by shooting me down....

The shooting is usually accidental, as you know; it is very seldom that any cases occur where the shooting has been done deliberately?—No, I don't know that that is so.

DR. ROBERTS: You say you don't know?—No, it is not usually accidental; there are many other cases.

CHAIRMAN: Let us come back to this wage question. You advocate the payment of 6/6 per day to town natives as a reasonable minimum wage for natives?—Yes.

For any kind of work?—Yes, any kind of work.

Are you aware of the rates of pay which are now paid to European unskilled labourers?—Yes, I am.

Are you aware of the fact that there are a large number of cases where these people do not get as much as 6/6 per day?—(MR. KADALIE) I know that; that does not alter .......

Let us suppose that 6/6 were to be introduced throughout the country as a minimum wage in the towns for natives; do not you think that if that were done you would be running a certain risk of the Europeans flooding you?—It may be, but still, we want a minimum wage of 6/6 for natives. That is the point which we are urging.

No matter what the effect may be?—No; if I am a good worker, the employer will give me the job, but if the European is a better worker then he will get the job. That is the point.

If you had a minimum wage of 6/6 throughout the Union, don't you think that the result would be a great deal of
unemployment among the natives?—No, I do not.

And your opinion is that the minimum wage is of greater importance than the employment?—Yes; the employer has to choose who is the better worker of the two—the European or the native.

With regard to your budget, is this a real budget; that is to say, has it been compiled from the actual expenditure of individual natives which you have written down?—Yes, these are actual figures which I got.

How is it that you show all these items, sugar, tea, coffee, etc., without any pennies or fractions; you show everything in round figures, everything in shillings?—That statement is borne out by the Joint Council of Europeans and Natives in Johannesburg.

You are too apt to try and get away from the question which I put; I want some information from you; you say this was prepared from the actual expenditure which some natives have told you about; how many natives?—We had East London natives, and Bloemfontein natives and.

Yes, I am asking you how many natives; you see a budget like this can only be prepared if it is from the actual expenditure of natives; how many natives did you have in East London who gave you their actual expenditure?—(after consultation with members of the audience) The Chairman of our East London Branch says that there were 65 native families who gave the details.

And how many native families in Bloemfontein gave their details?—I am speaking of Johannesburg; in Johannesburg we got the information from 24 natives.

Do you know how many natives gave you their details in Bloemfontein?—No, I cannot remember that.

You had a certain number there?—Yes.
And did you get any information from any other towns?—
Yes we got some from Capetown.
You do not know the numbers?— No.
Somewhere over a hundred, all told?—Yes.
And you added them all up and divided them by the
people who had given you their expenditure and the figures
turned out in round figures?—Yes.
Your arithmetic must be rather curious; I have to
deal with a very large number of figures and I find it very
difficult to end up in round figures?—I know that.
You cannot expect me to believe that figures like
that can ever actually come out; your arithmetic must be
wrong?— No answer.

MR. LUCAS: This pamphlet "the Black outlook for
natives", is yours, Mr. NoWana?—(MR. NQWANA) Yes, Sir.
You say on page 8 "the black people of this country
are not asking the Government to spend European funds
on native education..." and then you say "it is an open
secret that white and coloured pensioners benefit to the
extent of £50,000 from native revenue funds". How do you
arrive at that?— This was a statement made at the
Congress of the South African Chambers of Commerce. It was
a statement made by the member of the Provincial Council
for Kingwilliamstowm (Mr Schoonavagevel) and he was supported
in that statement by Mr. Bishop, who came from Kimberley.
That is where you got your information from?—Yes.
And you have nothing but these statements at the
Chambers' of Commerce Congress to support you?—No.
Did these gentlemen who made that statement explain
how they arrived at this figure?— No, it was a statement
which was made at the Congress.
SENATOR VAN NIEKERK: And you accepte that statement as fact?—Yes, I did.

Did you enquire into it at all?—I know for a fact that native funds have gone into the coffers of the Government; I had that to go on.

MR. LUIJAS. Under our terms of reference we have to find out what the native pays and what is spent on him, and we want to get what assistance we can. I want to see whether you can help us; you cannot add anything more?—No, it was a statement made by a responsible person and I suppose he can prove what he said there.

And then you say "the following are the rough figures of direct and indirect native taxation". You suggest that a certain figure is paid by the natives?—Yes.

The argument is that the other way is to in the Transvaal the employer pays the tax; it is argued by some people that that reduces the native wages by that amount; what is your view?—My view is that the amount which the employer pays is automatically deducted from the wages of the native. It makes his wage lower and therefore it is a native tax.

SENATOR VAN NIEKERK: The native is usually paid in round figures; say he gets £1 per month, or £1.5 or £1.10.0. If a native comes to me, and I think he is worth £1, do you suggest that because of that tax I would say 'l am only paying you 19/-?—If I have lived in Johannesburg for some time and I know of employers who do not pay this fee; it is in many cases paid by the natives themselves; and it is a native tax because of that.

CHAIRMAN: It is much better for you to answer the question direct; the question is whether the employer will pay you 19/- per month instead of £1 per month because he has to pay that wage fee?—No, I do not think he will do so.
MR. LUCAS: Your next figure is "Customs Tariff, Native goods tax £581,000. Where do you get that figure from?—From a statement issued by the Government during the last General elections.

Do you know what it was called?—I think it was a party pamphlet; it was what the Nationalists had done.

Could you get a copy of it?—I don't think so.

You have no other sources, except that, for this particular figure?—No, I have not.

The next point you mention is "mining", and then "cheap labour profits' tax"—£1,700,000; how do you get that?—The Government is taking the mining industry on their profits to the extent of 3/- in the £ and I put that down that through the native cheap labour they were able to pay this tax. If they employed solely white labour they would not be able to pay this tax.

There would be no profits?—No.

Senator Van Mieghem: If they employed Chinese?—They could not do the work; they are worse than the natives. I met them in France too; they went to sleep there.

MR. LUCAS: I want to be quite sure of your basis. Is your argument that without cheap native labour there would be no profits, and so because of that cheap native labour, the natives' contribution to revenue should be given a portion of that profit tax?—Yes, that is my contention.

Chairman: You know that you are ally entirely wrong; if there were no Sun, there would be no natives, therefore the Sun is paying that tax?—I do not quite catch your meaning.

MR. LUCAS: Then your next item is "Native revenue,
Urban areas, £2,000,000?—Yes.

How is that arrived at? I took it at this rate; there were centres where they were paying as much as £1.5.0 for rent, municipally owned houses, and there are centres, for stands only, for land rent 12/6; at Boksburg for instance. People pay 12/6 there for their houses, and there are others who pay as low as 3/=, and others pay 4/=. I took £ that if every native living in the urban areas paid a sum of 10/- per month, I calculated on that basis....

That is 300,000 natives paying 10/- per month each?—In the urban areas.

You must have taken 300,000 natives?—Yes.

Why did you take that particular figure?—I took just an average of 10/- per head.

Yes, but why did you take 333,000 natives?—I think I took more than that.

CHAIRMAN: Then you must have taken less than 10/- per head?—I am not sure; I think I took it at between 5/- and 10/- per head. I cannot remember just now.

MR. LUCAS: That is how you calculated that; the ground rent which the natives are paying in the towns?—Yes.

SENATOR VAN NIEKERK: And do you regard that as revenue?—I calculated it on that basis.

Regarding that as revenue?—Yes.

At 1 p.m. the Commission adjourned until 9.30 a.m. on Friday March 20th, 1931, the afternoon of Thursday March 19th being devoted to the inspection of the Municipal locations.